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155-1 LEGAL FRAMEWORK

§ 155-1.10 OFFICIAL NAME (TITLE).

The official name of this chapter (Chapter 155) is the "Zoning Ordinance of Will County, Illinois." For convenience, it is referred to throughout Chapter 155 as the "zoning ordinance."

(Ord. effective 10-1-2012)

§ 155-1.20 EFFECTIVE DATE.

The provisions of this zoning ordinance become effective on and compliance with its provisions becomes mandatory beginning October 1, 2012, unless otherwise expressly stated in a specific provision of the zoning ordinance.

(Ord. effective 10-1-2012)

§ 155-1.30 AUTHORITY.

This zoning ordinance is adopted pursuant to the powers granted and limitations imposed by Illinois law, including ILCS Ch. 55, Act 5, §§ 5-12001 et seq.

(Ord. effective 10-1-2012)

§ 155-1.40 APPLICABILITY AND JURISDICTION.

(A) The regulations of this zoning ordinance apply to all development, public or private, within unincorporated Will County, except as provided by state or federal law or otherwise expressly stated in this zoning ordinance.

(B) Areas within the incorporated limits of cities, villages, and towns that have zoning ordinances in effect are excluded from the jurisdiction of this zoning ordinance. Areas within the incorporated limits of cities and towns that do not have zoning ordinances in effect are subject to the provisions of this zoning ordinance.

(Ord. effective 10-1-2012)

§ 155-1.50 EXEMPTIONS.

(A) Agricultural exemptions.

(1) The provisions of this zoning ordinance may not be exercised to impose regulations or required zoning permits with respect to land used for agricultural purposes or with respect to the erection, maintenance, repair, alteration, remodeling, or extension of buildings or structures used for agricultural purposes upon such land, except as provided in ILCS Ch. 55, Ch. 5, §§ 5-12001 et seq. In the event that land ceases to be used solely for agricultural purposes, then and only then do the provisions of this zoning ordinance apply.

(2) The agricultural zoning exemption stated in division (A)(1) of this section does not exempt agricultural uses, buildings and structures from complying with the Water Resource Ordinance or from obtaining building permits and complying with applicable building ordinances.

(3) A residence in connection with an agricultural use and the residence's water supply and sewage disposal facilities are not exempt and are subject to the regulations of this zoning ordinance.

(B) *Public utility exemptions.* The provisions of this zoning ordinance may not be exercised to impose regulations on any of the following:

(1) The type or location of any underground installations, poles, towers, wires, cables, conduits, vaults, laterals or other similar distributing equipment of a public utility as defined in the Public Utilities Act, if the public utility is subject to the Messages Tax Act, the Gas Revenue Tax Act or the Public Utilities Revenue Act, or if such facilities or equipment are located in any rights-of-way and are used for railroad purposes; or

(2) Uses, buildings, or structures of a public utility as defined in the Public Utilities Act.

(Ord. effective 10-1-2012)

(C) *FERC-regulated pipeline exemptions.* Pipelines subject to regulation by the Federal Energy Regulatory Commission (FERC) and above-ground equipment associated with the such pipelines are permitted in all zoning districts and are exempt from compliance with minimum lot area, lot width and setback regulations. Pipelines are subject to the regulations of § 155-9.190.

§ 155-1.60 PURPOSES.

This zoning ordinance is adopted for the purposes of:

(A) Helping implement the Land Resource Management Plan.

(B) Accommodating and promoting sustainable building and development practices.

(C) Protecting the public health, safety and general welfare of present and future inhabitants of Will County, by:

(1) Requiring adherence to land use patterns that have been deemed to provide development in the best interest of the entire county as indicated, explained, and substantiated in the official plans of Will County;

(2) Protecting ground water supplies by controlling inappropriate land uses where soils and geological characteristics present the possibility of diminishing supplies or contamination by pollutants;

(3) Requiring provisions of adequate open space for sunlight, clean air, privacy, noise abatement, recreation, pedestrian circulation, and safe sight distances for operation of motor vehicles;

(4) Requiring provisions for safe and adequate circulation of motor vehicles, bicyclists, and pedestrians;

(5) Requiring provisions for adequate water supply and sewage disposal;

(6) Requiring provisions that promote adequate police and fire protection;

(7) Providing for the opportunity to create a variety of housing opportunities and life styles, employment, industrial, and commercial enterprises;

(8) Prohibiting the intrusion of incompatible uses into residential, commercial, industrial, agricultural, recreational, and other necessary natural and man-made areas;

(9) Requiring provisions for adequate and essential facilities, services, and utilities;

(10) Requiring the provisions of adequate control, operation, and maintenance of facilities necessary for public use; and

(11) Providing for the maintenance of a viable agricultural base, including supporting businesses and services.

(D) Conserving property values throughout Will County by:

(1) Prohibiting the intrusion of incompatible uses into residential, commercial, industrial, agricultural, recreational, and natural resource and other necessary natural and man-made areas;

(2) Requiring provisions of adequate open space for sunlight, clean air, privacy, noise abatement, recreation, pedestrian circulation, and safe sight distances for operation of motor vehicles;

(3) Requiring provisions for coordinated, adjusted, and harmonious development; and

(4) Requiring provisions for promoting adherence to land use patterns that have been deemed to provide development to the best interest of the entire county.

(E) Lessening or avoiding congestion in the public streets and highways of Will County, by:

(1) Requiring provisions for safe and adequate circulation of motor vehicles, bicyclists, and pedestrians;

(2) Requiring provisions for adequate open space for safe sight distances for operation of motor vehicles; and

(3) Requiring provisions for coordinated, adjusted, and harmonious development.

(F) Lessening or avoiding the hazards to persons and damage to property resulting from the accumulation of runoff of storm or flood water within Will County, by:

(1) Requiring provisions for controlling development within floodplain; and

(2) Requiring provisions for sediment and erosion control.

(Ord. effective 10-1-2012)

§ 155-1.70 MINIMUM REQUIREMENTS; COMPLIANCE REQUIRED.

(A) The provisions of this zoning ordinance are the minimum requirements deemed necessary to carry out the zoning ordinance's stated purpose and intent.

(B) In addition to the requirements of this zoning ordinance, all uses and development must comply with all other applicable county, state and federal regulations.

(C) All references in the zoning ordinance to other county, state, or federal regulations are for informational purposes only and do not constitute a complete list of such regulations. These references do not imply any responsibility for the county to enforce state or federal regulations.

(Ord. effective 10-1-2012)

§ 155-1.80 COMPLIANCE REQUIRED.

Except as otherwise expressly provided in this zoning ordinance:

(A) A building or structure may not be erected, moved, reconstructed, extended or structurally altered for any purpose other than one that is allowed in the subject zoning district.

(B) Land may not be used for any purpose other than one that is allowed in the subject zoning district.

(C) Buildings, structures and land may be used and arranged only in compliance with the requirements specified in this zoning ordinance.

(Ord. effective 10-1-2012)

§ 155-1.90 CONFLICTING PROVISIONS.

(A) *Conflict with state or federal regulations.* If the provisions of this zoning ordinance are inconsistent with those of the state or federal government, the more restrictive provision will control, to the extent allowed by law. The more restrictive provision is the one that imposes more stringent controls.

(B) *Conflict with other county regulations.* If the provisions of this zoning ordinance are inconsistent with one another, or if they conflict with provisions found in other adopted ordinances or regulations of the county, the more restrictive provision will control unless otherwise expressly stated. The more restrictive provision is the one that imposes more stringent controls.

(C) *Conflict with private agreements and covenants.* This zoning ordinance is not intended to interfere with, abrogate or annul any easement, covenant, deed restriction or other agreement between private parties. If the provisions of this zoning ordinance impose a greater restriction than imposed by a private agreement or covenant, the provisions of this zoning ordinance control.

(Ord. effective 10-1-2012)

§ 155-1.100 RULES OF LANGUAGE AND ORDINANCE CONSTRUCTION.

(A) *Meanings and intent.* The language of the zoning ordinance must be read literally. Regulations are no more or less strict than stated. Words and terms expressly defined in this zoning ordinance (see, for example, Article 155-8 and § 155-18.20) have the specific meanings assigned, unless the context expressly indicates another meaning. Words that are not expressly defined in this ordinance have their common dictionary meaning.

(B) Computation of time.

(1) References to "days" are to calendar days unless otherwise expressly stated. References to "business days" are references to regular county government working days, excluding Saturdays, Sundays and holidays observed by county government.

(2) The time in which an act is to be completed is computed by excluding the first day and including the last day. If the last day is a Saturday, Sunday, or holiday observed by county government, that day is excluded.

(3) A day concludes at the close of business, and any materials received after that time will be considered to have been received the following day.

(C) Tenses and usage.

(1) Words used in the singular include the plural. The reverse is also true.

(2) Words used in the present tense include the future tense. The reverse is also true.

(3) The words "must," "will," "shall" and "may not" are mandatory.

(4) The word "may" is permissive, and "should" is advisory, not mandatory or required.

(5) When used with numbers, "up to x," "not more than x" and "a maximum of x" all include "x."

(D) *Conjunctions.* Unless the context otherwise clearly indicates, conjunctions have the following meanings:

(1) "And" indicates that all connected items or provisions apply; and

(2) "Or" indicates that the connected items or provisions may apply singularly or in combination.

(E) *Headings and illustrations.* Headings and illustrations are provided for convenience and reference only and do not define or limit the scope of any provision of this zoning ordinance. In case of any difference of meaning or implication between the text of this zoning ordinance and any heading, drawing, table, figure, or illustration, the text controls.

(F) *Current versions and citations.* All references to other county, state, or federal regulations in the zoning ordinance refer to the most current version and citation for those regulations, unless expressly indicated otherwise. When the referenced regulations have been repealed and not replaced by other regulations, zoning ordinance requirements for compliance are no longer in effect.

(G) *Lists and examples.* Unless otherwise expressly indicated, lists of items or examples that use "including," "such as," or similar terms are intended to provide examples only. They are not to be construed as exhaustive lists of all possibilities.

(H) *Delegation of authority.* Whenever a provision appears requiring the head of a department or another officer or employee of the county to perform an act or duty, that provision will be construed as authorizing the department head or officer to delegate that responsibility to others over whom they have authority. Delegation of authority is not allowed when the provisions of this zoning ordinance expressly prohibit such a delegation.

(I) *Public officials and agencies.* All employees, public officials, bodies and agencies to which references are made are those of the Will County unless otherwise expressly stated.

(Ord. effective 10-1-2012)

§ 155-1.110 ZONING MAP.

(A) *Establishment.* The location and boundaries of the zoning districts established by this zoning ordinance are shown on a geographic coverage layer entitled "zoning" that is maintained as part of the county's geographic information system (GIS) under the direction of the Zoning Administrator. This "zoning" geographic coverage layer constitutes Will County's official zoning map. The official zoning map—together with all notations, references, data and other information shown on the map—is adopted and incorporated into this zoning ordinance. It is as much a part of this zoning ordinance as if actually depicted within its pages.

(B) *Maintenance and updates.* The Zoning Administrator is responsible for directing revisions to the official zoning map to reflect its amendment as soon as possible after the effective date of zoning map amendments (rezonings). No unauthorized person may alter or modify the official zoning map. The Zoning Administrator may authorize printed copies of the official zoning map to be produced and maintain digital or printed copies of superseded versions of the official zoning map for historical reference.

(C) *District boundaries.* When the zoning map shows a zoning district boundary as following a particular feature, or reflects a clear intent that the boundary follows the feature, the boundary will be construed as following that feature as it actually exists.

(D) *Map interpretations.* Where any uncertainty exists about a zoning boundary, the actual location of the boundary will be determined by the Zoning Administrator using the following rules of interpretation.

(1) A boundary shown on the zoning map as approximately following a river, stream, lake or other watercourse will be construed as following the actual centerline of the watercourse. If, subsequent to the establishment of the boundary, the centerline of the watercourse should move as a result of natural processes (flooding, erosion, sedimentation, etc.), the boundary will be construed as moving with the centerline of the watercourse.

(2) A boundary shown on the zoning map as approximately following a ridge line or topographic contour line will be construed as following the actual ridge line or contour line. If, subsequent to the establishment of the boundary, the ridge line or contour line should move as a result of natural processes (erosion, slippage, subsidence, etc.), the boundary will be construed as moving with the ridge line or contour line.

(3) A boundary shown on the zoning map as approximately following lot lines or other parcel boundaries assigned by the Will County Supervisor of Assessments will be construed as following such lot lines or parcel boundaries.

(4) A boundary shown on the zoning map as approximately following a street or railroad line will be construed as following the centerline of the street or railroad right-of-way.

(5) A boundary shown on the zoning map as approximately following the boundary of an adjacent municipality will be construed as following that boundary.

(6) A boundary shown on the zoning map as approximately parallel to, or as an apparent extension of, a feature described above will be construed as being actually parallel to, or an extension of, the feature.

(7) Zoning boundaries that do not coincide with a property line, parcel boundary, landmark or particular feature will be determined with a scale.

(8) It is the intent that the entire unincorporated area of the county, including all land and water areas, rivers, streets, alleys, railroads, and other right-of-ways, be included in the districts established by this zoning ordinance. If any area is not shown on the zoning map as being included in a zoning district, it will be deemed to be classified in the E-1 district until otherwise reclassified by a zoning map amendment in accordance with § 155-16.30.

(E) Split-zoned lots.

(1) The zoning map may not be amended to classify a single lot into two or more base zoning districts.

(2) The split zoning of any newly created lot (into more than one base zoning district classification) is prohibited.

(3) When an existing lot is classified in two or more base zoning classifications, the following rules apply, at the owner's option:

(a) Each of the separate zoned areas on the lot may be treated as a separate zoning lot and developed in accordance with the zoning district regulations that apply to each respective area; or

(b) The more restrictive provisions of the subject zoning districts, including but not limited to, use, parking, signs, setbacks, height and other lot and building regulations, may be applied to the entire lot; or

(c) When one zoning district applies to at least 75% of the total lot area and the other zoning district occupies no more than 5,000 square feet of the total lot area, the regulations of the zoning district occupying the larger portion of the lot may be applied to the entire zoning lot.

(4) Building setbacks do not apply along base zoning district boundary lines that split a lot under single ownership.

(Ord. effective 10-1-2012)

§ 155-1.120 TRANSITIONAL PROVISIONS.

The provisions of this section address the transition from the previous zoning ordinance (the one in effect before the effective date specified in § 155-1.20) to this zoning ordinance.

(A) Applications, permits and approvals.

(1) Any building, development or structure for which a building permit was issued or a complete permit application had been accepted for processing before October 1, 2012 may be completed in conformance with the issued building permit and other applicable permits and conditions, even if such building, development or structure does not fully comply with provisions of this zoning ordinance. If building is not commenced and completed within the time allowed under the original building permit, then the building, development or structure may be constructed, completed and occupied only if it complies with the standards of this zoning ordinance.

(2) Applications for special use permits, temporary use permits, variances or other zoning approvals that were submitted in complete form and are pending approval on the effective date specified in § 155-1.20 must be reviewed wholly under the terms of the zoning ordinance in effect immediately before the effective date specified in § 155-1.20. Building permits for construction and development approved under such zoning approvals may be issued in accordance with division (A)(3) of this section.

(3) Building permits may be issued for construction or development approved under division (A)(2) of this section, even if such building, development or structure does not fully comply with provisions of this zoning ordinance. If building is not commenced and completed within the time allowed under the building permit, then the building, development or structure may be constructed, completed and occupied only if it complies with the standards of this zoning ordinance.

(4) When a use classified as a special use under this zoning ordinance exists as a special use, permitted use, nonconforming use or a lawful use by court decree on the effective date specified in § 155-1.20, such use will be considered a lawfully established special use under this zoning ordinance. When any amendment to this zoning ordinance changes the classification of a permitted use to a special use, any use lawfully established before such amendment will be considered a lawfully established special use after the effective date of such amendment. A lawfully established existing use that is not allowed as a special use or permitted use in the district in which the use is now located will be considered a nonconforming use and will be subject to all applicable regulations of Article 155-15.

(B) Violations continue.

(1) Any violation of the previous zoning ordinance will continue to be a violation under this zoning ordinance and be subject to penalties and enforcement under § 155-17.20.

(2) If the use, development, construction or other activity that was a violation under the previous ordinance complies with the regulations of this zoning ordinance, enforcement action will cease, except for collecting penalties for violations that occurred before the effective date specified in § 155-1.20.

(3) The adoption of this zoning ordinance does not affect nor prevent any pending or future prosecution of, or action to abate, violations of the previous ordinance that occurred before the effective date specified in § 155-1.20.

(C) Nonconformities.

(1) Any nonconformity under the previous zoning ordinance will also be nonconformity under this zoning ordinance, as long as the situation that resulted in the nonconforming status under the previous regulation continues to exist.

(2) If, however, a nonconforming situation under previous zoning regulations becomes conforming because of the adoption of this zoning ordinance, or any subsequent amendment to it, then the situation will no longer be considered a nonconformity.

(3) A situation that did not constitute a (lawful) nonconforming situation under the previously adopted zoning ordinance does not achieve (lawful) nonconforming status under this zoning ordinance merely by repeal of the previous zoning ordinance.

(Ord. effective 10-1-2012)

§ 155-1.130 ZONING UPON DISCONNECTION OR DISSOLUTION.

Any additions to the unincorporated area of Will County resulting from disconnection by municipalities or dissolution of a municipality will be deemed to be classified in the E-1 district until otherwise reclassified by a zoning map amendment in accordance with § 155-16.30.

(A) *Severability.* If any portion of this zoning ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, that portion is to be deemed severed from the zoning ordinance and in no way affects the validity of the remainder of the zoning ordinance.

(Ord. effective 10-1-2012)

155-2 AGRICULTURAL DISTRICTS

§ 155-2.10 GENERAL.

(A) *The districts.* The county's agricultural zoning districts are listed below. When this zoning ordinance refers to "agricultural" zoning districts or "A" districts, it is referring to these districts.

Zoning District	Map Symbol
Agricultural	A-1
Agricultural-Residential[1]	A-2
[1] The A-2 district is a "grandfathered" zoning classification that is no longer available for rezonings.	

(B) Purposes.

(1) *A-1.* The A-1 zoning district is primarily intended to help accommodate, promote and preserve agriculture and farming as economically desirable businesses and a key determinant of the county's rural character, while also respecting the property rights of farmers.

(2) *A-2.* The A-2 district is no longer available for rezonings. No rezoning applications may be accepted or approved for rezoning to the A-2 district.

(Ord. effective 10-1-2012)

§ 155-2.20 ALLOWED USES.

Principal uses are allowed in agricultural zoning districts in accordance with the regulations of Article 155-7 (Allowed Uses).

(Ord. effective 10-1-2012)

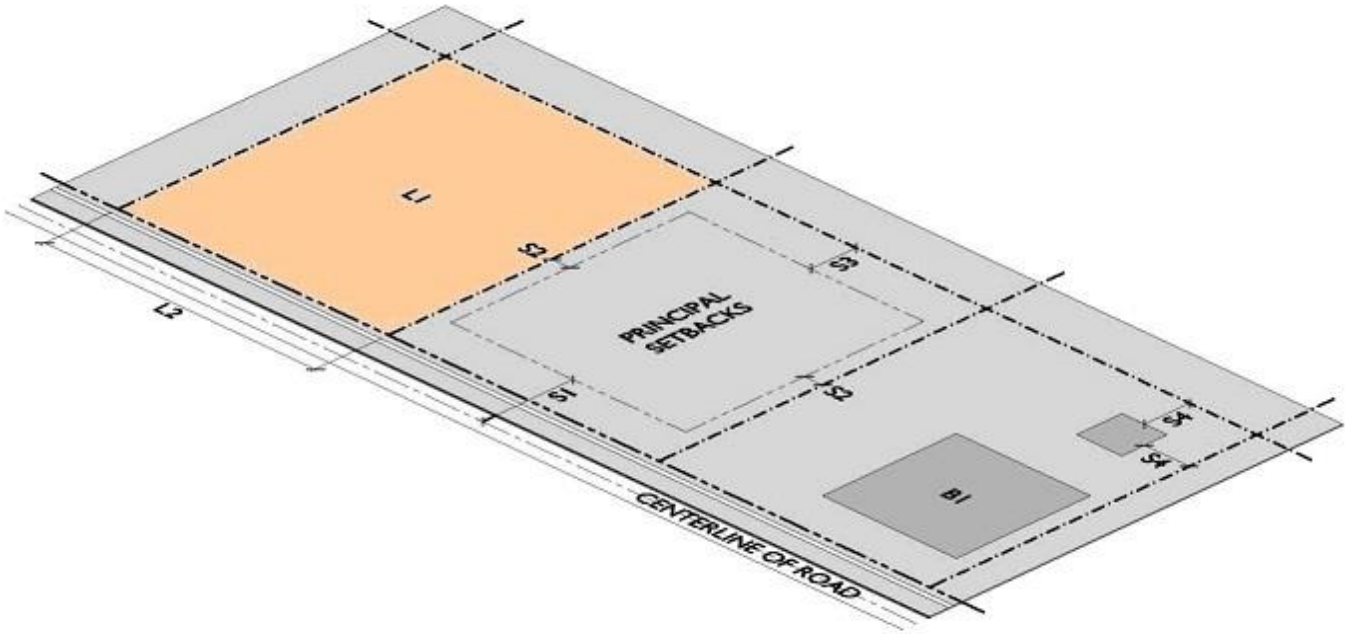
§ 155-2.30 LOT AND BUILDING REGULATIONS.

(A) *General.* This section establishes basic lot and building regulations that apply in agricultural districts. These regulations offer certainty for property owners, developers and neighbors about the limits of what is allowed; they should not be construed as a guarantee that maximum allowed densities and development yields can be achieved on every lot. Other factors, such as topography, the presence of protected resources, health department requirements for well and septic, off-street parking and other factors may work to further limit actual development potential.

(B) *Basic standards.* The lot and building standards of the following table apply to all principal and accessory uses allowed in agricultural districts, except as otherwise expressly stated in this zoning ordinance. General exceptions to these standards and rules for measuring compliance can be found in § 155-18.10.

Legend	Lot and Building Standards	A-1	A-2
L1	Minimum Lot Area (acres)	10[1]	2.5
L2	Minimum Lot Frontage (feet)	300	300
	Minimum Setbacks (feet)		
S1	**Street** (from CL of road)	100	100
S2	Side	50	20
S3	Rear	50	50

Legend	Lot and Building Standards	A-1	A-2
S4	Minimum Setbacks for Animal Confinement Buildings (feet)[2]	50	50
B1	Maximum Building Coverage (%)	20	20
	Maximum Accessory Building Area (square feet)	None	3,000 [4]
	Maximum Building Height (feet)		
	Accessory Buildings [3]	25	25
	All Other	Per Will Co. Building Ord.	
[1] See the farmstead split provisions of § 155-2.40(H) for exceptions to this minimum lot area regulation.			
[2] Setback required from all lot lines. See also § 155-10.10(B)(2).			
[3] Does not apply to farm buildings.			
[4] Does not apply to stables.			



(Ord. effective 10-1-2012)

§ 155-2.40 OTHER REGULATIONS.

Uses and development in agricultural districts may be subject to other regulations and standards, including the following:

(A) *Nonconformities.* See Article 155-15.

(B) *Accessory uses.* See § 155-10.10.

(C) *Parking and loading.* See Article 155-11.

(D) *Landscaping and screening.* See Article 155-12.

(E) *Signs.* See Article 155-13.

(F) *Temporary uses.* See § 155-10.20.

(G) *Outdoor lighting.* See § 155-14.110.

(H) *Farmstead splits.* The intent of the farmstead split provisions of this section is to allow a one-time split of a farmstead lot out of a qualifying A-1-zoned parcel. The provisions apply to farmstead splits that occurred before the effective date specified in Sec. 155-1.20 and to farmstead splits proposed after the effective date specified in Sec. 155-1.20. Farmstead splits are subject to all of the following requirements.

(1) The farmstead split must comply with all applicable requirements of ILCS Ch. 765, Act 205 (Plat Act).

(2) The parent parcel must be zoned A-1 and have no outstanding zoning ordinance violations.

(3) The principal use of the parent parcel must be crop or animal agriculture.

(4) Farmstead lots to be split from the parent parcel may or may not include farm-related buildings.

(5) A farmstead lot to be split from the parent parcel must have frontage on a public road or provide proof of access to a public road through a private drive or easement.

(6) There is no fixed minimum size requirement for the farmstead lot to be split from the parent farm parcel, provided that after the split the farmstead parcel must comply with all applicable building setbacks and health department regulations.

(7) After the farmstead split, the parent parcel must comply with all applicable A-1 lot size, setback and lot coverage requirements or remain as compliant as before the split.

(8) To ensure that a parcel is restricted to a single farmstead split, the owner of the entire parent parcel must execute a recordable covenant between the owner and the county for the entire parent parcel. The covenant must prohibit further division of the parent parcel without full platting of the remainder of the parent parcel and rezoning to the appropriate zoning district, when required by ordinance. The covenant must be binding on all heirs and assigns of both the parent parcel and the farmstead split lot. The covenant must be recorded as a condition of the approval of the farmstead split and no construction authorization may be issued until the covenant has been recorded.

(9) The farmstead split provisions of this section shall be administered and interpreted as allowing future land divisions (farmstead splits) that comply with these regulations and as recognizing, as lawful, previous land divisions that comply with these regulations.

(10) Land divisions that are required because of condemnation proceedings and similar land divisions that are required by government action do not count as farmstead splits.

(Ord. effective 10-1-2012)

155-3 RESIDENTIAL DISTRICTS

§ 155-3.10 GENERAL.

(A) *The districts.* The county's residential zoning districts are listed below. When this zoning ordinance refers to "residential" zoning districts, it is referring to these districts.

Zoning District	Map Symbol
Residential Rural Estate	E-1
Residential Estate	E-2
Residential-Single-family	R-1
Residential-Single-family	R-2
Residential-Single-family	R-2A
Residential-Single-family	R-3
Residential-Single-family	R-4
Residential-Single-family	R-5
Residential-Multi-family	R-6

(B) *Purposes.* Will County's residential zoning districts are primarily intended to create, maintain and promote a variety of housing and lifestyle opportunities for individual households and to maintain and promote desired form and use concepts designated in the county's Land Resource Management Plan. While the districts primarily accommodate residential use types, some nonresidential uses are also allowed.

(1) E-1 and E-2 districts.

(a) E-1 and E-2 districts are primarily intended to:

1. Help preserve the rural and open space character of areas that are not prime agricultural lands and not suitable for urban or suburban development because of location, topography, soil characteristics, the lack of urban services or other natural or man-made factors;

2. Accommodate very large-lot, rural and estate-type residential use;

3. Help conserve sensitive natural resources; and

4. Allow farming and the keeping of horses and domestic farm animals as an accessory use to the primary residential use of the property.

(b) Conservation design subdivisions are allowed and encouraged for new residential developments in E-1 and E-2 districts.

(2) R-1, R-2 and R-2A districts.

(a) R-1, R-2 and R-2A districts are primarily intended to accommodate detached houses on large lots in areas served by paved roads and where police, fire and emergency medical services are readily available. As with all residential districts, R-1, R-2 and R-2A districts also allow some other uses typically found within residential areas in Will County.

(b) Conservation design subdivisions are allowed and encouraged for new residential developments in R-1, R-2 and R-2A districts.

(3) R-3 district.

(a) The R-3 district is primarily intended to accommodate detached houses in areas served by central water service and paved roads and where police, fire and emergency medical services are readily available. As with all residential districts, the R-3 district also allows some other uses typically found within residential areas in Will County.

(b) Conservation design subdivisions are allowed and encouraged for new residential developments in the R-3 district.

(4) R-4 and R-5 districts.

(a) R-4 and R-5 districts are primarily intended to accommodate detached houses in areas served by central water and sewer and a full range of urban facilities and services, including public transportation. As with all residential districts, R-4 and R-5 districts also allows some other uses typically found within residential areas in Will County.

(b) Conservation design subdivisions are allowed and encouraged for new residential developments in the R-4 district.

(5) *R-6 district.* The R-6 district is primarily intended to accommodate a mix of housing types, including townhouses, multi-unit buildings and detached houses. Like the R-4 and R-5 districts, the R-6 district is appropriate for application only in areas served by central water and sewer and a full range of urban services, including public transportation.

(Ord. effective 10-1-2012)

§ 155-3.20 ALLOWED USES.

Principal uses are allowed in residential zoning districts in accordance with the regulations of Article 155-7 (Allowed Uses).

(Ord. effective 10-1-2012)

§ 155-3.30 LOT AND BUILDING REGULATIONS.

(A) *General.* This section establishes basic lot and building regulations that apply in residential districts. These regulations offer certainty for property owners, developers and neighbors about the limits of what is allowed; they are not to be construed as a guarantee that maximum allowed densities and development yields can be achieved on every lot. Other factors, such as topography, the presence of protected resources, health department requirements for well and septic, off-street parking and other factors may work to further limit actual development potential.

(B) *Basic standards.* The lot and building standards of the following table apply to all principal and accessory uses allowed in residential districts, unless otherwise expressly stated in this zoning ordinance. See § 155-18.10 for exceptions to these standards and rules for measuring compliance.

Legend	Lot and Building Standards	E-1	E-2	R-1	R-2	R-2A	R-3	R-4	R-5	R-6
L1	Minimum Lot Area (square feet)	215,000	105,000	60,000	40,000	30,000	20,000	12,500	10,000	10,000
	Minimum Lot Area Per Unit (sq. ft.)[1]	NA	NA	NA	NA	NA	NA	NA	NA	3,200
L2	Minimum Lot Frontage (feet)	300	180	165	150	120	90	70	70	60
	Minimum Setbacks (feet)									
S1a	**Street** (from CL of non-dedicated road)	100	100	90	80	80	80	80	80	80

Legend	Lot and Building Standards	E-1	E-2	R-1	R-2	R-2A	R-3	R-4	R-5	R-6
S1b	**Street** (from ROW of dedicated road)	67	67	57	47	47	30	30	30	30
S2	Side	20	20	15	10	10	10	10	5	5/10[2]
S3	Rear	80	80	70	40	40	40	30	25	25
S4	**Rear** (Accessory Structures)	5	5	5	5	5	5	5	5	5
	Minimum Setbacks for Animal Confinement Buildings (feet)[3]	50	50	50	50	Same as other buildings (above)				
B1	Maximum Building Coverage (%)[5]	20	20	20	20	25	30	40	45	45
B2	Maximum Acc. Building Area (sq. ft.)[5]	3,000[4]	3,000[4]	1,800	1,800	1,800	1,500	1,200	1,200	1,200
	Maximum Building Height (feet)									
	Accessory Buildings	20	20	20	20	20	20	20	20	20
	All Other	As regulated by Will County Building Ordinance							35	40

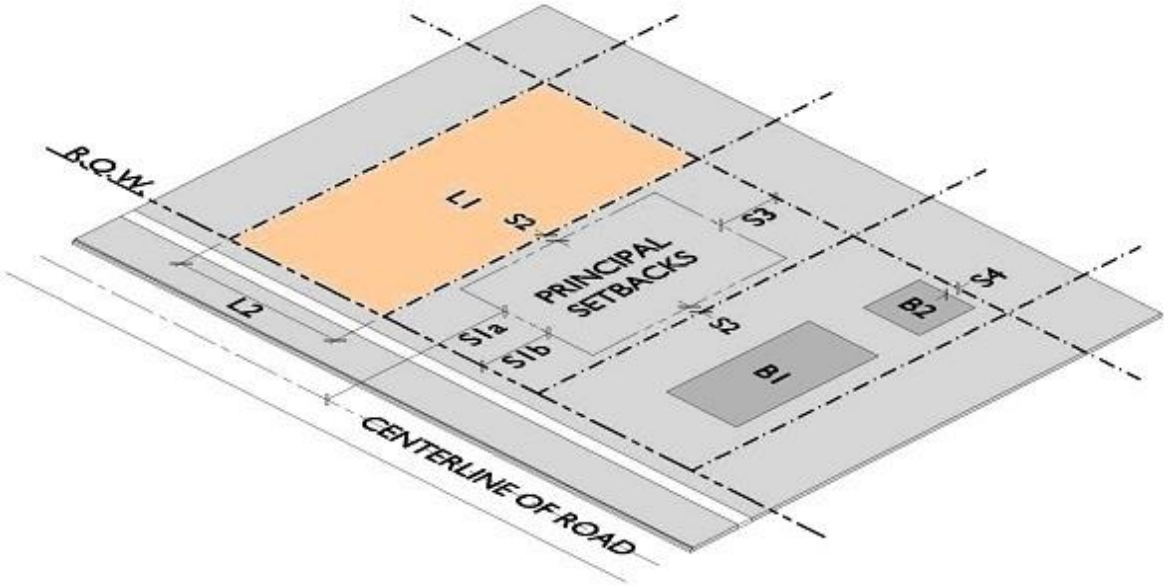
[1]This minimum lot area per unit standard applies only to multi-unit buildings

[2]Minimum side setback is 5 feet for buildings up to 30 feet in height; 10 feet for buildings above 30 feet in height.

[3]Setback required from all lot lines. See also § 155-10.10(B)(2).

[4]Does not apply to stables.

[5] Area of accessory, ground-mounted solar energy systems for personal household use are not included in building coverage limits.



(Ord. effective 10-1-2012)

§ 155-3.40 OTHER REGULATIONS.

Uses and development in residential districts may be subject to other regulations and standards, including the following:

(A) *Conservation design subdivisions.* Conservation design subdivisions are encouraged and permitted in E-1, E-2, R-1, R-2, R-2A, R-3, and R-4 districts. See part 3 of the subdivision ordinance for applicable regulations and incentives.

(B) *Nonconformities.* See Article 155-15.

(C) *Accessory uses.* See § 155-10.10.

(D) *Parking and loading.* See Article 155-11.

(E) *Landscaping and screening.* See Article 155-12.

(F) *Signs.* See Article 155-13.

(G) *Temporary uses.* See § 155-10.20.

(H) *Outdoor lighting.* See § 155-14.110.

(I) *Tents.* Tents may not be erected, used, or maintained on any lot, except those used for temporary recreational purposes.

(Ord. effective 10-1-2012)

155-4 COMMERCIAL DISTRICTS

§ 155-4.10 GENERAL.

(A) *The districts.* The county's commercial zoning districts are listed below. When this zoning ordinance refers to "commercial" zoning districts or "C" districts, it is referring to these districts.

Zoning District	Map Symbol
Local Commercial-1	C-1
Local Commercial-2	C-2
General Commercial	C-3
Highway Commercial	C-4
Business Park Commercial	C-5
Recreation Commercial	C-6

(B) *Purposes.* Will County's commercial zoning districts are primarily intended to accommodate and promote business and commercial uses. Some are also intended to accommodate mixed-use development consisting of business uses and residential uses in the same building or on the same site.

(1) *C-1 district.* The C-1 district is primarily intended to accommodate small retail and service establishments that provide daily convenience goods and services for nearby residents.

(2) *C-2 district.* The C-2 district is primarily intended to accommodate small- to moderate-scale retail and service uses in the form of neighborhood shopping centers or vertical mixed-use developments with nonresidential uses on the ground floor and residential units on upper floors.

(3) *C-3 district.* The C-3 district is primarily intended to accommodate large-format retail uses, community shopping centers, service commercial and moderate to high-intensity vertical mixed-use developments.

(4) *C-4 district.* The C-4 district is primarily intended to accommodate retail, service and auto-oriented commercial uses.

(5) *C-5 district.* The C-5 district is primarily intended to accommodate offices and low-intensity employment uses in the form of stand-alone office buildings and business/research parks.

(6) *C-6 district.* The C-6 district is primarily intended to accommodate commercial recreation, amusement, and entertainment uses.

(Ord. effective 10-1-2012)

§ 155-4.20 ALLOWED USES.

Principal uses are allowed in commercial zoning districts in accordance with the regulations of Article 155-7 (Allowed Uses).

(Ord. effective 10-1-2012)

§ 155-4.30 LOT AND BUILDING REGULATIONS.

(A) *General.* This section establishes basic lot and building regulations that apply in C districts. These regulations offer certainty for property owners, developers and neighbors about the limits of what is allowed; they are not to be construed as a guarantee that maximum allowed densities and development yields can be achieved on every lot. Other factors, such as topography, the presence of protected resources, health department requirements for

well and septic, off-street parking, landscaping requirements and other factors may further limit actual development potential.

(B) *Basic standards.* The lot and building standards of the following table apply to all principal and accessory uses allowed in C districts, unless otherwise expressly stated in this zoning ordinance. See § 155-18.10 for exceptions to these standards and rules for measuring compliance.

Lot and Building Standards	C-1	C -2	C-3	C-4	C-5	C-6
Minimum Lot Area (square feet)	12,000	12,000	12,000	20,000	20,000	20,000
Minimum Lot Area Per Unit (square feet)	3,200	3,200	3,200	3,200	NA	NA
Minimum Lot Frontage (feet)	80	80	80	80	80	80
Minimum Setbacks (feet)						
Street (from CL of non-dedicated road)	80	80	150	130	130	100
Street (from ROW of dedicated road)	30	30	100	80	80	50
Side	10	10	10	10	30	10
Rear	20	20	20	20	30	30
Minimum Setbacks for Animal Confinement Buildings (feet) [1]	N/A	N/A	N/A	N/A	N/A	50
Maximum Floor Area Ratio	1.0	2.0	2.0	2.0	1.0	0.5
Maximum Floor Area (sq. ft. per allowed use)	2,000	NA	NA	NA	NA	NA
Maximum Building Coverage (%)	40	40	50	50	40	50
Maximum Building Height (feet)						
Accessory Buildings	25	25	25	25	25	25
All Other	25	45	45	45	45	25
[1]Applies to farm animal confinement buildings, such as those associated with riding stables.						

(Ord. effective 10-1-2012)

§ 155-4.40 OTHER REGULATIONS.

Uses and development in commercial districts may be subject to other regulations and standards, including the following:

(A) *Nonconformities.* See Article 155-15.

(B) *Accessory uses.* See § 155-10.10.

(C) *Parking and loading.* See Article 155-11.

(D) *Landscaping and screening.* See Article 155-12.

(E) *Signs.* See Article 155-13.

(F) *Temporary uses.* See § 155-10.20.

(G) *Outdoor lighting.* See § 155-14.110.

(H) Outdoor (sales) display and storage. See § 155-14.100.

(Ord. effective 10-1-2012)

155-5 INDUSTRIAL DISTRICTS

§ 155-5.10 GENERAL.

(A) *The districts.* The county's industrial zoning districts are listed below. When this zoning ordinance refers to "industrial" zoning districts or "I" districts, it is referring to these districts.

Zoning District	Map Symbol
Limited Industrial	I-1
General Industrial	I-2
Intensive Industrial	I-3

(B) *Purposes.* Will County's industrial zoning districts are primarily intended to accommodate and promote industrial, manufacturing and employment-generating uses.

(1) *I-1 district.* The I-1 district is primarily intended to accommodate low-impact industrial uses and industrial park developments that have very limited adverse visual and operational impacts.

(2) *I-2 district.* The I-2 district is primarily intended to accommodate moderate-impact industrial uses in areas that will not cause adverse impacts on residential uses.

(3) *I-3 district.* The I-3 district is primarily intended to accommodate high-impact industrial uses in areas that will not cause adverse impacts on residential uses.

(Ord. effective 10-1-2012)

§ 155-5.20 ALLOWED USES.

Principal uses are allowed in industrial zoning districts in accordance with the regulations of Article 155-7 (Allowed Uses).

(Ord. effective 10-1-2012)

§ 155-5.30 LOT AND BUILDING REGULATIONS.

(A) *General.* This section establishes basic lot and building regulations that apply in I districts. These regulations offer certainty for property owners, developers and neighbors about the limits of what is allowed; they are not to be construed as a guarantee that maximum allowed densities and development yields can be achieved on every lot. Other factors, such as topography, the presence of protected resources, health department requirements for well and septic, off-street parking, landscaping requirements and other factors may further limit actual development potential.

(B) *Basic standards.* The lot and building standards of the following table apply to all principal and accessory uses allowed in I districts, except as otherwise expressly stated in this zoning ordinance. General exceptions to these standards and rules for measuring compliance can be found in § 155-18.10.

Lot and Building Standards	I-1	I-2	I-3
Minimum Lot Area (square feet)	10,000	10,000	40,000
Minimum Lot Frontage (feet)	60	80	80
Minimum Setbacks (feet)			
Street (from CL of non-dedicated road)	80	100	150

Lot and Building Standards	I-1	I-2	I-3
Street (from ROW of dedicated road)	30	50	100
Side	10	10	20
Rear	10	40	40
Maximum Building Coverage (%)	70	70	70
Maximum Building Height (feet)			
Accessory Buildings	25	25	25
All Other	35	35/75[1]	35/75[1]
[1] Maximum height of 35 feet for buildings within 200 feet of any residential district//maximum height of 75 feet for buildings located more than 200 feet from residential zoning district.			

(Ord. effective 10-1-2012)

§ 155-5.40 OTHER REGULATIONS.

Uses and development in industrial districts may be subject to other regulations and standards, including the following:

(A) *Nonconformities.* See Article 155-15.

(B) *Accessory uses.* See § 155-10.10.

(C) *Parking and loading.* See Article 155-11.

(D) *Landscaping and screening.* See Article 155-12.

(E) *Signs.* See Article 155-13.

(F) *Temporary uses.* See § 155-10.20.

(G) *Outdoor lighting.* See § 155-14.110.

(H) Outdoor (sales) display and storage. See § 155-14.100.

(Ord. effective 10-1-2012)

155-6 OVERLAY AND SPECIAL PURPOSE DISTRICTS

§ 155-6.10 GENERAL.

(A) Overlay districts.

(1) *Establishment.* Overlay zoning districts may be established, amended or removed only in accordance with the zoning map amendment procedures of § 155-16.30.

(2) *Interpretation.* Overlay zoning district regulations apply in combination with underlying (base) zoning district regulations and all other applicable standards of this zoning ordinance. All applicable regulations of the underlying base zoning district apply to property in an overlay zoning district unless otherwise expressly stated. When overlay district standards conflict with standards that otherwise apply in the underlying, base zoning district, the regulations of the overlay zoning district govern.

(B) *Special purpose districts.* Like overlay zoning districts, special purpose zoning districts are tools for dealing with special situations or accomplishing special planning and zoning goals. Unlike overlay districts, special purpose districts are base zoning classifications; they do not "over-lay" other base zoning districts.

(Ord. effective 10-1-2012)

§ 155-6.20 SP-PO, PARKS AND OPEN SPACE (SPECIAL PURPOSE) DISTRICT.

(A) *Purpose.* The SP-PO Parks and Open Space district is a special purpose zoning district that is intended to help preserve and protect lands set aside for park and open space use. Such areas and facilities provide many benefits to county residents and visitors. They provide cultural and recreation opportunities; preserve natural and scenic areas; protect sensitive natural resource areas; and offer refuge from the built, urban environment. The SP-PO district is intended to be applied to public parks and open space lands under the jurisdiction of the forest preserve district or other county, state or federal government agencies. The SP-PO district may be applied to privately owned lands only with the private property owner's consent.

(B) *Allowed uses.* Principal uses are allowed in the SP-PO zoning district in accordance with the regulations of Article 155-7 (Allowed Uses).

(C) Lot and building regulations.

(1) *General.* This section establishes basic lot and building regulations that apply in special purpose zoning districts. These regulations offer certainty for property owners, developers and neighbors about the limits of what is allowed; they are not to be construed as a guarantee that maximum allowed densities and development yields can be achieved on every lot. Other factors, such as topography, the presence of protected resources, health department requirements for well and septic, off-street parking, landscaping requirements and other factors may further limit actual development potential.

(2) *Basic standards.* The lot and building standards of the following table apply to all principal and accessory uses allowed in special purpose zoning districts, except as otherwise expressly stated in this zoning ordinance. General exceptions to these standards and rules for measuring compliance can be found in § 155-18.10.

Lot and Building Standards	SP-PO
Minimum Lot Area (square feet)	None
Minimum Lot Frontage (feet)	None
Minimum Setbacks (feet)	
Street (from CL of non-dedicated road)	50
Street (from ROW of dedicated road)	30

Lot and Building Standards	SP-PO
Side	10
Rear	30
Maximum Building Height (feet)	45
Maximum Building Coverage (%)	20
[1] Maximum height of 35 feet for buildings within 200 feet of any residential district//maximum height of 75 feet for buildings located more than 200 feet from residential zoning district.	

(D) *Other regulations.* Uses and development in the SP-PO district may be subject to other regulations and standards, including the following:

(1) *Nonconformities.* See Article 155-15.

(2) *Accessory uses.* See § 155-10.10.

(3) *Parking and loading.* See Article 155-11.

(4) *Landscaping and screening.* See Article 155-12.

(5) *Signs.* See Article 155-13.

(6) *Temporary uses.* See § 155-10.20.

(7) *Outdoor lighting.* See § 155-14.110.

(Ord. effective 10-1-2012)

155-7 ALLOWED USES

§ 155-7.10 GENERAL.

Principal uses are allowed in agricultural, residential, commercial and industrial zoning districts in accordance with use table of § 155-7.30.

§ 155-7.20 UNDERSTANDING THE USE TABLE.

(A) *Use classification system.* For the purpose of this zoning ordinance, uses are classified into use categories and subcategories. These are described and defined in Article 155-8. Use categories and subcategories are identified in the first column of the use tables. In some cases, specific use types are listed in addition to the use categories and subcategories.

(B) *Permitted uses.* Uses identified with a "P" in the use tables are permitted as-of-right in the subject zoning district, subject to compliance with all other applicable standards of this zoning ordinance.

(C) *Special uses.* Uses identified with an "S" in the use table may be allowed if reviewed and approved in accordance with the special use permit procedures of § 155-16.40. Special uses are subject to compliance with any use-specific standards identified in the final column of the table and with all other applicable regulations of this zoning ordinance.

(D) *Prohibited uses.* Uses identified with an "-" are expressly prohibited. Uses that are not listed in the use table and that cannot reasonably be interpreted to fall within the use categories described in Article 155-8 are also prohibited. See § 155-8.10(D) for use interpretation rules.

(E) *Use standards.* The "standards" column of use table identifies use-specific standards that apply to some uses. Unless otherwise expressly stated, compliance with such standards is required regardless of whether the use is permitted as-of-right or requires special use approval.

(F) *Accessory uses.* Customary accessory uses are permitted in conjunction with allowed principal uses, provided they comply with all applicable regulations of § 155-10.10.

(Ord. effective 10-1-2012)

§ 155-7.30 USE TABLE.

The following table identifies principal uses allowed in A, R, C and I zoning districts. See § 155-7.20 for information about how to interpret the use table.

Note: This table is available in PDF for ease of printing. Click HERE.

USE CATEGORY	ZONING DISTRICTS																					
Use Subcategory	A-1	A-2	E-1	E-2	R-1	R-2	R-2A	R-3	R-4	R-5	R-6	C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-2	I-3	SP-PO	Standards
└Specific Use Type																						
P = use permitted as of right **S** = use allowed with special use approval **-** = use not allowed																						
RESIDENTIAL																						
Household Living																						
└Detached House	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-		
• Accessory dwelling unit, attached	P	P	P	P	S	S	S	S	S	S	-	-	-	-	-	-	-	-	-	-		155-10.10(C)

USE CATEGORY	ZONING DISTRICTS																						
Use Subcategory	A-1	A-2	E-1	E-2	R-1	R-2	R-2A	R-3	R-4	R-5	R-6	C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-2	I-3	SP-PO	Standards
└Specific Use Type																						
P = use permitted as of right **S** = use allowed with special use approval **-** = use not allowed																						
• Accessory dwelling unit, detached	P	P	P	P	S	S	S	S	S	-	-	-	-	-	-	-	-	-	-	-	-	155-10.10(C)
└Detached House on Existing Residential Leasehold Parcel	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	155-9.160
└Townhouse	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	-	
└Mobile Home	P	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	-	-	155-9.170
└Mobile Home on Existing Residential Leasehold Parcel	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	155-9.160
└Mobile Home Park	-	-	-	-	-	-	-	-	S	S	S	-	-	-	-	-	-	-	-	-	-	155-9.170
└Multi-unit Building	-	-	-	-	-	-	-	-	-	-	S	-	-	-	-	-	-	-	-	-	-	
└Above-ground-floor dwelling unit in vertical mixed-use building	-	-	-	-	-	-	-	-	-	-	-	P	P	P	S	-	-	-	-	-	-	
Elder Cottage Housing Opportunity (ECHO)	S	S	S	S	S	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	155-9.110
Group Living (except as identified below)	-	-	-	-	-	-	-	-	-	-	S	-	S	S	-	-	-	-	-	-	-	
└Emergency or Temporary Shelter	-	S	S	S	S	S	S	S	S	S	S	-	-	-	-	-	-	-	-	-	-	155-9.90
└Fraternities, Dormitories and Boarding Houses	-	-	-	-	-	-	-	-	-	-	-	-	S	-	-	-	-	-	-	-	-	
└Group Care Home (maximum 6 residents)	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	155-9.90
└Group Care Home (7-16 residents)	-	S	S	S	S	S	S	S	S	S	S	-	-	-	-	-	-	-	-	-	-	155-9.90
└Halfway House	-	S	S	S	S	S	S	S	S	S	S	-	-	-	-	-	-	-	-	-	-	155-9.90
└Nursing Home	-	-	-	-	-	-	-	-	-	-	-	-	S	S	-	-	-	-	-	-	-	
└Orphanage	-	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
└Convent, Monastery or Similar Group Religious Living Quarters	-	S	S	S	S	S	S	S	S	S	S	-	-	-	-	-	-	-	-	-	-	
PUBLIC AND CIVIC																						
Airport-related Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	

USE CATEGORY	ZONING DISTRICTS																					
Use Subcategory	A-1	A-2	E-1	E-2	R-1	R-2	R-2A	R-3	R-4	R-5	R-6	C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-2	I-3	SP-PO	Standards
└Specific Use Type																						
P = use permitted as of right **S** = use allowed with special use approval **-** = use not allowed																						
College or University	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	-	
Day Care (except as identified below)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-	-	-	P	155-9.100
└Adult or Child Day Care Home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	155-9.100
Detention and Correctional Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	S	-	
Fraternal, Labor, Membership Organization	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	S	-	-	-	
Hospital	-	-	-	-	-	-	-	-	-	-	-	-	S	S	S	S	-	-	-	-	-	
Library/Cultural Exhibits	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-	-	-	P	
Park/Recreation/Open Space (except as identified below)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	P	
└Cemetery	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	P	-	-	-	-	
└Community Center	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	P	-	-	-	P	
└Golf Course/Country Club	-	-	S	S	S	S	S	S	S	S	S	-	-	-	-	-	P	-	-	-	P	
└Forest Preserve	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
└Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	P	
└Playground	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	P	-	-	-	P	
└Swimming Pool	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	-	P	
Religious Assembly	S	S	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	S	-	-	-	
Safety Service	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
School	P	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	
Utilities and Services																						
└Minor, Basic	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
└Major (except as identified below)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	-	
└Solar Farms	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	S	-	155-9.245
└Wholesale Power Generators	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	S	-	155-9.250
└Wind Farm Facilities	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	155-9.260

USE CATEGORY	ZONING DISTRICTS																						
Use Subcategory	A-1	A-2	E-1	E-2	R-1	R-2	R-2A	R-3	R-4	R-5	R-6	C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-2	I-3	SP-PO	Standards
└Specific Use Type																						
P = use permitted as of right **S** = use allowed with special use approval **-** = use not allowed																						
Wireless Telecommunications Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	155-9.270
COMMERCIAL																						
Adult Entertainment Facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-	155-9.10
Animal Service																						
└Animal Sales/Grooming	S	S	S	S	-	-	-	-	-	-	-	-	P	P	P	-	-	P	P	P	-	
└Animal Care/Boarding	S	S	S	S	-	-	-	-	-	-	-	-	P	P	P	-	-	P	P	P	-	155-9.20
└Veterinary Clinic, Animal Hospital	S	S	S	S	-	-	-	-	-	-	-	-	P	P	P	-	-	P	P	P	-	155-9.20
└Stable (accessory use)	P	P	P	P	S	S	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	155-10.10 (B)(2)
└Stable (principal use)	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	
Artist Work or Sales Space	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	P	P	P	-	
Building Maintenance Service (except as identified below)	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	P	P	-	
└Landscaping and Lawn Maintenance Business	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	
Building Supplies and Equipment	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	P	P	P	-	
Business Support Services	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	P	P	P	-	
Communication Service Establishment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	
Construction Services	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	P	P	P	-	
└Construction Offices/and Equipment/ Materials Storage (Temporary)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	155-9.60
Eating and Drinking Establishment (except as identified below)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	P	P	-	-	P	
└Drive-In Restaurants	-	-	-	-	-	-	-	-	-	-	-	-	S	P	P	-	P	-	-	-	-	
└Bars, Taverns, Cocktail Lounges, Ancillary Liquor Service	-	-	-	-	-	-	-	-	-	-	-	S	S	S	S	-	P	-	-	-	-	

USE CATEGORY	ZONING DISTRICTS																					
Use Subcategory	A-1	A-2	E-1	E-2	R-1	R-2	R-2A	R-3	R-4	R-5	R-6	C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-2	I-3	SP-PO	Standards
└Specific Use Type																						
P = use permitted as of right **S** = use allowed with special use approval **-** = use not allowed																						
└Ancillary Liquor Service in conjunction with allowed agritourism uses	S	S																				
Entertainment and Spectator Sports																						
└Indoor, Minor	P	S	-	-	-	-	-	-	-	-	-	-	P	P	P	-	P	-	-	-	-	155-9.120
└Indoor, Major	S	-	-	-	-	-	-	-	-	-	-	-	-	S	S	-	P	-	-	-	-	155-9.120
└Outdoor, Minor	P	-	-	-	-	-	-	-	-	-	-	-	-	S	S	-	P	-	-	-	-	155-9.120
└Outdoor, Major	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	155-9.120
Financial Services (except as identified below)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	P	P	P	-	
└With Drive-through Facilities	-	-	-	-	-	-	-	-	-	-	-	S	S	P	P	P	-	P	P	P	-	
└Currency Exchange	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	P	P	P	-	
└Pawn Shop, Check Cashing and Short-Term Loan Establishment	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	P	P	P	-	
Food and Beverage Retail Sales (except as identified below)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	-	-	
└Liquor Stores (Package Sales)	-	-	-	-	-	-	-	-	-	-	-	S	S	S	S	-	-	-	-	-	-	
Funeral and Interment Services	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	-	-	
Lodging																						
└Bed and Breakfast	S	S	S	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	155-9.30
└Hotel/Motel	-	-	-	-	-	-	-	-	-	-	-	-	S	S	P	-	S	-	-	-	-	
Retreat	S	S	S	S	-	-	-	-	-	-	-	-	-	-	-	-	S	-	-	-	-	
└Recreational Vehicle Park/RV Campground	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-	-	-	-	
Office, Administrative, Professional or Consumer Service	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	P	P	P	P	
Office or Clinic, Medical	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	P	P	P	-	
Parking, Non-Accessory	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	P	P	P	-	
Personal Improvement Service (except as identified below)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	-	-	

USE CATEGORY	ZONING DISTRICTS																						
Use Subcategory	A-1	A-2	E-1	E-2	R-1	R-2	R-2A	R-3	R-4	R-5	R-6	C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-2	I-3	SP-PO	Standards
└Specific Use Type																						
P = use permitted as of right **S** = use allowed with special use approval **-** = use not allowed																						
└Barber/Salon	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	P	S	S	-	
Repair or Laundry Service, Consumer	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	P	S	S	-	
Research Services (except as identified below)	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	P	P	P	-	
Residential Convenience/Support Establishment	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	155-9.230
Retail Sales and Service (except as identified below)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	-	P	
└Farm/Agricultural Supply Sales	P	S	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	P	P	P	-	
└Firearms Dealer	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	-	-	P	P	-	-	155-9.80
└Seed Sales	P	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	P	P	P	-	
Sports and Recreation Participant (except as identified below)	-	-	-	-	-	-	-	-	-	-	-	S	P	P	P	-	P	S	-	-	-	
└Commercial Fishing Pond	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	
└Day Camps	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	
└Fair Grounds	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	
└Go-Cart and Motorbike Tracks	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	
└Hunting Preserves and/or Clubs	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	
└Ice Skating Rinks	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	
└Marina	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	
└Miniature Golf Courses	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	
└Practice Golf Driving Ranges	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	
└Private Recreational Clubs	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	
└Shooting Range, Indoor	S	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	P	P	P	-	-	
└Shooting Range, Outdoor	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-	-	-	-	
└Ski Slope	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	
└Video Arcade	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	
└Water Park/Aquatic Amusement	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	

USE CATEGORY	ZONING DISTRICTS																						
Use Subcategory	A-1	A-2	E-1	E-2	R-1	R-2	R-2A	R-3	R-4	R-5	R-6	C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-2	I-3	SP-PO	Standards
└Specific Use Type																						
P = use permitted as of right **S** = use allowed with special use approval **-** = use not allowed																						
Vehicle and Equipment Sales and Service																						
└Minor Motor Vehicle Fueling Station (may include convenience retail sales)	-	-	-	-	-	-	-	-	-	-	-	S	S	P	P	-	-	P	P	P	-	155-8.40(Y)
└Major Motor Vehicle Fueling Station - Planned Unit Development	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-	-	S	S	S	-	155-8.40(Y)
└Travel Plaza - Planned Unit Development	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-	-	-	S	S	-	155-8.40(Y)
└Car Wash/Cleaning Service	-	-	-	-	-	-	-	-	-	-	-	-	S	S	P	-	-	P	P	P	-	
└Heavy Equipment Sales/Rental (except as identified below)	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	S	P	P	-	
└Agricultural Implement Sales and Service	S	S	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	P	P	P	-	
└Light Equipment Sales/Rental	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	S	P	P	-	
└Motor Vehicle Repair	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	P	P	P	-	
└Vehicle Storage and Towing	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	P	P	P	-	
INDUSTRIAL																					-	
Auto Salvage (except as identified below)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-	155-9.140
└Auto Salvage (completely enclosed building)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	
Manufacturing and Industrial Services, Artisan	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	P	P	P	-	
Manufacturing and Industrial Services, Limited (except as identified below)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	
└Bottling Works	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	P	P	P	-	
└Craft Brewing and Distilling	-	-	-	-	-	-	-	-	-	-	-	-	S	S	S	-	-	P	P	P	-	155-9.280
└Merchandise and Product Display Space (No Direct Sales)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	P	P	-	
└Electronics Industries	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	P	P	P	-	

USE CATEGORY	ZONING DISTRICTS																					
Use Subcategory	A-1	A-2	E-1	E-2	R-1	R-2	R-2A	R-3	R-4	R-5	R-6	C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-2	I-3	SP-PO	Standards
└Specific Use Type																						
P = use permitted as of right **S** = use allowed with special use approval **-** = use not allowed																						
└Wineries (no retail sales or tastings)	P	P											P	P	P	-	-	P	P	P		155-9.280
└Wineries (with retail sales or tastings)	S	S											S	S	S			S	S	S		155-9.280
Manufacturing and Industrial Services, General (except as identified below)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	P	P	-	
└Animal Feed Preparation, Grinding, Mixing and Storage	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	
Manufacturing and Industrial Services, Intensive (except as identified below)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-	
└Fertilizer Mixing, Sales and Storage	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-	
└Anhydrous Ammonia Sales and Storage	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-	
Mining/Quarrying	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	-	155-9.180
Recycling Facilities																						
└Concrete and Asphalt Recycling Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	-	155-9.210 (A)
└General Construction or Demolition Debris Recycling Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	-	155-9.210 (B)
└Recyclable Material Drop-off Facilities, Indoor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	155-9.210 (C)
└Recyclable Material Drop-off Facilities, Outdoor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	S	-	155-9.210 (C)
└Recyclable Material Processing Facilities, Indoor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	155-9.210 (D)
└Recyclable Material Processing Facilities, Outdoor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	S	-	155-9.210 (D)
└Soil Storage, Recycling and Reuse	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	-	155-9.210 (E)

USE CATEGORY	ZONING DISTRICTS																						
Use Subcategory	A-1	A-2	E-1	E-2	R-1	R-2	R-2A	R-3	R-4	R-5	R-6	C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-2	I-3	SP-PO	Standards
└Specific Use Type																						
P = use permitted as of right **S** = use allowed with special use approval **-** = use not allowed																						
Self-Service Storage Facility	-	-	-	-	-	-	-	-	-	-	-	-	S	S	S	-	-	S	S	S	-	155-9.240
Warehousing, Wholesaling and Freight Movement (except as identified below)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	
└Beverage Warehouse/Distribution	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	
└Parcel (Package) Delivery Service	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	P	P	P	-	
└Cargo Container Storage and Maintenance Facilities (on- or off-chassis)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-	155-9.40
└Grain Storage	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	
└Intermodal Terminal	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	-	155-9.130
└Storage, Warehouse/ Wholesaling, Indoor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	
└Storage Yard, Outdoor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	P	-	
└Truck or Bus Terminal	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	P	-	
Waste-related Use (except as identified below)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
└Clean Construction or Demolition Debris Fill Operations	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	-	155-9.70 (A)
└Landscape Waste Composting	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	155-9.150
└Landscape Waste, Land Application of	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	155-9.150
└Landscape Waste Processing/Transfer Facility	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	-	
└Pollution Control Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	S	-	
└Uncontaminated Soil Fill Operations	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	S	S	-	155-9.70 (A)
AGRICULTURAL																						
Agriculture																						
└Crop Farming	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

USE CATEGORY	ZONING DISTRICTS																					
Use Subcategory	A-1	A-2	E-1	E-2	R-1	R-2	R-2A	R-3	R-4	R-5	R-6	C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-2	I-3	SP-PO	Standards
└Specific Use Type																						
P = use permitted as of right **S** = use allowed with special use approval **-** = use not allowed																						
└All Other	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Agritourism	P	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	155-9.50
Horticulture, Nurseries and Greenhouses (except as identified below)	-	-	S	S	-	-	-	-	-	-	-	-	-	P	P	-	-	P	P	P	P	
└Horticulture	P	P	S	S	-	-	-	-	-	-	-	-	-	P	P	-	-	P	P	P	P	
└Nursery, Wholesale	P	P	S	S	-	-	-	-	-	-	-	-	-	P	P	-	-	P	P	P	P	
└Greenhouse, Wholesale	P	P	S	S	-	-	-	-	-	-	-	-	-	P	P	-	-	P	P	P	-	
OTHER																						
Aircraft Landing Strip or Pad, Private	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	
Animals, Exotic	S	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Medical Cannabis Cultivation Center	P																	P	P	P	-	
Medical Cannabis Dispensing Organization	S											S	S	S	S			S	S	S	-	
On-premise dynamic display in agricultural and residential zoning districts	S	S	S	S	S	S	S	S	S	S	S	-	-	-	-	-	-	-	-	-	-	
Radio/TV Tower	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	
Railroad Passenger Stations	-	S	-	-	-	-	-	-	-	-	-	-	S	S	S	S	-	-	P	P	-	
Railroad Yard	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	

(Am. Ord. 14-44, passed 3-20-2014; Am. Ord. 14-231, passed 9-18-2014; Am. Ord. 15-39, passed 2-19-2015; Am. Ord. 16-258, passed 9-15-2016; Am. Ord. 16-227, passed 12-15-2016)

155-8 USE CLASSIFICATIONS

§ 155-8.10 GENERAL.

This article contains a description of the use classification system used to classify principal uses in this zoning ordinance.

(A) *Use categories.* This zoning ordinance classifies principal land uses into five major groupings, which are referred to as use categories:

(1) Residential

(2) Public and Civic

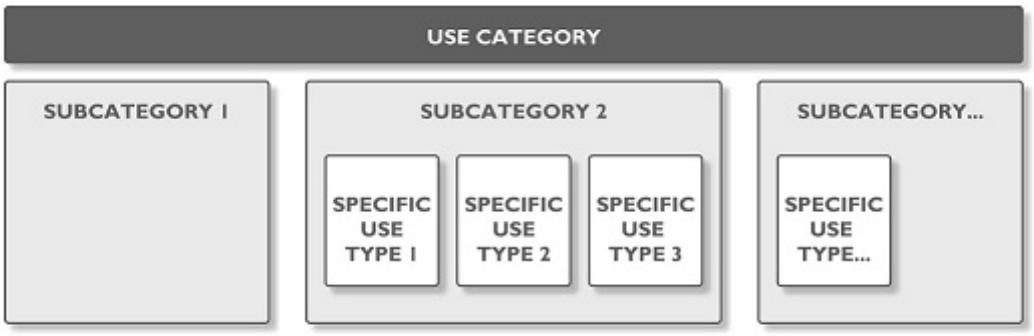
(3) Commercial

(4) Industrial

(5) Agricultural

(B) *Use subcategories.* Each use category is further divided into more specific "subcategories." Use subcategories classify principal land uses and activities based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered and site conditions.

(C) *Specific uses.* Some use subcategories are further broken down to identify specific use, business or activity types that are regulated differently than the parent subcategory as a whole.



(D) Determination of use categories and subcategories.

(1) The Zoning Administrator is authorized to classify uses on the basis of the use category and subcategory descriptions of this section.

(2) When a use cannot be readily classified into a use category/subcategory or appears to fit into multiple categories/subcategories, the Zoning Administrator is authorized to determine the most similar, and thus most appropriate, use category/subcategory based on the actual or projected characteristics of the principal use or activity in relationship to the use category and subcategory descriptions provided in this section. In making such determinations, the Zoning Administrator is authorized to consider all of the following:

(a) The types of activities that will occur in conjunction with the use;

(b) The types of equipment and processes to be used;

(c) The existence, number and frequency of residents, customers or employees;

(d) Parking demands associated with the use; and

(e) Other factors deemed relevant to a use determination.

(3) If a use can reasonably be classified in multiple categories, subcategories or specific use types, the Zoning Administrator must categorize the use in the category, subcategory or specific use type that provides the most exact, narrowest and appropriate match.

(4) If the Zoning Administrator is unable to determine the appropriate use category for a proposed use, the Zoning Administrator is authorized to deny the permit request. This decision may be appealed in accordance with § 155-16.100.

(Ord. effective 10-1-2012)

§ 155-8.20 RESIDENTIAL USE CATEGORY.

The residential use category includes uses that provide living accommodations to one or more persons. The group includes two use subcategories: household living and group living.

(A) *Household living category.* Residential occupancy of a dwelling unit by a household. When dwelling units are rented, tenancy is arranged on a month-to-month or longer basis. Uses where tenancy may be arranged for a shorter period are not considered residential; they are considered a form of lodging.

(B) *Group living.* Residential occupancy of a dwelling by other than a "household," typically providing communal kitchen/dining facilities. Examples of group living uses include but are not limited to fraternities, sororities, convents, monasteries, nursing homes and the following specific use types:

(1) *Emergency or temporary shelter.* A dwelling that provides temporary living arrangements (no more than 30 days) for persons who are in need of temporary housing as a result of a short-term personal crisis. Examples include, but are not limited to, homes for victims of domestic violence, economic crisis centers and homes for unwed mothers.

(2) *Group care home.* A dwelling shared by persons with disabilities who live together as a single housekeeping unit in a long-term, family-like environment in which staff persons provide care, education, and participation in community activities for the residents with a primary goal of enabling the resident to live as independently as possible.

(3) *Halfway house.* A dwelling that provides temporary living arrangements for persons who are receiving supervision, rehabilitation and counseling to help them re-enter society and live independently. Examples include, but are not limited to: programs to help residents recuperate from the effects of drug or alcohol addiction; pre-release, work-release, probationary, and other programs that serve as an alternative to incarceration; and programs for persons with family or school adjustment problems that require specialized care and attention.

(Ord. effective 10-1-2012)

§ 155-8.30 PUBLIC AND CIVIC USE CATEGORY.

The public and civic use category includes uses that provide public or quasi-public services. The public and civic use category includes the following use subcategories:

(A) *Airport-related facilities.* Any of the following:

(1) Air terminals;

(2) Airport administration buildings, including airline offices, and related uses;

(3) Ancillary retail sales and commercial services uses;

(4) Fixed base operators;

(5) Air hangars;

(6) General aviation operations;

(7) Airport maintenance, rescue and firefighting buildings, public safety uses including security and immigration processing;

(8) Airport operational facilities including but not limited to air traffic control towers, communication facilities, weather service offices and equipment and instrument landing systems and other related navigational equipment;

(9) Air cargo and related ground transportation facilities;

(10) Flight schools, flying clubs and other schools or training facilities relating to aviation or air-related transportation;

(11) Fuel and fuel waste containment storage systems and pumps;

(12) Aircraft related sales, manufacturing, assembly testing, and repair of aircraft, aircraft parts, avionics, instruments, or other aircraft equipment;

(13) Runways;

(14) Taxiways;

(15) Emergency (outpatient) medical facilities;

(16) Ground transportation facilities commonly associated with airports, such as rail, car rental facilities, taxi cabs, buses and limousines, including associated maintenance, fueling, storage and administration; and

(17) Other uses determined to be airport-related by the Zoning Administrator.

(B) *College/university.* Colleges and other institutions of higher learning that offer courses of general or specialized study leading to a degree. They are certified by the state or by a recognized accrediting agency. Colleges tend to be in campus-like settings or on multiple blocks. Examples include universities, liberal arts colleges, community colleges, nursing and medical schools not accessory to a hospital, conservatories and seminaries. Business and trade schools are classified in "Business Support Services Subcategory."

(C) *Day care.* Uses providing care, protection and supervision for children or adults on a regular basis away from their primary residence for fewer than 24 hours per day.

(D) *Detention and correctional facilities.* Facilities for the judicially required detention or incarceration of people. Inmates and detainees are under 24-hour supervision by peace officers, except when on an approved leave. Examples include prisons, jails, probation centers and juvenile detention homes.

(E) *Fraternal, labor, membership organization.* The use of a building or parcel by a fraternal, labor or membership-based, not-for-profit organization that restricts access to its facility to bona fide, annual dues-paying members and their occasional guests.

(F) *Hospital.* Uses providing medical or surgical care to patients and offering inpatient (overnight) care and that may include helipads as an accessory use.

(G) *Library/cultural exhibit.* Museum-like preservation and exhibition of objects in one or more of the arts and sciences, gallery exhibition of works of art, or library collection of books, manuscripts, etc., for study and reading.

(H) *Park/recreation/open space.* Recreational, social, or multi-purpose uses associated with public parks, public open spaces, public community centers, public play fields, public or private golf courses, or other public recreation areas or buildings. Cemeteries, memorial parks and similar uses are included in the park/recreation/open space subcategory.

(I) *Religious assembly.* Religious services involving public assembly such as customarily occur in synagogues, temples, mosques and churches.

(J) *Safety services.* Public safety services that provide fire, police or life protection, together with the incidental storage and maintenance of necessary vehicles. Typical uses include fire stations, police stations and ambulance services.

(K) *School.* Public and private schools at the primary, elementary, junior high, or high school level that provide state-mandated basic education.

(L) Utilities and services.

(1) Minor, basic.

(a) Utilities and infrastructure services that need to be located in or close to the area where the service is provided. Minor utilities and services generally do not have regular employees at the site and typically have few if any impacts on surrounding areas. Above-ground structures, when present, are small. Typical uses include water and sewer pump stations; underground electric distribution substations, electric transformers; water conveyance systems; stormwater facilities and conveyance systems; cable television equipment, telephone switching equipment and emergency communication broadcast facilities.

(b) The production, collection or distribution of renewable energy, water, organic waste, or other similar resources at a neighborhood or campus scale are expressly classified as minor, basic utilities and services. This includes renewable, distributed energy facilities; neighborhood composting areas and neighborhood stormwater facilities.

(c) Neighborhood or campus-scale systems that produce or distribute energy from the biological breakdown of organic matter produced within that neighborhood or campus are considered minor, basic utilities and services.

(d) Energy production systems that generate energy from the byproducts of the principal use are considered accessory uses, including net metered installations and installations that generate power to sell at wholesale to the power grid.

(2) *Major.* Infrastructure, utility and public service uses that typically have substantial land-use or operational impacts on surrounding areas. Typical uses include wholesale power generators, utility-scale power generation facilities, water and wastewater treatment facilities, public works and utility storage yards and garages, high-voltage electric substations, water treatment plants and major water storage facilities, such as water towers and reservoirs.

(a) Wholesale power generator. Any electricity generating operation, other than a solar farm, that is operated or owned by any organization, other than the owner an maintainer of a majority of electricity transmission facilities within the planning jurisdiction, that serves uses, structures, or sites outside the site on which the operation is located. This definition does not include any facility designated by the State of Illinois as exempt from such regulation.

(b) Solar farm. A solar energy power generation facility, solar collection system, or area of land comprised of a solar energy system, array of systems, or structural design features, principally used to provide for the generation of energy distributed into the electrical grid and not intended to primarily reduce on-site consumption of utility power.

(M) *Wireless telecommunication facility.* That part of the signal distribution system used or operated by a telecommunications carrier or AM broadcast station under a license from the Federal Communications Commission consisting of a combination of improvements and equipment including (i) one or more antennas, (ii) a supporting structure and the hardware by which antennas are attached; (iii) equipment housing; and (iv) ancillary equipment such as signal transmission cables and miscellaneous hardware.

(Ord. effective 10-1-2012)

§ 155-8.40 COMMERCIAL USE CATEGORY.

The commercial use category includes uses that provide a business service or involve the selling, leasing or renting of merchandise to the general public. The commercial use category includes the following use subcategories.

(A) *Adult entertainment facility.* Any of the following commercial establishments:

(1) *Adult cabaret.* Any commercial establishment that as a substantial or significant portion of its business features or provides any of the following:

(a) Persons who appear semi-nude;

(b) Live performances that are distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas or the conduct or simulation of specified sexual activities; or

(c) Films, motion pictures, video or audio cassettes, slides, computer displays, or other visual representations or recordings of any kind that are distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas, or the conduct or simulation of specified sexual activities.

(2) *Adult store.* Any commercial establishment that has any one or more of the following characteristics:

(a) Contains one or more adult booths;

(b) Offers for sale, rental, or viewing any adult materials as a significant portion of its business; or

(c) Has a segment or section devoted to the sale or display of adult materials.

(3) *Adult theater.* Any commercial establishment that as a substantial or significant portion of its business features or provides:

(a) Films, motion pictures, video, or audio cassettes, slides, or other visual representations or recordings that are distinguished or characterized by an emphasis on the exposure, depiction or description of specified anatomical areas, or the conduct or simulation of specified sexual activities; or

(b) Live performances that are distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas or the conduct or simulation of specified sexual activities.

(B) *Animal services.* The following are animal services use subcategories:

(1) *Animal care/boarding and care.* The keeping and care of a cumulative total of six or more companion animals. Typical uses include boarding kennels, pet resorts/hotels, doggy or pet day care facilities, foster care homes, dog training centers and animal rescue shelters.

(2) *Animal sales/grooming.* Sales and grooming of companion animals. Typical uses include pet stores, dog bathing and clipping salons and pet grooming shops.

(3) *Veterinary.* Typical uses include pet and veterinary clinics, dog and cat hospitals and animal hospitals.

(4) *Stable.* Land or structures in which horses are kept, including horses owned by owner or occupant of the subject property and those that are not owned by the subject property owner or the occupant of the subject property. Facilities that offer horse and pony rides, equestrian training and similar services and amusements are also classified as stables.

(C) *Artist work or sales space.* Floor space devoted to the production, showing, or sale of art. Typical uses include art galleries, artist and photography studios, but not including art museums. Art museums are classified in the "library/cultural exhibit" use subcategory.

(D) *Building maintenance service.* Provision of maintenance and custodial services to commercial and industrial establishments. Typical uses include janitorial, landscape maintenance and window cleaning services. Also includes exterminator services for residential, commercial or industrial applications.

(E) *Building supplies and equipment.* Establishments that sell or rent supplies or equipment to repair, maintain, or visually enhance a structure or premises. Typical uses include lumber yards, home improvement centers, and farm and garden supply stores. Hardware stores, paint stores and similar businesses that do not include any visible outdoor storage or display are classified as retail sales establishments.

(F) *Business equipment sales and service.* Sales, rental, or repair of office, professional and service equipment and supplies to companies rather than to individuals. Excludes vehicle and heavy equipment sales or service. Typical uses include office equipment and supply firms, small business machine repair shops and hotel equipment and supply firms.

(G) *Business support service.* Provision of clerical, employment, protective, or minor processing services to firms rather than individuals. Typical uses include employment agencies and telephone answering services and business or trade schools. Business or trades schools that involve outdoor storage or manufacturing processes are not considered business support services but rather are classified in the "industrial" use category. Truck driving schools are classified and regulated as truck terminals (warehousing, wholesaling and freight movement use subcategory).

(H) *Communication service establishments.* Broadcasting and other information relay services accomplished through use of electronic and telephonic mechanisms. Excludes services classified as "major utilities and services" and "minor/basic utilities and services." Typical uses include recording studios, television and radio studios, telecommunication service centers and telegraph service offices.

(I) *Construction services.* Construction and development services and related storage. Unless otherwise expressly stated, this use subcategory refers to activities on parcels other than active construction or development sites. Typical uses include building contracting/construction businesses, including contractor storage yards. Uses

that involve office or administrative functions only, with no on-site equipment or vehicle storage, are classified as offices.

(J) *Eating and drinking establishments.* Provision of prepared food and/or beverages for on- or off-premises consumption. Typical uses include restaurants, taverns and nightclubs.

(1) *Restaurant.* An establishment primarily engaged in serving prepared food to the public and in which sales of such prepared foods and meals constitutes at least 65% of the establishment's gross income.

(2) *Tavern or nightclub.* An establishment that is primarily engaged in serving alcoholic liquor for consumption on the premises and in which the serving of prepared food and meals constitutes less than 65% of the establishment's gross income. Taverns and nightclubs may offer live entertainment and dancing.

(K) *Entertainment and spectator sports.* Provision of cultural, entertainment, athletic and other events to spectators, such as typically occurs in theaters, cinemas, auditoriums, fairgrounds, stadiums, arenas, lienzo charros, show barns, show grounds and racetracks.

(1) *Indoor, minor.* Entertainment and spectator sports venues and events that are conducted entirely within buildings that have a capacity of fewer than 100 participants, exhibitors or spectators.

(2) *Indoor, major.* Entertainment and spectator sports venues and events that are conducted entirely within buildings and that have a capacity of 100 or more participants, exhibitors and spectators.

(3) *Outdoor, minor.* Entertainment and spectator sports venues and events that are conducted primarily outside of buildings and that have a capacity of fewer than 100 participants, exhibitors and spectators.

(4) *Outdoor, major.* Entertainment and spectator sports venues and events that are conducted primarily outside of buildings and that have a capacity of 100 or more participants, exhibitors and spectators.

(L) *Financial services.* Financial or securities brokerage services. Typical uses include banks, savings and loans, consumer investment businesses, pawn shops, and check-cashing/loan services.

(1) *Bank.* A federally chartered bank, credit union, savings and loan association or trust company.

(2) *Check-cashing/loan service.* A business engaged in cashing checks or providing short-term loans for members of the general public as a principal purpose of its operation and that is not a bank, savings and loan association, or other financial service, including businesses offering payday loans, title loans, signature loans, small loans, and other similar loans, but not including pawn shops.

(3) *Pawn shop.* Businesses that lend money on the security of pledged goods or that is engaged in the business of purchasing tangible personal property on condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time.

(M) *Food and beverage retail sales.* Retail sale of food and beverages for home consumption. Typical uses include groceries, liquor stores and wine stores.

(N) *Funeral and interment services.* Provision of services involving the care, preparation or disposition of human or pet remains. The following are funeral and interment services use subcategories:

(1) *Cemetery/columbarium/mausoleum.* Land or facilities used for burial of human or remains.

(2) *Cremating.* Crematory services involving the purification and reduction of the human body by fire. Typical uses include crematories and crematoriums. (Note: cremating is also considered an accessory use to a cemetery, columbarium or mausoleum.)

(3) *Undertaking.* Undertaking services such as preparing the dead for burial and arranging and managing funerals. Typical uses include funeral homes and mortuaries.

(O) *Lodging.* Provision of lodging services on a temporary basis with incidental food, drink and other sales and services intended for the convenience of guests. The following are lodging use categories:

(1) *Bed and breakfast.* A detached house in which the owner offers overnight accommodations and meal service to guests for compensation.

(2) *Hotel/motel.* An establishment, other than a bed and breakfast, in which short-term lodging is offered for compensation and that may or may not include the service of one or more meals to guests. Typical uses include hotels and motels.

(3) *Recreational vehicle park/RV campground.* An establishment that provides temporary overnight accommodations for camping in a travel trailer, camping trailer, truck camper, camper shell, motor home, or tent trailer and that may include areas for overnight camping in tents.

(4) *Retreat.* An establishment that provides temporary overnight accommodations for groups engaged in supervised training or personal improvement activities. Examples include corporate retreat facilities, educational retreat facilities and spa and fitness facilities.

(P) *Office, administrative, professional or consumer service.* Professional, governmental, executive, management or administrative offices of private organizations or government agencies. Typical uses include administrative offices, law offices, architectural firms, insurance companies and government offices. Also includes travel agencies, tax preparation office and similar consumer service businesses.

(Q) *Office or clinic, medical.* Personal health services including prevention, diagnosis and treatment, rehabilitation services provided by physicians, dentists, nurses and other health personnel and medical testing and analysis services. Typical uses include medical and dental offices, including chiropractic offices, physical and massage therapy offices, psychologist and psychiatrist offices, health maintenance organizations, blood banks, plasma centers and government-operated health centers. Excludes use types more specifically classified, such as hospitals.

(R) *Parking, non-accessory.* Parking that is not provided to comply with minimum off-street parking requirements and that is not provided exclusively to serve occupants of or visitors to a particular use, but rather is available to the public at-large. A facility that provides both accessory parking and non-accessory parking is classified as non-accessory parking.

(S) *Personal improvement service.* Informational, instructional, personal improvement and similar services of a nonprofessional nature. Typical uses include hair salons, barber shops, beauty shops, nail salons, yoga or dance studios, driving schools, body art services and martial arts studios.

(1) *Body art service.* Provision of any of the following procedures: body piercing, tattooing, cosmetic tattooing, branding or scarification. This definition does not include practices that are considered medical procedures by the Illinois Medical Board, which may not be performed in a body art services establishment.

(T) *Repair or laundry service, consumer.* Provision of repair, dry cleaning or laundry services to individuals and households, but not to firms. Excludes vehicle and equipment repair. Typical uses include laundry/dry cleaning drop-off stations (with no dry cleaning on the premises), hand laundries, appliance repair shops, locksmiths, shoe and apparel repair and musical instrument repair.

(U) *Research service.* An establishment that conducts educational, scientific, high-technology or medical research not involving the mass production, distribution or sale of products. Research services do not produce odors, dust, noise, vibration or other external impacts that are detectable beyond the property lines of the subject property. Research-related establishments that do produce such external impacts are classified as "manufacturing, production and industrial services."

(V) *Residential convenience and support establishment.* Commercial uses provided primarily to serve the needs of residents in large, multi-unit (residential) buildings or residents within the immediate area. The following are considered residential convenience and support establishments:

(1) Day care;

(2) Restaurants;

(3) Food and beverage retail sales;

(4) Medical office;

(5) Administrative, professional or general offices;

(6) Personal improvement service; and

(7) Retail sales establishments.

(W) *Retail sales.* Businesses involved in the sale, lease or rent of new or used products or merchandise to consumers. Typical uses include drug stores, grocery stores, department stores, auto parts stores, pet supply stores, discount stores, convenience stores and apparel stores.

(1) *Farm/agricultural supply sales.* The sale of seed corn and similar farm supplies by farmers as agents, where grain elevators or similar commercial facilities are not maintained on the farm premises.

(X) *Sports and recreation, participant.* Provision of sports or recreation primarily by and for participants. (Spectators would be incidental and on a nonrecurring basis). Examples include bowling alleys, health clubs, skating rinks, bingo halls, casinos, billiard parlors, driving ranges and miniature golf courses, shooting and archery ranges and batting cages.

(Y) *Vehicle and equipment sales and service.* Sales of motor vehicles or equipment and services related to motor vehicles and related equipment. The following are vehicle sales and service use subcategories:

(1) *Car wash/cleaning service.* A building or site containing facilities for washing automobiles. It may use automatic production line methods—a chain conveyor, blower, steam cleaning device, or other mechanical device—or it may provide space, water and equipment for hand washing, cleaning or detailing of automobiles, whether by the customer or the operator.

(2) *Minor motor vehicle fueling station.* Uses engaged in retail sales of conventional and alternative vehicle fuels, including electric vehicle charging stations with a capacity to fuel no more than eight vehicles simultaneously. Designated tractor-trailer and truck pump islands are prohibited. Level 1 (slow-charging) and level 2 (medium) battery charging stations are considered accessory uses and are not regulated as auto fueling stations. Minor motor vehicle fueling station uses may include convenience retail sales activities. Minor motor vehicle fueling stations may include convenience stores, but no drive-throughs or car wash/cleaning services.

(3) *Major motor vehicle fueling station.* Uses engaged in the retail sales of conventional and alternative vehicle fuels, including electric charging stations. Capacity shall not exceed the ability to fuel more than 12 vehicles simultaneously, with no more than one designated tractor-trailer and truck pump island with a capacity to fuel no more than two tractor-trailers and trucks. Level 1 (slow charging) and level 2 (medium) battery charging stations are considered accessory and are not regulated as auto fueling stations. Major motor vehicle fueling stations may include drive-throughs and car wash/cleaning services and must be processed as a special use permit for a planned unit development.

(4) *Travel plaza.* A facility primarily engaged in the maintenance, servicing, storage, parking, or repair of commercial vehicles, including the sale of motor vehicle fuels or other petroleum products, and the sale of accessories or equipment of for over-the-road trucks, tractor trailers, and similar commercial vehicles. A travel plaza may also include overnight vehicle parking, showers, vehicles scales, restaurants, and other services intended mainly for use by truck drivers.

(5) *Heavy equipment sales/rentals.* Sale, retail or wholesale and/or rental from the premises of heavy construction equipment, trucks and aircraft, together with incidental maintenance. Typical uses include heavy construction equipment dealers, mobile home dealers and tractor trailer sales.

(6) *Light equipment sales/rentals.* Sale, retail, wholesale, or rental from the premises of autos, noncommercial trucks, motorcycles, trailers of less than 10,000 pounds gross cargo weight, recreational vehicles and boat dealers, together with incidental maintenance. Typical uses include automobile and boat dealers, car rental agencies and recreational vehicle sales and rental agencies. For the purposes of this zoning ordinance, the sales or display for sale of more than two vehicles on a single parcel is classified as a "light equipment sales/rental" use. Note: auto parts stores are classified as a “retail sales” use.

(7) *Motor vehicle repair, limited.* A business establishment that provides ordinary maintenance and minor engine/systems repair services to motor vehicles, including lubrication and/or checking, changing, or additions of those fluids and filters necessary to the maintenance of a vehicle. Also includes vehicle repair establishments that

provide replacement of passenger vehicle parts or repairs that do not involve body work or painting or require removal of the engine head or pan, engine transmission or differential. Examples include tire, muffler and transmission shops. Repair of motor vehicles conducted solely by the owner of such vehicles is not classified or regulated as “limited motor vehicle repair.”

(8) *Motor vehicle repair, general.* Any vehicle repair establishment other than "limited motor vehicle repair." Examples include repair or servicing of commercial vehicles or heavy equipment or body work, painting, or major repairs to passenger vehicles.

(9) *Vehicle storage and towing.* Storage of operating motor vehicles or vehicle towing services. Typical uses include towing services, private parking tow-aways (tow lots), impound yards and fleet storage yards. Includes the use of a site for temporary storage of motor vehicles for a period of not more than 15 days, not including temporary storage facilities for vehicles that are to be sold, rented, salvaged, dismantled, repaired or returned to owners upon payment of towing and storage fees.

(Ord. effective 10-1-2012; Ord. 16-258, passed 9-15-2016)

§ 155-8.50 INDUSTRIAL USE CATEGORY.

The industrial use category includes uses that produce goods from extracted materials or from recyclable or previously prepared materials, including the design, storage and handling of these products and the materials from which they are produced. It also includes uses that store or distribute materials or goods in large quantities. The industrial use category includes the following use subcategories:

(A) *Auto salvage.* An area where inoperable or unlicensed motor vehicles and motor vehicle parts are stored, disassembled or handled and where salvageable parts may or may not be sold.

(B) *Manufacturing and industrial services, artisan.* On-site production of goods by hand manufacturing, involving the use of hand tools and small-scale, light mechanical equipment in a completely enclosed building with no outdoor operations or storage, and occupying no more than 3,500 square feet of gross floor area. Typical uses include woodworking and cabinet shops, ceramic studios, jewelry manufacturing and similar types of arts and crafts or very small-scale manufacturing uses that have no negative external impacts on surrounding properties.

(C) *Manufacturing and industrial services, limited.* Manufacturing or refurbishing of finished parts or products, primarily from previously prepared materials. Typical uses include: catering establishments, craft brewing and distilling (as defined and regulated by ILCS Ch. 235), wineries, printing and related support activities; machinery manufacturing; food processing and manufacturing; computer and electronic product manufacturing/assembly; electrical equipment, appliance, component manufacturing/ assembly; furniture and related product manufacturing/assembly; and other manufacturing and production establishments that typically have very few, if any, negative external impacts on surrounding properties. Also includes "artisan manufacturing/ production" type uses that do not comply with the enclosed building, floor area and/or outside operations/storage criteria that apply to artisan manufacturing/production uses.

(D) Manufacturing and industrial services, general.

(1) Manufacturing of finished or unfinished products, primarily from extracted or raw materials, or recycled or secondary materials, or bulk storage and handling of such products and materials. Typical uses include: preparation, grinding, and mixing of animal feed; textile mills; textile product mills; apparel manufacturing; leather and allied product manufacturing; wood product manufacturing; paper manufacturing; chemical manufacturing; plastics and rubber products manufacturing; nonmetallic mineral product manufacturing; transportation equipment manufacturing; primary metal manufacturing; and fabricated metal product manufacturing. Also includes medical, scientific or technology-related research establishments that produce odors, dust, noise, vibration or other external impacts that are detectable beyond the property lines of the subject property.

(2) Industrial service firms engaged in the repair or servicing of industrial or commercial machinery, equipment, products or by-products. Typical uses include: welding shops; machine shops; industrial tool repair;

fuel oil distributors; solid fuel yards; laundry, dry-cleaning and carpet cleaning plants; and photofinishing laboratories. Excludes uses classified as "repair or laundry services."

(E) *Manufacturing and industrial services, intensive.* Manufacturing of acetylene, acid, cement, cement blocks, lime, gypsum or Plaster-of-Paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins and radioactive materials. Also includes smelting, stamping mills, drop forges, meat packing, rendering plants, incinerators, foundries, concrete and asphalt mixing, sawmills and oil refining.

(F) *Mining/quarrying.* The extraction of mineral or aggregate resources from the ground for off-site use. Examples include quarrying or dredging for sand, gravel or other aggregate materials; mining; oil and gas drilling and topsoil removal.

(G) *Recycling facilities.* An establishment that collects, stores, or processes recyclable material for the purpose of marketing or reusing the material in the manufacturing of new, reused or reconstituted products.

(1) *Concrete and asphalt recycling.* Sites that accept concrete or asphalt for separation or processing for the purposes of returning the material to the economic mainstream in the form of raw materials within four years of the date that the material is accepted for processing.

(2) *General construction or demolition debris recycling facilities.* Establishments that receive and process general construction or demolition debris for recycling.

(3) *Recyclable material drop-off facilities.* An establishment that accepts consumer recyclable commodities directly from the consuming party and accumulates or stores them for not more than 30 days. Establishments that process recyclable material are classified as "recyclable material processing facilities." (Note: small consumer-oriented donation and (recycling) collection drop boxes for items such as clothes, books, newspapers, cans and glass items may be considered an accessory use, subject to the regulations of § 155-10.10(L)) Donation and (recycling) collection drop boxes that do not comply with the regulations of § 155-10.10(L) are classified as "recyclable material drop-off facilities" and are subject to the regulations that apply to recyclable material drop-off facilities.

(4) *Recyclable material processing facilities.* Establishments that receive and process consumer recyclable commodities for subsequent use in the secondary market.

(5) *Soil storage, recycling and reuse.* A site that accepts soil, stores it for period of time, and then markets the soil for reuse at another property.

(H) *Self-service storage facilities.* Storage or warehousing for individuals to store personal effects and for businesses to store materials for operation of an industrial or commercial enterprise elsewhere. Incidental uses may include the repair and maintenance of stored materials by the tenant; but in no case may storage space function as an independent retail, wholesale, business, or service use. Spaces may not be used for workshops, hobby shops, manufacturing, or similar uses.

(I) *Warehousing, wholesaling and freight movement.* Temporary storage, wholesale sales or distribution of materials and equipment. Typical uses include intermodal terminals, grain storage facilities, storage warehouses, moving companies, cargo container storage and maintenance facilities, truck or bus terminals, trucking or cartage operations, truck staging or storage areas, and wholesale sales of materials and equipment to entities other than the general public.

(1) *Cargo container storage and maintenance facilities.* The principal use of a site, outside of an intermodal terminal, for the movement, temporary storage, staging, redistribution or maintenance of cargo containers either on or off of a chassis, but not including railroad operations that are under the jurisdiction of the U.S. Department of Transportation Surface Transportation Board. All establishments engaged in the maintenance and repair of cargo containers, outside of intermodal terminals, are also classified as cargo container storage and maintenance facilities, including operations engaged in the conversion of cargo containers for secondary use or sale.

(2) *Truck or bus terminal.* A facility principally used for the parking, storage, dispatching, and maintenance or repair of trucks, truck-tractors, semitrailers or buses.

(3) *Intermodal terminal.* A facility at which containerized freight arrives on trains or trucks for sorting and transfer to other trains or trucks for transport to their final destination.

(J) *Waste-related use.* Waste-related uses are characterized by the receiving of solid or liquid wastes from other users and sites for transfer to another location; by the collection of sanitary wastes or other approved waste materials for on-site disposal; or by the manufacture or production of goods or energy from the composting of organic material. Typical uses include pollution control facilities, sanitary landfills, solid waste separation facilities, solid waste transfer stations, clean construction or demolition fill operations, uncontaminated soil fill operations and anaerobic digestion facilities. Biomass energy systems that produce energy from the biological breakdown of organic matter produced on the site of a landfill or other waste-related use are considered accessory to the principal waste-related use of the site, except that small, neighborhood or campus-scale waste-to-energy systems are considered "minor, basic utilities and services."

(1) *Clean construction or demolition debris (CCDD) fill operations.* Fill operations that receive and process general construction or demolition debris for disposal.

(2) *Landscape waste processing/transfer facility.* A site where grass, shrubbery cuttings, leaves, and other materials generated by gardening, yard or landscaping activities are brought to be processed, composted or transferred to another facility or end-use market. Typical uses include landscape waste transfer facilities and landscape waste material processing facilities.

(3) *Uncontaminated soil fill operations.* A current or former quarry, mine, or other excavation where uncontaminated soil is used as fill material, but does not include a clean construction or demolition debris fill operation.

(Ord. effective 10-1-2012; Ord. 16-227, passed 12-15-2016)

§ 155-8.60 AGRICULTURAL USE CATEGORY.

The agricultural use category includes the following subcategories:

(A) *Agriculture.* The use of land for agricultural purposes, including the growing of farm crops, truck garden crops, animal and poultry husbandry, apiculture, aquaculture, dairying, floriculture, horticulture, nurseries, tree farms, sod farms, pasturage, viticulture and wholesale greenhouses when such agricultural purposes constitute the principal activity on the land.

(B) *Community garden.* An area of land managed and maintained by a group of individuals to grow and harvest food crops and/or non-food, ornamental crops, such as flowers, for personal or group use, consumption, sales, or donation.

(C) *Horticulture, nurseries and greenhouses.* A principal use involving propagation and growth of trees or plants in containers or in the ground for wholesale sales and distribution. Does not include on-site retail sales unless such retail sales activities are otherwise permitted in the subject zoning district.

(D) *Agritourism.* Farm-related enterprises that operate for the enjoyment and education of the public and that combine tourism and agriculture. Agritourism uses include those that are for-profit and those that are provided free of charge to the public, including all of the following:

(1) *Agriculture Cultural Center.* A facility established for the purpose of educating the public about agricultural activities, or the heritage and culture of agricultural activities. In addition, this use subcategory included museums dedicated solely to agriculture themes and living history farm sites.

(2) *Agritainment.* Events and activities that allow for recreation, entertainment, and tourism in conjunction with agriculture support and services directly associated with on-going agricultural activities on-site that are for-profit. Events and activities include the following: hay rides, corn mazes, hay mazes, petting zoos (farm animals only) and agricultural festivals.

(3) *Eco-Tourism Enterprise*. Tourism activities and facilities that focus on visitation and observation of or education about natural history, indigenous ecosystems, native plant or animal species, natural scenery or other

features of the natural environment. Eco-tourism enterprises may include cultural activities related to such activities or work projects that help conserve or safeguard the integrity of a natural feature, habitat, or ecosystem.

(4) *Farm Markets.* An on-site, accessory use to a working or active farm that includes the sale of horticulture or agricultural products, including, perennial, annuals, bulbs, dried flowers, compost, Christmas trees, fresh produce, honey, cider, and similar agricultural products. A minimum of 50% of the products sold must be agricultural products produced on-site.

(5) *Farmer's Market, Community-Scale.* A facility with a maximum area of less than 5,000 square feet in gross floor area or ground area that sells or provides fresh agricultural products directly to the consumer in a market setting. Farmer's markets may include multiple vendors who offer homegrown produce raised by the vendor or produce bought by the vendor on consignment, for retail sale.

(6) *Farmer's Market, Regional-Scale.* A facility that is 5,000 square feet in gross floor area or ground area that sells or provides fresh agricultural products directly to the consumer in a market setting. Farmer's markets may include multiple vendors who offer homegrown produce raised by the vendor or produce bought by the vendor on consignment, for retail sale.

(7) *Restaurant, Farm-based.* Restaurants on tracts occupied by a working farm that serve food and beverages primarily to customers seated at tables or counters located within a building or designated outdoor seating areas. At a minimum, 50% of the food served at this type of restaurant must be grown on-site, or on tracts that are part of the subject farm.

(8) *Participatory Farms.* Farm-based, tourism-driven enterprises where individuals or groups pay to participate on a working farm or dude ranch.

(9) *Rural Retreat.* An establishment that is part of a working farm that provides temporary overnight accommodations for individuals or groups engaged in supervised training or personal improvement activities. Examples include corporate retreat facilities, educational retreat facilities and working farm learning centers. Restaurants are an allowed accessory use.

(10) *Wine Tasting Room.* A facility in which wine products grown or processed on the owner's property may be tasted and sold. This definition may include the following as ancillary uses: gift/retail sales, assembly areas and meeting rooms. (Ord. effective 10-1-2012)

155-9 SUPPLEMENTARY USE REGULATIONS

§ 155-9.10 ADULT ENTERTAINMENT FACILITIES.

(A) All adult entertainment facilities must comply with all of the following regulations:

(1) An adult entertainment establishment may not be located within 1,000 feet of another existing adult entertainment establishment.

(2) An adult entertainment establishment may not be located within 1,000 feet of any pre-existing agricultural or residential zoning district.

(3) An adult entertainment establishment may not be located within 3,000 feet of a pre-existing school, day care center, cemetery, public park, forest preserve, public housing, religious assembly use, or residential dwelling unit.

(4) An adult entertainment establishment may not be located in a structure that contains another business that sells or dispenses alcoholic beverages in any manner.

(5) For the purpose of these regulations, measurements must be made in a straight line, without regard to intervening structures or objects, from the property line of the proposed adult entertainment establishment to the nearest property line of another adult entertainment establishment, school, day care center, cemetery, public park, forest preserve, public housing, religious assembly use, residential dwelling unit or agricultural or residential zoning district boundary.

(6) The adult entertainment establishment must comply with all requirements of the county ordinance establishing licensing regulations for adult entertainment establishments.

(7) Adult entertainment facilities may be approved as a special use in the I-3 zoning district, in accordance with the special use permit procedures of § 155-16.40. They are prohibited in all other zoning districts.

(B) Any adult entertainment facility lawfully established before and operating on June 19, 2008 that is in violation of the regulations of division (A) of this section is deemed a nonconforming use. The nonconforming use is permitted to continue for a period not to exceed two years, unless sooner terminated for any reason or voluntarily discontinued for 30 days or more. The nonconforming use may not be increased, enlarged, extended or altered except that the use may be changed to a conforming use. If two or more adult entertainment facilities are within 1,000 feet of one another and otherwise in a permissible location, the adult entertainment facility that was first established and continually operating at a particular location is the conforming use and the later-established adult entertainment facility is the nonconforming use.

(Ord. effective 10-1-2012)

§ 155-9.20 ANIMAL CARE/BOARDING AND VETERINARY CLINICS.

(A) *Agricultural districts.* In all agricultural zoning districts, animal care/boarding facilities and veterinary clinics—including all buildings, enclosures and animal run/exercise areas—must be set back at least 500 feet from all R-zoned lots and at least 500 feet from any dwelling unit. No setback is required from a dwelling unit located on the same lot as the subject animal services use.

(B) *E-1 and E-2 districts.* In E-1 and E-2 districts, animal care/boarding facilities and veterinary clinics—including all buildings, enclosures and animal run/exercise areas—must be set back at least 500 feet from all R-zoned lots and at least 500 feet from any dwelling unit. No setback is required from a dwelling unit located on the same lot as the subject animal services use.

(Ord. effective 10-1-2012)

§ 155-9.30 BED AND BREAKFASTS.

Bed and breakfast establishments are subject to all the following regulations.

(A) No more than four guest rooms are allowed in the dwelling unit, and maximum occupancy is limited to two adults per guest room.

(B) Length of stay for a guest may not exceed ten consecutive days.

(C) A single non-illuminated wall sign with a maximum area of two square feet is allowed.

(D) No parking spaces are allowed in a street yard.

(E) Tandem off-street parking spaces may be provided, but not more than two spaces deep.

(F) The dwelling in which the bed and breakfast operates must be the principal residence of the operator/owner and the operator/owner must live on the premises.

(Ord. effective 10-1-2012)

§ 155-9.40 CARGO CONTAINER STORAGE AND MAINTENANCE FACILITIES.

Cargo container storage and maintenance facilities are subject to all of the following regulations. Cargo container storage and maintenance activities within intermodal terminals are subject to the regulations of § 155-9.130.

(A) *Where allowed.* Cargo container storage and maintenance facilities may be approved by special use permit (see § 155-16.40) in the I-3 zoning district, provided that parcel on which the facility is located has a minimum area of 20 acres.

(B) *Regulations.* The following regulations apply to all cargo container storage and maintenance facilities.

(1) Stacking and racking.

(a) Individual cargo containers may not be stacked more than three units high. When containers are stacked, an additional 20 feet of setback distance must be added for each level of stacked containers above the first level. Empty trailer chassis may not be stacked more than five units high.

(b) Chassis stored in an upright position with the trailer bed perpendicular to the ground ("racking") may not exceed 60 feet in height. When racked chassis exceed 30 feet in height an additional one foot of set-back distance must be added for each foot of racked chassis height above 30 feet.

(2) *Groupings.* Side-by-side groupings may not exceed 20 cargo containers or chassis in width and no end-to-end grouping may exceed two cargo containers or chassis in length. Paved access drives with a minimum width of 30 feet must be maintained at all times on all sides of a grouping of cargo containers and chassis.

(3) *Access.* Cargo containers and chassis may not be stored in a manner that blocks access to public rights-of-way, utility or drainage easements or adjacent buildings.

(4) *Separation distance.* No cargo container or chassis may be located within 1,000 feet of any R-zoned lot or any lot occupied by a residential dwelling unit.

(5) *Required off-street parking.* No portion of any required off-street parking or loading/unloading areas may be used for the storage of cargo containers.

(6) *Historically sensitive site, buildings or structure.* Cargo container storage and maintenance facilities may not be located within 1,000 feet of any site designated or identified by any federal, state or local government as a local or national historic landmark, natural area or preserve.

(7) *Traffic studies.* A traffic study must be submitted in accordance with § 155-14.30. Additional documentation must be submitted to address traffic planning and adequacy of the road and bridge infrastructure to accommodate the proposed use.

(Ord. effective 10-1-2012)

§ 155-9.50 COMMUNITY GARDENS.

Community gardens are subject to the following regulations.

(A) A community garden area may be divided into separate garden plots for cultivation by one or more individuals or may be farmed collectively by members of the group.

(B) Community garden group members may or may not reside on the subject property.

(C) Any structure used in conjunction with a community garden must comply with the following requirements:

(1) Be located at least ten feet from any property line.

(2) If the total area of structures used in conjunction with a community garden does not exceed 64 square feet, the structures are not considered accessory buildings. Otherwise, all structures used for community gardens are accessory buildings and must comply with the applicable accessory use and structure regulations of § 155-10.10.

(3) The following are not considered structures for the purposes of this section: benches, bike racks, cold-frames, hoop houses, raised/ accessible planting beds, compost or waste bins, picnic tables, garden art, rain barrel systems, and children's play areas.

(D) The site must be designed and maintained so that water and fertilizer will not drain onto adjacent property.

(E) Sales and donation activities may occur only in locations where retail sales or farm (roadside) stands are an allowed use, provided that on-site sale and donation of crops grown on the community garden site may be authorized as a temporary use in accordance with § 155-10.20.

(F) Garden beds on sites known to have been previously occupied by a commercial or industrial use must be raised (elevated) at least 12 inches above surrounding grade. If raised garden beds are not used, the applicant must provide a Phase 1 Environmental Site Assessment (ESA) or applicable site history. Any historical sources of contamination identified in the ESA or applicable site history must be tested to determine type and level of contamination; appropriate remediation procedures must be undertaken to ensure that soil is suitable for gardening. If a raised garden bed is used, it must be made of untreated lumber or plastic.

(G) The operator of a community garden must maintain the property in productive use during the growing season.

(H) At the end of each growing season annual vegetation must be cut down to a height of not more than six inches above ground level.

(Ord. effective 10-1-2012)

§ 155-9.60 CONSTRUCTION OFFICES AND CONSTRUCTION-RELATED EQUIPMENT STORAGE.

(A) Construction offices and (equipment and material) storage areas may be located on the site of an on-going construction project, provided that all required permits and approvals have been issued and remain in effect.

(B) No construction office or equipment storage area may contain sleeping or cooking accommodations.

(C) All offices, storage buildings and equipment must be removed within 14 days of completion of the construction project or upon expiration of the building permit, whichever occurs first.

(Ord. effective 10-1-2012)

§ 155-9.70 FILL OPERATIONS.

(A) *Clean construction or demolition debris and uncontaminated soil fill.* Clean construction or demolition debris fill operations and uncontaminated soil fill operations are subject to the regulations of this section, in addition to any state or federal permitting/ reporting requirements and applicable sections of 35 IAC 1100.

(1) Prior to the acceptance of soils for disposal, the site must have a standard operation procedure in place to verify that the regulations of this section have been met.

(2) A minimum of one load per day from each generating source must be subjected to a discharge inspection. The selected load must be spread out and screened with a PID or other monitoring device approved by the IEPA. Readings may not exceed 0.0 PPM. Loads must also be screened for non-CCDD materials. Documentation of results must be recorded and the records must be kept per the site's IEPA permit.

(3) Any rejected loads must be reported to the Will County Land Use Department, Resource Recovery and Energy Division within 24 hours. For all rejected loads the owner or operator is required to report, at a minimum,

name and location address of facility, the date and time of the inspection, the weight or volume of the clean construction or demolition debris or uncontaminated soil, the name of the hauler, the name of the hauling firm, the vehicle identification number or license plate number, the source site owner and operator, and the location of the site of origin of the fill.

(4) Applicants must provide the Will County Land Use Department, Resource Recovery and Energy Division with current and complete IEPA permit applications, IEPA Permits, closure/ reclamation plans and NPDES permits as well as relevant correspondence relating to the site.

(5) The owner or operator is required to provided and maintain annually a performance bond (or other county-approved financial guarantee) in an amount equal to the estimated cost to close the current operating area. The estimate is subject to annual review and approval by Will County. The financial guarantee must be maintained for a minimum of five years after IEPA has issued a certificate of closure. This performance bond must be purchased by the operator and renewed each year by January 1, naming Will County as beneficiary.

(6) An adequate level of pollution liability insurance must be maintained by the operator until five years after the IEPA has issued a certificate of closure. The level of insurance will be reviewed by the county on a case-by-case basis, depending on site factors.

(7) In the event that Class I groundwater standards are violated, the owner or operator is required to supply municipal water (or an alternative clean drinking water source such as a deeper well) to residents or businesses served by a private well within one-quarter mile of the facility. Each situation must be evaluated individually and the following parameters must be considered:

(a) Is the detected compound a drinking water parameter that is a threat to human health or the environment; and

(b) Is the detected compound a result of the operations of the facility or is it a naturally occurring compound present in both upgradient and down gradient wells.

(Ord. effective 10-1-2012)

§ 155-9.80 FIREARMS DEALERS AND (ACCESSORY) INDOOR SHOOTING RANGES.

(A) Indoor shooting ranges are considered an accessory use to firearms dealers in commercial and industrial zoning districts.

(B) Firearms dealers located in commercial or industrial zoning districts must install and maintain an electronic security system that emits an audible alarm at the firearms dealer's place of business when triggered. The security system must also transmit a silent alarm directly to a public safety agency. If the public safety agency with jurisdiction over the firearms dealer property does not allow for direct transmission of alarm signals, the security system must transmit an alarm signal to a UL-approved monitoring station that must, within two minutes, provide notification to a public safety agency with jurisdiction over the firearms dealer property.

(Ord. effective 10-1-2012)

§ 155-9.90 GROUP LIVING FACILITIES.

Group care homes, halfway houses, emergency shelters and temporary shelters are subject to the regulations of this section, as indicated.

(A) *General regulations.* Group care homes, halfway houses, emergency shelters and temporary shelters are all subject to the following regulations:

(1) Group care homes, halfway houses, emergency shelters and temporary shelters must be licensed and/or certified by the appropriate federal, state, or local agencies.

(2) Group care homes, halfway houses, emergency shelters and temporary shelters are subject to the occupancy limits of BOCA National Property Maintenance Code 1990, Page 20, section PM-403.3, which requires that every room occupied for sleeping purposes by one occupant must contain at least 70 square feet of floor area,

and every room occupied for sleeping purposes by more than one occupant must contain at least 50 square feet of floor area for each occupant.

(3) Structures and sites must be visually and structurally compatible with the surrounding area.

(4) Facilities may house such staff as may be required to meet the standards of federal, state, or local agencies. Support staff are not counted in determining the number of residents.

(B) *Emergency shelters and temporary shelters.* No emergency shelter or temporary shelter may be located within 1,000 feet of an existing emergency shelter or temporary shelter, as measured from lot line to lot line.

(C) *Halfway houses.* No halfway house may be located within 1,000 feet of an existing halfway house, as measured from lot line to lot line.

(Ord. effective 10-1-2012)

§ 155-9.100 DAY CARE CENTERS/DAY CARE HOMES.

(A) *General regulations.* Day care homes and day care centers must be licensed and/or certified by the appropriate federal, state, or local agencies. Facilities that require special use permit approval must be licensed and/or certified by the appropriate federal, state, or local agencies before the special use permit will become effective.

(B) *Day care homes for adults or children.* The following regulations apply only to day care homes:

(1) Day care homes for children provide care for no more than 12 children, including the family's (provider's) natural, foster or adopted children and all other persons under the age of 12.

(2) Day care homes for adults may provide care for no more than five adults, not including the caregivers.

(3) Structures and sites must be visually and structurally compatible with existing structures and sites in the surrounding area.

(4) The owner and operator of the day care home must reside in the dwelling unit in which day care services are provided.

(Ord. effective 10-1-2012)

§ 155-9.110 ELDER COTTAGE HOUSING OPPORTUNITY (ECHO).

(A) *Purpose.* The ECHO housing regulations of this section are intended to:

(1) Allow households to provide small temporary residences for relatives or household members who are in need of support, while still maintaining some independence.

(2) Allow households to provide security and support for relatives or household members with health problems or disabilities.

(3) Reduce the degree to which elderly or disabled residents have to choose between increasing isolation in their own homes and institutionalization in nursing homes or similar facilities.

(4) Accommodate housing types in residential neighborhoods that are appropriate for households at various stages of the life cycle.

(5) Allow ECHO housing in a manner that protects the property values and residential character of neighborhoods by ensuring that the units are compatible with the neighborhood and are easily removed.

(B) *Where allowed.* ECHO housing units are allowed as a special use permit associated with a detached house in the A-1, A-2, E-1, E-2, R-1, and R-2 zoning districts.

(C) *Regulations.* ECHO housing units are subject to all of the following regulations:

(1) A maximum of one ECHO housing unit may be located on a lot, in addition to the principal residence. ECHO housing units are not permitted on lots occupied by accessory dwelling units (see also § 155-10.110 (C)).

(2) ECHO housing units must comply with all applicable setbacks of the subject zoning district.

(3) ECHO housing units may not contain more than 1,000 square feet of living space or more than two bedrooms in the R-1 and R-2 zoning district.

(4) ECHO housing units may not contain more than 1,200 square feet of living space or more than two bedrooms in A-1, A-2, E- 1 and E-2 zoning districts.

(5) ECHO housing units must be a mobile home or an attached or detached pre-manufactured home with a removable foundation.

(6) No more than one parking space may be provided for an ECHO housing unit.

(7) The owner of the lot must live in either the principal dwelling unit or the ECHO housing unit.

(8) The owner of the principal residence and the resident of the ECHO unit must be related by blood, marriage, civil union or adoption or be a licensed caretaker.

(9) At least one of the occupants of the ECHO housing unit must be at least 62 years of age, or unable to live independently because of disabilities. All disabled occupants must submit a letter from a licensed physician verifying the disability and stating the permanency of the situation.

(10) The owner of the lot must submit an affidavit to the Zoning Administrator every year verifying that the property is being maintained in full compliance with the ECHO housing regulations of this section and that all eligibility requirements continue to be met. Once the eligibility requirements are no longer met, the lot owner has up to six months to remove the ECHO housing unit from the property.

(Ord. effective 10-1-2012; Ord. 16-227, passed 12-15-2016)

§ 155-9.120 ENTERTAINMENT AND SPECTATOR SPORTS.

Entertainment and spectator sports uses are subject to the following regulations, as indicated.

(A) *Minor outdoor entertainment and spectator sports.* Minor outdoor entertainment and spectator sports uses are permitted as of right in the A-1 districts if separated by a distance of at least 500 feet from any R-zoned lot. Minor outdoor entertainment and spectator sports uses separated by less than 500 feet from R-zoned property may be approved through the special use permit procedures of § 155-16.40.

(B) *Entertainment and spectator sports uses requiring special use permit.* A development and operating plan must be submitted and approved with the special use permit application. This plan must include:

(1) A site plan drawn to scale depicting public assembly and activity areas, site improvements, road access, driveways, parking areas and sanitary facilities;

(2) A description of facilities for any animals involved in the planned activities;

(3) The methods proposed to control dust, erosion, odor, noise, glare, waste disposal (manure, trash, etc.) and traffic congestion;

(4) A transportation impact study and a traffic management plan;

(5) The hours of operation;

(6) The projected number of people on the property during activities;

(7) A description of all items for sale during event activities, such as food, beverages and souvenirs; and

(8) Additional information as may be required by the Zoning Administrator to enable competent review of the required special use permit.

(D) *Measurement of required separation distances.* Measurement of the separation distance required between outdoor entertainment and spectator sports uses must be made in a straight line, without regard to intervening structures or objects, from the property line of the proposed outdoor entertainment and spectator sports establishment to the nearest property line of any R-zoned lot.

(Ord. effective 10-1-2012)

§ 155-9.130 INTERMODAL TERMINALS.

(A) *Purpose.* The purposes of the intermodal terminal use regulations of this section are to:

(1) Permit the development, use and operation of intermodal rail terminal facilities; connecting and switch tracks to provide rail connections between railroad main lines and intermodal rail terminal facilities; short-term storage or staging of goods and commodities in transit; transportation equipment support and storage facilities; warehouse, distribution and other logistics-centered buildings and uses; and other related industrial and commercial uses.

(2) Promote a comprehensive master planning approach to (i) the placement of various land uses within intermodal terminal planned unit developments, (ii) rail infrastructure and roadways to support the planned unit development and to minimize external impacts, and (iii) the identification of areas within the planned unit development for stormwater management and other conservation areas.

(3) Require a land use master plan that allows for the development of the uses allowed within an intermodal terminal PUD while also promoting the public health, safety and general welfare.

(4) Provide developers of large-scale, complex and integrated intermodal rail, logistics and industrial projects with appropriate flexibility to commence and complete such projects in a phased manner and over an extended period of time.

(B) *PUD approval required.* Intermodal terminals require approval in accordance with the PUD approval procedures of § 155-16.50.

(C) *General regulations.* Unless otherwise expressly stated in this zoning ordinance or approved as part of a PUD development plan, intermodal terminals must comply with all applicable regulations of this zoning ordinance, including, for example, the parking, landscaping, sign, and general planned unit development regulations. If the intermodal terminal use regulations of this section are in conflict with other regulations of this zoning ordinance, the intermodal terminal use regulations of this section govern.

(D) *Minimum land area.* An intermodal terminal planned unit development may be approved only on contiguous parcels of 300 acres or more, under single ownership or unified development control at the time that the development plan for the planned unit development is established and approved.

(E) *Location.* The site must be adjacent to a railroad right-of-way and be connected by switches, lead tracks, connecting tracks or spur tracks operated by a railroad common carrier or a short haul or a terminal railroad serving the terminal.

(F) *Development plans.* An intermodal terminal PUD application must be accompanied by a development plan that designates the general location of the various permitted subareas proposed within the planned unit development. There are three permitted subareas, as follows:

(1) *Intermodal terminal subarea.* This subarea consists primarily of the intermodal railroad operations and is considered the most intense land use subarea.

(2) *Transportation equipment subarea.* This is the second most intense land use subarea. Cargo containers awaiting delivery may be stored in this subarea, as may empty containers awaiting re-use. Other permitted uses include trucking companies, grain handling operations and other transportation equipment storage and operations.

(3) *Industrial park subarea.* This category allows for industrial warehouses, logistics and distribution facilities. Accessory uses are also allowed to complement the primary permitted uses. Unless otherwise expressly specified, permitted uses within the subareas are not cumulative.

(G) *Uses.* The following uses are permitted within the designated subareas set forth in the approved development plan for each planned unit development.

(1) *Intermodal terminal subarea.* The following uses are permitted in the intermodal terminal subarea:

(a) Intermodal rail and truck terminals, including: switching yards, freight yards, lift tracks and storage tracks; outdoor overhead cranes and gantries; train fueling and maintenance facilities; entrance and exit gates and

structures and associated security apparatus; vehicular queuing areas; administrative offices and other buildings and structures customarily accessory to an intermodal railroad facility; cargo container, truck trailer and truck chassis loading and unloading; outdoor storage of truck chassis; short-term outdoor storage of cargo containers and truck trailers; and short term outdoor storage of goods in transit.

(b) Railroad rights-of-way and all associated railroad track improvements, including but not limited to tracks, ties, switches, lead tracks, connecting tracks, spur tracks, gates and signals.

(c) Governmental offices related to intermodal regulatory functions or customs, and private offices performing such functions under governmental contract.

(d) Public and quasi-public utilities, including, but not limited to water wells, water treatment plants, pumping stations, sewage treatment plants, lift stations, electrical substations and facilities necessarily accessory thereto.

(2) *Transportation equipment subarea.* The following uses are permitted in the transportation equipment subarea:

(a) Short-term storage or staging of goods in transit.

(b) Long-term cargo container storage and repair facilities.

(c) Truck dispatch yards, including truck storage, fueling and repair facilities.

(d) Chassis storage, dispatch and repair facilities.

(e) Administrative offices, repair and storage buildings, entrance and exit gates, and other uses ancillary to the foregoing transportation equipment uses.

(f) Public and quasi-public utilities, including, but not limited to water wells, water treatment plants, pumping stations, sewage treatment plants, lift stations, electrical substations and facilities necessarily accessory thereto.

(g) Railroad rights-of-way and all associated railroad track improvements, including but not limited to tracks, ties, switches, lead tracks, connecting tracks, spur tracks, gates and signals.

(h) Grain unloading, loading and handling facilities (including the filling of shipping containers or similar vessels for the transportation of grain).

(3) *Industrial park subarea.* The following uses are permitted in the industrial park subarea:

(a) Industrial warehouse, logistics and distribution facilities.

(b) Office uses.

(c) Manufacturing and industrial services; warehousing, wholesaling, and freight movement.

(d) Uses and buildings accessory to the foregoing, including any retail sales component that are accessory in nature to the principal use.

(e) Governmental offices and facilities, and private offices and facilities under government contract usage.

(f) Public and quasi-public utilities, including, but not limited to water wells, water treatment plants, pumping stations, sewage treatment plants, lift stations, electrical substations and facilities necessarily accessory thereto.

(g) Railroad rights-of-way and all associated railroad track improvements, including but not limited to tracks, ties, switches, lead tracks, connecting tracks, spur tracks, gates and signals.

(H) Cargo container regulations.

(1) Cargo container storage is limited to the intermodal terminal and transportation equipment subareas. Short-term cargo container storage is permitted in intermodal terminal and transportation equipment subareas. Long-term cargo container storage is only permitted in a transportation equipment subarea.

(2) Cargo containers affixed with hazardous materials placards must be handled, stored and stacked in compliance with the Federal Hazardous Materials Transportation Act of 1975, as amended from time to time (49 U.S.C. § 5101) ("HMTA") and all applicable regulations issued pursuant to HMTA.

(3) Cargo containers may not be modified or retrofitted for any on-site habitation or other use other than for the shipment of goods in transit; except that within an intermodal rail facility in an intermodal terminal subarea, up to 30 cargo containers may be used as storage units for equipment, replacement parts, air compressors and similar on-site property, and are not subject to durational limitations.

(4) Cargo containers may not be stored within a restricted area immediately adjacent to any entrance onto a public road. The restricted area must be at least 100 feet in width and 150 feet in depth and centered in the entranceway.

(5) In intermodal terminal subareas, short-term cargo container storage and stacking (not to exceed five units high) is permitted in and adjacent to lift-track areas of an intermodal rail yard, provided that such five-high stacking may not occur within 200 feet of the bottom of the inside face of a required perimeter berm as set forth in the development plan. Elsewhere within the intermodal terminal subarea, short-term cargo container storage and stacking (not to exceed three units high) is permitted, provided that such three-high stacking may not occur within 70 feet of the bottom of the inside face of the required perimeter berms as set forth in the development plan.

(6) In transportation equipment subareas, long-term cargo container storage and stacking storage and stacking (not to exceed five units high) is permitted in and adjacent to lift-track areas of an intermodal rail yard, provided that such five-high stacking may not occur within 200 feet of the bottom of the inside face of a required perimeter berm as set forth in the development plan. Elsewhere within the intermodal terminal subarea, short-term cargo container storage and stacking (not to exceed three units high) is permitted, provided that such three-high stacking may not occur within 70 feet of the bottom of the inside face of the required perimeter berms as set forth in the development plan. Cargo containers may not be grouped more than two deep end-to-end, and such two-deep groupings must be separated by drive aisles of not less than 30 feet in width.

(7) In transportation equipment subareas, on-road vehicles entering or leaving a cargo container storage yard are restricted to paved surfaces only, and in each such storage yard there must be constructed and maintained sufficient paved areas so as to permit all on-road vehicles to enter, exit, load, off-load, maneuver and otherwise remain at all times on wholly paved surfaces within the storage facility. Other than the required paved areas aforesaid, the remainder of the storage areas in transportation equipment subareas must be paved or surfaced and maintained with not less than 12 inches of dust-retardant compacted gravel material.

(8) No removable fastened signage may be displayed on any cargo container, with the exception of standardized safety or warning information placards (including hazardous materials placards used in compliance with the HMTA and all applicable regulations issued pursuant to the HMTA).

(9) All cargo containers and truck trailer containers visible to public rights-of-way must be stored in a secure fashion with doors that are fully closed.

(I) *Site access.* Each individual lot or principal building site must have direct vehicular access to a paved public roadway or a paved private easement road.

(J) Buffers.

(1) A buffer with a minimum width of 100 feet must be provided around the entire exterior perimeter of every intermodal terminal and transportation equipment subarea, except for (i) areas of ingress, egress and drainage out-fall, (ii) railroad rights-of-way containing lead tracks, spur tracks and associated railroad improvements, (iii) land under which pipeline transmission facilities exist, provided that reasonable buffering and/or landscaping must be provided if and to the extent allowed by the pipeline operator, (iv) such portions of any intermodal terminal or transportation equipment subareas that abut each other, and (v) such portions of the perimeter as are specifically designated to have a solid wall in lieu of a buffer with a minimum height of eight feet with an architectural element or stamped detail.

(2) Buffers must include an undulated landscaped berm at least 15 feet in height, unless the approved development plan sets forth a requirement for an engineered solid wall of a designated minimum height.

(3) Required berms must have a slope of 3:1 on the exterior (street-frontage) side, and may have a slope of 2.5:1 on the interior side.

(4) Green space, setback requirements, perimeter berms and setbacks must be shown on the approved development plan.

(5) Required perimeter berms must be landscaped and seeded with native grasses. Unless otherwise approved as part of the planned unit development, the required berms for the intermodal terminal and transportation equipment subareas must be installed as part of the activities authorized by the first site development permit issued for that specific subarea on the development plan.

(6) Subject to the foregoing requirements, the final design of perimeter berms, berm landscaping or solid wall is subject to review and approval as part of the site development permit process. In appropriate circumstances, the County Board is authorized to reduce both the width of the buffer and the height of the berm, or the height of a solid wall if allowed in lieu of a berm.

(K) Security fences.

(1) Perimeter and other interior security fences are allowed for all uses in intermodal terminal, transportation equipment and industrial park subareas. Fences may be up to ten feet in height.

(2) For buildings in industrial park subareas that do not have front-facing docks, unless occupant security requirements otherwise require, as is reasonably determined by Will County, security fencing may not extend any closer to the street than the front face of the building unless approved as a special use.

(3) For buildings in industrial park subareas that do have front facing docks, unless occupant security requirements otherwise require, security fencing may not extend any closer to the street than ten feet from back of curb on the street side edge of a parking area unless approved as a special use.

(L) Semi-tractor trailers and truck parking restrictions.

(1) In the intermodal terminal subarea, only short-term storage of semi-tractor trailers and trucks are permitted; except that tractors, hostlers and trucks used by the owner or occupant and intermodal facility for its operations in an intermodal terminal subarea is permitted without durational limitations.

(2) In the transportation equipment subarea, long-term semi-tractor trailer storage is permitted, and indefinite storage of operable, licensed and registered trucks is a permitted use in the transportation equipment subarea. Tractors, hostlers and trucks used by the owner or occupant of transportation equipment management facility for its operations in a transportation equipment subarea is permitted without durational limitations.

(3) In the industrial park subarea, only short-term storage of semi-tractor trailers and trucks is permitted, and the maximum number of accessory parking spaces (not including trailer positions immediately adjacent to dock doors) intended for use by semi-trailers, wheeled containers or truck-trailer combinations at warehouses, distribution facilities and other similar facilities used for storage, loading or off-loading of goods, may not exceed one parking space for every 1,500 square feet of ground floor area of the principal building.

(4) In all subareas of the planned unit development, the use of public or private streets for the regular staging of trucks or tractor trailers is prohibited.

(Ord. effective 10-1-2012)

§ 155-9.140 AUTO SALVAGE.

(A) All outdoor auto salvage operations must be enclosed on all sides by a solid wall or fence at least eight feet in height. No junk or salvage material may be visible from adjacent streets and lots.

(B) All gasoline, motor oils, brake and transmission fluids, antifreeze, hydraulic fluids, battery acids and other fluids must be removed immediately from all salvaged vehicles. Such fluids must be stored and disposed of in a manner that avoids soil and environmental contamination of the subject site and prevents contamination of surrounding properties and waterways.

(C) Only processed vehicles may be stored outdoors. Processed vehicle storage areas must have an aggregate base at least four inches in depth throughout and be graded so that no pools of water are present. Pathways at least 20 feet in width must be provided in vehicle storage area to permit access by emergency vehicles.

(D) All vehicle crushing must be conducted on an impervious surface.

(E) Only processed vehicles may be crushed. Crushed vehicles may be stacked two high and must be stored on an impervious surface.

(F) Auto salvage establishments must be properly maintained at all times.

(Ord. effective 10-1-2012)

§ 155-9.150 LANDSCAPE WASTE COMPOSTING AND LAND APPLICATION OF WASTE.

Landscape and food waste composting operations and land application of landscape waste (including grass clippings, leaves and chipped brush) or food waste (including discarded fruits, vegetables, and grains) are subject to all of the following regulations.

(A) Only activities that do not require a permit from the Illinois Environmental Protection Agency, Bureau of Land (IEPA-BOL) are allowed.

(B) Landscape waste compost material must be applied on land farmed by the operator of the compost facility. Land application of landscape waste and food waste may occur only on parcels on which an annual crop was planted and harvested during the previous 12-month period.

(C) Landscape waste composted and land-applied landscape waste and food waste must be incorporated (tilled) within five days of application at analytically determined agronomic rates including consideration of the carbon/nitrogen ratio, based on soil type, nutrient needs of the soil, nutrient needs of the crop to be grown, and nutrient contents of the material to be applied.

(D) All litter must be removed from landscape waste and food waste upon receipt and prior to composting and land application. All litter must be removed from windrows of landscape waste and land applied landscape waste and food waste.

(E) The required analytical determination must be based on current crop nutrient needs based on a laboratory soil test by a participating Illinois Soil Testing Association laboratory and include a specified rate of application. The analytical determination must be available for review within ten working days of a request by the county.

(F) At no time may the depth of applied landscape waste composted material or food waste exceed the determined agronomic rate. Landscape waste and/or food waste to be land-applied must be land-applied within five days of its arrival at the site.

(Ord. effective 10-1-2012)

§ 155-9.160 LEASEHOLDS, RESIDENTIAL.

(A) Any residential leasehold parcel created on or after October 1, 2012 must comply with the subdivision ordinance and all buildings and development on such parcels must comply with applicable zoning regulations.

(B) Residential leasehold parcels in existence before October 1, 2012 are deemed to be nonconforming lots.

(1) No further subdivision, division or parcelization of such residential leasehold parcels, other than boundary adjustments that do not result in the creation of additional leasehold parcels, are allowed.

(2) Permits may be issued for new construction, mobile home placement and building additions on residential leasehold parcels in existence before October 1, 2012, provided that the proposed construction or placement complies with the Building Ordinance, Water Resource Ordinance and the following lot and building regulations:

Lot and Building Regulations	
Maximum Building Height	30

Maximum Acc. Building Area (sq. ft.)	480

(3) Accessory dwelling units of any type are expressly prohibited on nonconforming leasehold parcels.

(Ord. effective 10-1-2012)

§ 155-9.170 MOBILE HOMES.

(A) General.

(1) Mobile homes are allowed only in approved mobile home parks and on residential leasehold parcels, except that a single mobile home is permitted on a lot in the A-1 district with an area of at least ten acres.

(2) Mobile homes are subject to applicable health code regulations.

(B) Mobile home parks.

(1) Permits and approvals.

(a) No mobile home park may be established until a special use permit has been approved in accordance with the procedures of § 155-16.40 and the park owner has provided evidence that all state and county requirements have been met and all required permits have been obtained.

(b) Existing mobile homes in nonconforming mobile home parks may be replaced, but no additional mobile home units may be added to a nonconforming mobile home park, and the extent of the park's non-conformity may not be increased.

(2) *Minimum park size.* Mobile home parks must have a minimum area of nine acres.

(3) *Maximum density.* The maximum density of a mobile home park may not exceed ten mobile homes per acre of mobile home park area.

(4) *Minimum space size.* Each mobile home space must have a minimum area of 4,000 square feet and a minimum width of 40 feet. No more than one mobile home is allowed per mobile home space.

(5) *Minimum setbacks.* Mobile homes are subject to the following minimum setbacks:

(a) From internal park accessways: ten feet;

(b) From public streets: 50 feet;

(c) From other mobile homes: ten feet.

(6) *Mobile home stands.* Mobile homes must be placed on concrete slabs, piers or runners and be anchored in compliance with applicable state requirements.

(7) *Internal accessways.* All vehicular accessways within a mobile home park must be privately owned and maintained. Vehicular accessways must be paved, with a minimum pavement width of 24 feet.

(8) *Tenant storage.* At least 250 cubic feet of storage area must be provided for each mobile home space in the mobile home park. Tenant storage space may be located in a central building or in individual enclosed storage buildings on each mobile home space.

(9) *Recreation area.* One or more outdoor recreation areas must be provided within each mobile home park. Required recreation area must be located to ensure safety and convenience for users.

(10) *Water and sewer.* Mobile home parks must be served by central water and sewer service.

(Ord. effective 10-1-2012)

§ 155-9.180 MINING/QUARRYING.

Mining and quarrying may be approved as a special use (See § 155-16.40) in the A-1, I-1 and I-2 districts, subject to all of the following regulations.

(A) All open pits and shafts must be located at least 200 feet from any public road and at least 50 feet from any side and rear property line.

(B) All buildings or structures must be located at least 200 feet from any property line.

(C) The entire operation must be surrounded by a fence or wall at least six feet in height or by a six-foot tall earthen berm and six-foot tall chain-link fence either in front or behind the berm.

(D) A land reclamation plan must be provided with the special use application.

(E) No blasting or other use of explosives is permitted unless specifically requested and expressly authorized by the approved special use permit. If permitted as part of the approved special use permit, all blasting must conform to the following standards:

(1) The use, handling and detonation of explosives (sometimes referred to as "blasting") in connection with the quarrying operations must be under the direct supervision of persons having the requisite experience and knowledge to safely conduct such operations. If the persons are hereafter required to be licensed by any federal agency or by the State of Illinois or Will County, the persons must meet the licensing requirements and obtain the required license.

(2) The storage of explosives must occur in accordance with all applicable federal and state laws and regulations and must be stored in magazines, buildings, or structures that meet the safety requirements of applicable laws and regulations.

(3) Blasting procedures must be in accordance with modern techniques, generally accepted in the quarrying industry, whereby a shot consists of a series of drill holes containing quantities of explosives fired or detonated in sequences of multiple delays at intervals of milliseconds, so as to counteract and reduce the ground motion or earthborn vibration from each successive detonation (sometimes referred to as "short-period delay blasting"). Blasting procedures must be designed, on the basis of maximum charge per delay (that is, quantity of explosives in pounds per detonation) and distances in feet, so that the maximum ground vibration intensity do not exceed 0.5 inches per second of ground particle velocity resulting from any shot or blast measured by any one of the three mutually perpendicular planes of ground motion as recorded at the nearest existing building.

(4) Blasting procedures are subject to and must comply with applicable lawful requirements of the Illinois Pollution Control Board, Illinois Department of Mines and Minerals, Mine Enforcement and Safety Administration (MESA) of the United States Department of the Interior, and any other governmental agency with jurisdiction over the procedures.

(5) Blasting procedures must be in conformity with approved safety regulations, customs, and practices generally accepted in the quarrying industry, and the safety regulations of governmental agencies with jurisdiction over the procedures.

(6) Compliance with the provisions of these regulations governing blasting procedures and quarrying operations is subject to review and inspection from time-to-time by authorized county officials, upon reasonable prior notice and during reasonable business hours.

(7) The actual detonation of any blast is restricted to the local time period between 1:00 p.m. and 4:30 p.m. Monday through Saturday of each week. No blasting may occur on Sunday or on the following legal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

(Ord. effective 10-1-2012)

§ 155-9.190 PIPELINES.

The regulations of this section apply to all pipelines that are not constructed in relation to direct development or improvement of agricultural properties and to all properties with sensitive natural resource features, including wetlands, woodlands and other natural features.

(A) Pipeline depth.

(1) Except for aboveground piping facilities, such as mainline block valves, tap valves, meter stations, etc., the pipeline must be buried with:

(a) A minimum of five feet of top cover where it crosses cropland.

(b) A minimum of five feet of top cover where it crosses pastureland or other agricultural land comprised of soils that are classified by the USDA as being prime soils.

(c) A minimum of three feet of top cover where it crosses pastureland and other agricultural land not comprised of prime soils.

(d) A minimum of three feet of top cover where it crosses wooded/brushy land or other sensitive areas.

(e) Substantially the same top cover as an existing parallel pipeline, but not less than three feet, where the route parallels an existing pipeline within a 100-foot perpendicular offset.

(2) Notwithstanding the foregoing, in those areas where (1) rock in its natural formation and/or (2) a continuous strata of gravel exceeding 200 feet in length are encountered, the minimum strata must be at least 30 inches.

(3) All pipelines should be covered with at least five feet of soil.

(B) Replacement of topsoil.

(1) The topsoil depth must be determined by a properly qualified, independent soil scientist or soil technician who must set stakes at least every 200 feet along the right-of-way identifying the depth of topsoil to be removed.

(2) The actual depth of the topsoil, not to exceed 36 inches, must first be stripped from the area to be excavated above the pipeline and from the adjacent subsoil storage area. The topsoil must be stored parallel to the pipe-line trench in such a manner that it will be intermixed with subsoil materials.

(3) The topsoil must be replaced so that after settling occurs, the topsoil's original depth and contour (with an allowance for settling) will be restored. The same requirements apply where excavations are made for road, stream, drainage ditch, or other crossings. Topsoil materials may not be used for any other purpose.

(4) As the topsoil is replaced, all rocks greater than three inches in any dimension must be removed.

(C) Restoration of ground cover.

(1) All soil conservation practices (such as terraces, grassed waterways, etc.) That are damaged by the pipeline's construction must be restored to their pre-construction condition.

(2) Sensitive areas must be restored by seeding or planting vegetation that will establish preexisting character or to the landowner's desire, not to exceed what was formerly present.

(D) Restoration and repair of field tiles.

(1) All tile lines within the right-of-way prior to the pipeline's installation must be identified so that necessary repairs can be made. The pipeline company must request information regarding line locations from affected landowners/tenants before the pipeline's installation. All identified tile lines must be staked or flagged before construction to alert construction crews to the possible need for tile line repairs.

(2) All tile lines that are damaged, cut, or removed must be staked or flagged with the stakes or flags in such a manner that they will remain visible until permanent repairs are completed. Tile lines must be restored to their original route within 14 days of the tile being broken or damaged.

(3) If tile lines are severed by the pipeline trench, angle iron, I-beams, or an equivalent must be used to support the repaired tile lines. The support members must be installed to rest on a minimum of eight-inch undisturbed soil shelves, and they must be sufficient to support a ten-ton point load on the surface directly above the repaired tile line.

(E) *Ingress and egress routes.* Prior to the pipeline's installation, the pipeline company and the landowner must reach a mutually acceptable agreement on the route that will be utilized for entering and leaving the pipe-line right-of-way should access to right-of-way not be practical or feasible from adjacent segments of the pipeline right-of-way or public highway or railroad right-of-way.

(F) Required notifications.

(1) The property owners of the land on which the pipe will be located must be notified of the project intent and approximate scheduling of the construction.

(2) Written permission must be obtained from each property owner affected for pipelines not approved by the Federal Energy Regulatory Commission.

(3) Pipeline companies seeking requesting a certificate of public convenience and necessity must provide written notice to the County Executive at least 30 days before any Federal Energy Regulatory Commission hearing. (Ord. effective 10-1-2012)

§ 155-9.200 PLANNED UNIT DEVELOPMENTS.

(A) Purpose.

(1) *General.* The PUD, Planned Unit Development regulations are intended to accommodate development that provides public benefits but that may be difficult if not impossible to carry out under otherwise applicable zoning and subdivision regulations. Examples of the types of developments that are appropriate for approval through the PUD regulations include the following:

(a) Enhanced protection of natural resource areas. Developments that offer enhanced protection of natural resources and sensitive environmental features, including streams, water bodies, floodplains, wetlands, woodlands, wildlife habitats and native plant communities.

(b) Traditional urban development. Developments characterized by lot configurations, street patterns, streetscapes, and neighborhood amenities commonly found in neighborhoods platted or otherwise created before the 1950s.

(c) Mixed-use development. Developments that contain a complementary mix of residential and nonresidential uses.

(d) Intermodal terminals. Intermodal terminals require PUD approval. See also § 155-9.130.

(e) Sustainability. Developments that incorporate sustainable ("green") building and development practices, as evidenced by attainment of LEED "Certified," "Silver," "Gold" or "Platinum" status.

(2) *Objectives.* Different types of PUDs will promote different planning goals. In general, however, PUDs are intended to promote the following objectives:

(a) Implementation of and consistency with the county's adopted plans and policies, including the Land Resource Management Plan;

(b) Flexibility and creativity in responding to changing social, economic and market conditions allowing greater public benefits than could be achieved using conventional zoning and subdivision regulations;

(c) High levels of energy conservation and environmental sustainability;

(d) Advancement of economic opportunity and social equity;

(e) Variety in housing types and sizes to accommodate households of all ages, sizes, incomes and lifestyle choices;

(f) Compact, mixed-use development patterns where residential, commercial, civic, and open spaces are located in close proximity to one another;

(g) A coordinated transportation system that includes an inter-connected hierarchy of facilities for pedestrians, bicycles, and vehicles;

(h) Compatibility of buildings and other improvements as determined by their arrangement, massing, form, character and landscaping;

(i) The incorporation of open space amenities and natural resource features into the development design;

(j) Stormwater BMPs (best management practices); and

(k) Attractive, high-quality landscaping, lighting, architecture and signage that reflect the unique character of the development.

(B) *Unified control.* The site must be under single ownership and/or unified control at the time of final plat approval.

(C) *Procedure.* PUDs must be reviewed and approved in accordance with the planned unit development procedures of § 155-16.50.

(D) *Developer's statement of intent.* Each PUD application must include a written explanation from the applicant describing the overall community benefits of the proposed development and how the proposed development provides greater benefits to the county than would a development carried out in accordance with otherwise applicable zoning and subdivision regulations.

(E) *Approval criteria.* A PUD may be approved only when the County Board determines that the proposed PUD would result in a greater benefit to the county than would development under conventional zoning regulations. Such greater benefit may include implementation of adopted planning policies, natural resource preservation, urban design, neighborhood/ community amenities or an overall level of development quality.

(F) *Regulations eligible for waiver of modification.* Unless otherwise expressly approved by the County Board as part of the PUD approval process, PUDs are subject to all applicable regulations of this zoning ordinance and the subdivision ordinance. The County Board is authorized to approve PUDs that deviate from strict compliance with specified regulations and standards if they determine that the resulting development satisfies the approval criteria of division (E) of this section.

(G) Residential density.

(1) *Facility and service adequacy.* Before approving any density increase, the County Board must determine that the increased density can be supported by existing and planned public facilities and services.

(2) *General public benefit.* The maximum allowable residential density of the subject zoning district may be increased by up to 10% above the maximum density allowed by the subject zoning district if the County Board determines that such an increase is warranted to support the public benefit likely to result from the proposed development.

(3) Sustainability.

(a) If the developer commits to attainment of LEED-ND certification or an equivalent or higher level of sustainability as certified by a county-approved accreditation organization, the County Board may allow the maximum residential density of the subject zoning district to be increased above the maximum density allowed by the subject zoning district, in accordance with the following table:

LEED Certification Level	Maximum Allowable Density Increase
Certified	10%
Silver	15%
Gold	20%
Platinum	25%

(b) Because sustainable or "green" project certifications cannot occur until after development is completed, any density bonuses granted must be based on the developer's good faith commitment to achievement of the applicable sustainability level.

1. The developer (applicant) must submit a binding letter of intent that communicates their commitment to achievement of the required sustainability level.

2. The county will then issue subsequent approvals based on this commitment.

3. A letter of credit, other county-approved financial guarantee or other reliable method must be established by the County Board at the time of approval to ensure ultimate compliance with the required sustainability level.

4. Any forfeited financial guarantees and all penalties collected must be contributed to a green building fund dedicated to supporting market adoption of green building practices.

(H) *Streets.* Minimum right-of-way widths of 50 feet are required.

(I) *Conditions and guarantees.* Before approving a PUD, the Planning and Zoning Commission may recommend, and the County Board may impose conditions and restrictions upon the establishment, location, design, layout, height, density, construction, maintenance, aesthetics, operation and other elements of the planned unit development deemed necessary for the protection of the public interest, improvement of the development, protection of the adjacent area, and ensure compliance with applicable regulations and standards. The County Board may require such evidence and guarantees as it deems necessary to ensure ongoing compliance with conditions stipulated in the approved PUD.

(Ord. effective 10-1-2012)

§ 155-9.210 RECYCLING FACILITIES.

(A) Concrete and asphalt recycling facilities.

(1) Sites that recycle concrete or asphalt must comply with all applicable state and federal regulations. This includes providing records, upon request to demonstrate that at least 25% of the total amount of recycled concrete or asphalt present at the site during a calendar year was transported off of the site during the next calendar year.

(2) All concrete or asphalt loads accepted may be kept on site for a maximum period of four years.

(B) *General construction or demolition debris recycling facilities.* The regulations of this section apply to general construction or demolition recycling facilities.

(1) Site and siting.

(a) The minimum area requirement for general construction or demolition recycling facilities is five acres.

(b) General construction or demolition debris recycling facilities must be located at least 500 feet from any residential zoning district unless otherwise expressly approved as part of the special use permit procedures of § 155-16.40. Considerations for modifying the location standard may include the separation of the residentially zoned property from the proposed site by a designated truck route, active rail line, high voltage power transmission easement or other clearly demarcated land-use planning transition boundary.

(c) General construction or demolition debris receiving/tipping areas must be constructed of a low permeability material (e.g., Portland cement concrete, asphalt concrete) that prevents infiltration and is able to withstand anticipated loads.

(d) The facility must be equipped with a fence of at least eight feet in height located to secure the operating areas of the facility during non-operating hours as well as assist in minimizing the potential for litter to leave the facility.

(2) Putrescible material, runoff and discharge permits.

(a) All loads containing putrescible materials must be tipped, processed and stored indoors or under cover until sent offsite for reuse, recycling, or disposal. Wood may be stored outside if sorted within 72 hours of receipt and immediately processed.

(b) Any leachate or runoff from waste/ recyclable material must be contained onsite.

(c) All state discharge permits or other applicable permits must be acquired prior to commencing operations.

(d) All necessary permits must be acquired to store fuel or other regulated material onsite.

(3) Special use permit application and submittal requirements.

(a) The application for a special use permit must be accompanied by:

1. A site plan and architectural drawing depicting building and structure elevations and descriptions of such buildings and structures necessary to convey the architectural appearance and physical magnitude of the proposed improvements;

2. A narrative description of the activities proposed to be conducted indoors or under cover within the facility boundaries;

3. A narrative description of other proposed uses (such as, but not limited to truck storage, maintenance, fueling, and container storage) and a demonstration that other such uses can be conducted in a safe and unobtrusive manner without interference with safe recycling activities on the site; and

4. A plan describing how incoming material will be handled (both under cover and outdoors), areas for sorting, processing, storing, baling and container storage and all equipment that will be used.

(b) A spill plan must be submitted for review and approval by the county as a condition of the special use permit.

(c) The site plan must include at least the following information:

1. A legal description of the subject property; access/egress point(s);
2. Parking areas;
3. Any buildings, structures or fixed equipment:
4. The extent of paved or impervious surfaces; material tipping/receiving areas;
5. Material processing areas;
6. Areas of proposed material stockpiling (by material type);
7. Material loading areas; and
8. Fencing, berm or screening features.

(d) If the applicant and Will County have previously entered into a host agreement for the proposed general construction or demolition recycling facility, the terms and conditions of that host agreement must be incorporated as conditions of the special use permit and may be enforced by any party to the agreements.

(4) *Operating plan.* The applicant must provide with a special use permit application a proposed operating plan that contains at least all of the following information:

(a) Number of employees anticipated at the facility;

(b) Proposed hours of operations for receipt of general construction or demolition debris and for processing and shipment of general construction or demolition debris;

(c) Proposed daily average/maximum volume (in tons) of general construction or demolition debris to be received at the facility. The minimum amount of recyclable material shipped offsite must be at least 75% of the total incoming material on a quarterly basis, or more frequently if applicable regulations are more stringent;

(d) The types of material tracking methods and recordkeeping to be employed to demonstrate compliance with applicable recycling thresholds. Records must be kept in accordance with regulatory standards. A daily record of incoming/ outgoing material or waste must be kept and reported no less than quarterly to the Will County Land Use Department. All records must be maintained by the operator at the facility for a period of at least three years or longer in the event of a dispute. The operator must allow reasonable access to inspect the facility during operating hours for compliance with applicable approvals, permits and regulations;

(e) The procedures by which all non-recyclable general construction or demolition debris will be removed and disposed within 72 hours of receipt. Describe the method and equipment used to load recyclable and non-recyclable general construction or demolition material prior to shipment from the facility;

(f) The end-use markets for separated general construction or demolition debris to demonstrate compliance with meeting applicable recycling thresholds;

(g) A closure plan for the facility;

(h) The maximum number of vehicles (by vehicle type) proposed to utilize the facility on a daily basis;

(i) All processing equipment proposed to be utilized to prepare the recyclable general construction or demolition debris for stockpiling or shipment and the location and design of any noise-buffering elements, sheltering and operating controls to minimize noise impacts;

(j) Operating methods employed to control odor, accidental combustion of materials, vectors, dust, and litter. Any and all air permits from the IEPA, USEPA, or other applicable regulatory authorities must be obtained as necessary;

(k) The method and equipment utilized to load recyclable and non-recyclable general construction or demolition for shipment from the facility; and

(l) Typical and maximum anticipated height of stockpiled recyclable general construction or demolition debris for each recyclable material by type. Identification of the buffering and/or screening measures employed to minimize the visual impact of the proposed stockpiles from surrounding land uses.

(5) *IEPA permit.* The special use permit will become effective upon receipt of a permit from the Illinois Environmental Protection Agency in accordance with Section 22.38 of the Illinois Environmental Protection Act ("The IEPA Act"). It must be a condition of the special use permit that the facility continues to operate in accordance with Section 22.38 of the IEPA Act and all other regulations and applicable permits.

(C) *Recyclable material drop-off facilities.* The regulations of this section apply to all recyclable material drop-off facilities.

(1) Recyclable material drop-off facilities may only accept consumer recyclable commodities and accumulate or store them for a maximum of 60 days after their receipt. Recyclable material drop-off facilities may not accept general construction or demolition debris or clean construction or demolition debris.

(2) Consumer recyclable commodities may only be accepted directly from the consuming party.

(3) The types of consumer recyclable commodities accepted at the subject recyclable material drop-off facility must be clearly identified.

(4) Consumer recyclable commodities must be accepted, accumulated, or stored in containers that protect their marketability.

(5) Recyclable material drop-off facilities must be operated in a safe, sanitary, and litter-free manner that protects human health and the environment.

(6) Dust, odors, noise, and other nuisances resulting from the operation of recyclable material drop-off facilities must be minimized to the greatest extent practicable.

(7) Contact between consumer recyclable commodities and disease vectors or other nuisance organisms must be prevented.

(8) Accumulation of surface water in areas where consumer recyclable commodities are accepted, accumulated, or stored must be prevented.

(9) Consumer recyclable commodities or other material may not be disposed of at the facility.

(10) No processing of recyclable material may occur in conjunction with a recyclable material drop-off facility.

(11) In order to be classified as in "indoor" facility all storage and work areas must be located within completely enclosed buildings. Outdoor storage is limited to drop-off recycling bins, which must be screened from view with a solid fence or wall at least six feet and no more than eight feet in height. Storage material may not exceed the height of the fence or wall.

(D) *Recyclable material processing facilities.* The regulations of this section apply to all recyclable material processing facilities.

(1) Recyclable material processing facilities may not accept or process general construction or demolition debris or clean construction or demolition debris.

(2) All putrescible waste must be processed and stored within completely enclosed buildings.

(3) The material recycling facility must be operated in a safe, sanitary, and litter free manner that protects human health and the environment.

(4) Dust, odors, noise, and other nuisances resulting from the operation of the material recycling facility must be minimized to the greatest extent practicable.

(5) Contact between consumer recyclable commodities and disease vectors or other nuisance organisms must be prevented.

(6) Accumulation of surface water in areas where consumer recyclable commodities are recycled must be prevented.

(7) Unauthorized entry into recyclable material processing facilities must be prevented.

(a) Measures to prevent unauthorized entry include appropriate signs located at entrances and other locations in a sufficient number and size to be seen from any approach to the facility and may include fencing where appropriate.

(b) If consumer recyclable commodities are accepted directly from the public:

1. A designated and clearly identified public consumer recyclable commodities acceptance area that minimizes the potential for accidents and unauthorized entry into non-public areas of the recyclable material processing facility must be provided; and

2. The types of consumer recyclable commodities accepted from the public and the containers in which they are accepted must be clearly identified.

(8) If the material processing facility is located on a site where activities other than the recycling of consumer recyclable commodities occur, the recycling of consumer recyclable commodities must be kept separate from all other activities at the site.

(9) If material that will not be recycled at the material recycling facility is discovered, the material must be placed in a container by the end of the operating day, accumulated or stored separately from material being recycled, and properly disposed of within seven days after its receipt.

(10) In order to be classified as an "indoor" facility all storage, processing and work areas must be located within completely enclosed buildings. Outdoor storage is limited to drop-off recycling bins, which must be screened from view with a solid fence or wall at least six feet and no more than eight feet in height. Storage material may not exceed the height of the fence or wall.

(E) *Soil storage, recycling and reuse.* Soil storage, recycling and reuse facilities (sites) are subject to the regulations that apply to uncontaminated soil fill operations (see § 155-9.70(A)).

(Ord. effective 10-1-2012)

§ 155-9.220 RESERVED

§ 155-9.230 RESIDENTIAL CONVENIENCE AND SUPPORT ESTABLISHMENTS.

Residential convenience and support establishments are allowed in the R-6 zoning district in conjunction with multi-dwelling buildings, provided they comply with the following regulations.

(A) Residential convenience and support establishments must be located in the same building as the principal residential use, and occupy in aggregate, no more than 4,500 square feet or 15% of the gross floor area of the principal residential use, whichever is less.

(B) Residential convenience and support establishments are limited to a maximum of one nonilluminated wall sign not exceeding three square feet in area.

(Ord. effective 10-1-2012)

§ 155-9.240 SELF-SERVICE STORAGE FACILITIES.

Self-service storage facilities are subject to all of the following regulations.

(A) Self-service storage facilities are limited to dead storage use only.

(B) No activities other than rental storage units and pick-up and deposit of dead storage are allowed on the premises.

(C) All storage on the property must be kept within an enclosed building, except in the I-3 district where outdoor storage of recreational vehicles is allowed as of right and in I-1 and I-2 districts, where outdoor storage of recreational vehicles may be approved as a special use.

(D) A fence must be provided around the perimeter of all drive-up style self-service storage developments. The fence must be at least six feet in height and must be constructed of opaque materials such as brick, stone, architectural tile, masonry units, wood, or similar finish materials that will prevent the passage of light and debris. Chain link and woven wire fences are expressly prohibited.

(E) No door openings for a drive-up style self-storage unit may face any R-zoned property.

(F) No drive-up style self-service storage building may exceed 12 feet in height.

(G) No drive-up style individual storage unit may exceed 600 square feet in floor area.

(H) Parking and loading/unloading areas must be provided. Drive-up style self-service storage uses may provide required parking within parking/driving lanes adjacent to the storage unit buildings. These lanes must be at least 26 feet in width when storage units open onto only one side of the lane and at least 30 feet in width when storage units open onto both sides of the lane.

(I) No person, on premises covered by a special use permit for self-service storage facility may conduct:

(1) Any business activity (other than rental of storage units) including miscellaneous or garage sales, and transfer/storage businesses that utilize vehicles as part of the business.

(2) Servicing or repair of motor vehicles, boats, trailers, lawn mowers, or any similar equipment.

(J) All self-service storage facility rental/lease agreements must include clauses prohibiting:

(1) The storage of flammable liquids, highly combustible or explosive materials, or hazardous chemicals.

(2) The use of the property for uses other than dead storage.

(Ord. effective 10-1-2012)

§ 155-9.245 SOLAR FARMS.

Solar farms are subject to all the following regulations:

(A) *Height.* Buildings are subject to the height limits of the subject zoning district. Ground-mounted solar energy systems may not exceed 25 feet in height when oriented at maximum tilt.

(B) *Setbacks.* Buildings are subject to the setback regulations of the subject zoning district. Ground-mounted solar energy systems must be set back at least 25 feet from all property lines or in accordance with the setback regulations of the subject zoning district, whichever results in a greater setback.

(C) *Visual Screening.* Ground-mounted mechanical equipment that is visible outside the perimeter of the solar farm must be screened from view of roads and dwelling units located within 1,000 feet in accordance with the provisions of this subsection (c). Required screening may be located within required setbacks and must comply with one of the following options or a similar alternative approved by the County Board at the time of special use permit approval:

(1) A landscaped area at least ten feet in width with at least one shrub per five linear feet, plus at least one evergreen tree per 25 linear feet of perimeter area. Shrubs must be at least three feet in height at time of planting. Evergreen trees must be at least 5 feet in height at time of planting or

(2) Provide a landscaped area at least ten feet in width with a solid wall or privacy fence with a minimum height of 6 feet. At least one evergreen tree is required per 30 linear feet of fence or wall.

(D) *Glare.* Solar energy systems must be designed, constructed and sited to minimize glare or reflections on adjacent properties and roadways and to not interfere with traffic, including air traffic, or otherwise create a safety hazard.

(E) *Soil and Ground Cover*

(1) Top soils shall not be removed from the site during development unless the removal is expressly approved as part of the special use permit.

(2) Perennial vegetative ground cover must be maintained or established in all areas containing solar arrays and in required setbacks to prevent erosion and manage run-off.

(F) Security *Barrier*. Solar energy systems that are part of a solar farm must be enclosed by perimeter security fencing or other county-approved barrier with a minimum height of at least 7 feet. The use of barbed wire or razor wire is prohibited unless otherwise expressly at the time of special use permit approval.

(G) *Approved solar components.* Electric system components must have a UL (Underwriters Laboratories Inc.) listing.

(H) *Lighting*. Solar farms may not be artificially illuminated, unless required by the FAA or other applicable government agency or authority.

(I) *Underground Utilities*. On-site power lines and utility connections must be placed underground unless otherwise expressly approved as part of the special use permit.

(J) *Abandonment and Decommissioning*. Solar farms that do not produce energy for a continuous period of one year or more are presumed to have been abandoned.

(1) Any solar farm that has been abandoned must be decommissioned and removed within 180 days.

(2) Decommissioning must consist of:

a. Physical removal of all solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site.

b. Recycling or disposal of all solid and hazardous waste in accordance with local, state, and federal regulations.

c. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Zoning Administrator is authorized to allow the owner or operator to leave landscaping or designated below-grade foundations in place in order to minimize erosion and disruption to vegetation.

(3) Decommissioning Plan.

a. A decommissioning plan outlining the anticipated means and costs of removing the solar farm must be submitted with the special use permit application.

b. The decommissioning plan should ensure that the owner or operator properly removes the equipment and facilities upon the end of project life or after their useful life. The plan must include provisions for the removal of all structures and foundations, the removal of all electrical transmission components and the restoration of soil and vegetation.

c. The owner/operator must provide a present-day decommissioning cost estimate and identify the parties responsible for decommissioning.

d. The owner/operator must submit a copy of the decommissioning plan to all property owners within the boundaries of the special use permit. Before issuance of a zoning certificate, the subject property owners must provide to the Zoning Administrator signed affidavits acknowledging receipt of the decommissioning plan and their respective responsibility for decommissioning costs.

(K) *Monitoring and Maintenance.* The owner/operator of the solar farm is responsible for keeping the facility in safe, sound and well-maintained condition, including painting, grounds keeping, structural repairs, internal access drives and the integrity of security measures.

(L) *Avoidance and Mitigation of Damages to Public Infrastructure.*

(1) *Roads.* The owner/operator must identify all roads to be used for the purpose of transporting components and equipment for construction, operation or maintenance of the solar farm and obtain applicable permits from the applicable highway authority prior to construction.

(2) *Existing Road Conditions.* The owner/operator must conduct a pre-construction survey, in coordination with the applicable highway authority to determine existing road conditions. The pre-construction survey must include photographs and a written agreement to document the condition of the roads and applicable

public facilities. The owner/operator is responsible for on-going road maintenance and dust-control measures identified by the applicable highway authority during all phases of construction and installation.

(3) *Drainage System.* The owner/operator is responsible for identifying the location of all subsurface drainage systems and for immediately repairing damage to drain tiles and other drainage systems that result from construction, operation, or maintenance of the solar farm.

(M) *Financial Assurance*. The owner/operator must provide reasonable evidence of financial ability to construct the solar farm and all required improvements, as determined by the County Board at the time of special use permit approval.

(N) *Notice of Development Letters*. The owner/operator must mail letters to Will County Board representatives for the district in which the solar farm is to be built as well as to the respective township, Will/South Cook Soil and Water Conservation District, and to all municipalities located within 1.5 miles of the solar farm.

(O) *Submittal Requirements.* All applications for special use permit approval must include the following information in addition to the customary submittal requirements for special use permit applications.

(1) Site plan showing property lines and physical features, including roads, setbacks, floodplain (if applicable), buildings, solar panels, right of way, and zoning district designation for the subject property and all abutting properties.

(2) Pre-construction survey and proposed routes as defined in Section 155-9.245(K).

(3) Number, location, and spacing of solar panels/arrays.

(4) Product cut-sheets.

(5) Proposed locations of underground or overhead electric lines.

(6) Identification of access and traffic control of the project site, during construction and operation of the facility.

(7) Interconnection service agreement or evidence of filing required interconnection service applications with the electric utility.

(8) Operation and maintenance plan of the solar farm, including measures for maintaining safe access to the installation, stormwater controls, as well as general procedures for operation and maintenance of the installation.

(9) Proof of liability insurance.

(10) Emergency services plan, including but not limited to the project summary, electrical schematic and means of shutting down energy systems throughout the life of the installation.

(11) Decommissioning plan in accordance with 155-9.245(J).

(12) Redacted lease copy.

(13) Copy of notice of development letters to Will County Board representatives for the district in which the solar farm is to be built.

(14) Copy of the notice of development letters required by this section.

(P) *Prohibited Systems.* Concentrated solar power systems are prohibited.

§ 155-9.250 WHOLESALE POWER GENERATORS.

(A) No portion of any wholesale power generator structure may be located within 1,320 feet of R-zoned lots or residential dwelling units.

(B) Wholesale power generation facilities may not:

(1) Draw more than 1,000 gallons water from subsurface water aquifers for each megawatt of electricity generated;

(2) Use fuels other than natural gas; or

(3) Exceed 1,500 hours of operation per turbine, per year.

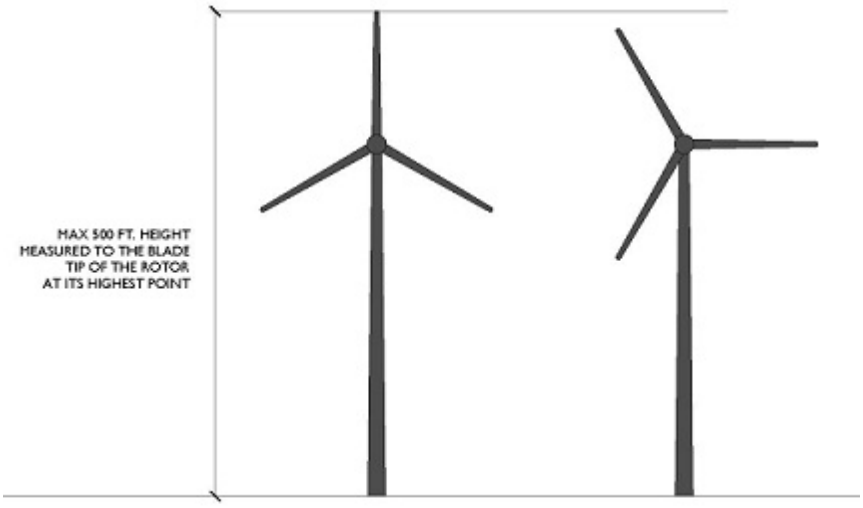
(Ord. effective 10-1-2012)

§ 155-9.260 WIND FARMS.

Wind farm facilities may be approved as a special use (See § 155-16.40) in the A-1 zoning district, subject to compliance with the following information.

(A) *Minimum lot area.* The minimum lot area requirement for a wind farm is 1,000 acres, which may include rented, owned, or leased property.

(B) *Maximum height.* Electric-generating wind devices may not exceed 500 feet in height, measured to the blade tip of the rotor at its highest point.



(C) Minimum setbacks.

(1) Electric-generating wind devices must be set back from all property lines a distance of at least 125% of the device height.

(2) No portion of a wind farm may be located within 1,320 feet of any R-zoned property or residential dwelling unit in existence at the time of the special use permit application for the wind farm is filed.

(3) Each electric-generating wind device must be set back from above-ground public electric power lines, telephone lines, and cable television lines a distance of 125% of the device height.

(D) *Ground clearance.* The blade tip of any rotor must, at its lowest point, have ground clearance of at least 75 feet.

(E) General regulations.

(1) All climbing apparatus must be located at least 15 feet above the ground, and the tower must be designed to prevent climbing within the first 15 feet above the ground or base.

(2) Electric-generating wind device rotors, towers and turbines must be painted a non-reflective, non-obtrusive color.

(3) The design of all buildings and related structures must, to the extent reasonably possible, use materials, colors, textures, screening and landscaping that reflects the natural setting and the existing environment.

(4) Wind farm facilities may not be artificially illuminated, except to the extent required by the FAA or other applicable authority.

(5) Wind turbines may not be used for displaying and advertising except for reasonable identification of the manufacture or operator of the wind farm facility.

(6) Electrical controls and control wiring and power-lines must be wireless or not above-ground except where wind farm facility wiring is brought together for connection to the transmission or distribution network, adjacent to that network.

(7) All access doors and gates to wind turbine towers and electrical equipment must be lockable.

(8) Each electric-generating wind device tower must be marked with a visible identification number to assist with provision of emergency services, and the permitee must file with the appropriate local fire protection district and sheriff's police, a wind farm facility map identifying wind turbine locations and numbers.

(9) Warning signs concerning voltage must be posted on the base of each tower, electrical equipment, and at the entrance to any wind farm facility site.

(10) The permitee must ensure that, following completion of construction of a wind farm, all county, township and state roads will be repaired or restored to a condition at least equal to the condition prior to construction of such facility, as inspected and approved by the respective highway authority.

(11) The permitee must promptly replace or repair all fences or gates removed or damaged during all phases of the wind farm's life, unless otherwise negotiated with the affected landowner.

(F) *Application requirements.* The following items must be submitted with the special use permit application:

(1) Site plan showing the following:

(a) Survey of property or properties included in the proposal.

(b) Include distance to nearest residential dwelling.

(c) Setback regulations of the zoning district.

(d) Setback regulations for each electric-generating wind device tower.

(e) Any floodplain or wetland on the property.

(f) Any existing or proposed roads.

(g) Location, height and dimensions of all existing and proposed structures and fencing.

(h) Any easements or above-ground utilities on the property.

(i) Surrounding zoning and uses within 1,320 feet of the property.

(2) A project proposal that includes the following:

(a) Name, company, address and phone of the owner, developer or any other interested party.

(b) Project summary including the nameplate generating capacity; equipment manufacturer; type of electric-generating wind device and number of electric-generating wind device; the nameplate generation for each electric-generating wind device.

(c) Maximum height for each electric-generating wind device.

(d) Evidence that the site is feasible for a wind farm facility.

(3) An avian habitat study completed by an ornithologist or wildlife biologist.

(4) Proof of compliance with noise regulations of the Illinois Pollution Control Board.

(5) Determination by the Federal Aviation Administration that the proposed structures do not interfere with or present a hazard to any public or private aircraft.

(6) A reclamation plan to remove any inoperable electric-generating wind device and to restore the site if the project ceases operations or does not produce any electricity during any 18-month period.

(G) *Signal interference.* The permitee must minimize or mitigate any interference with electromagnetic communications, such as radio, telephone or television signals caused by any wind farm.

(H) *Restoration of property.* Within 180 days of termination or abandonment of leases or easements for a wind farm facility, the current permitee must cause, at their own expense, removal of all structures to a depth of four feet below pre-construction grade.

(I) Test wind towers.

(1) For the purpose of gathering information, wind generation test wind towers may be erected without obtaining a special use permit.

(2) Test wind towers may not exceed 500 feet in height, as measured to the tip of the rotor in its highest position.

(3) Test wind towers must be dismantled within three years of installation.

(4) Test wind towers must be set back from all property lines a distance that is equivalent to 125% of the test wind tower height.

(5) Building permit applications for test wind towers must be accompanied by standard drawings of the structure, including the tower, base and footings. An engineering analysis of the tower showing compliance with the adopted county building codes and certified by an Illinois licensed professional structural engineer must be submitted. A valid first generation seal is required.

(Ord. effective 10-1-2012)

§ 155-9.270 WIRELESS TELECOMMUNICATIONS FACILITIES.

(A) *Siting.*

(1) Agricultural, commercial, industrial and other nonresidential zoning districts are the most desirable locations.

(2) R-zoned lots that are not used for residential purposes are the second most desirable location.

(3) R-zoned lots that are two acres or more in area and used for residential purposes are the third most desirable location.

(4) R-zoned zoned lots that are less than two acres in area and used for residential purposes are the least desirable location.

(B) *Qualifying wireless telecommunications structures.* The following regulations apply to qualifying wireless telecommunications structures.

(1) No minimum lot area, width or depth is required for a qualifying structure. A facility may be located on the same zoning lot as one or more other structures or uses and not be in violation of this ordinance. If the site is a residentially zoned lot that is less than two acres in area and used for residential purposes, a variance is required in accordance with § 155-16.70(M).

(2) No portion of a facility's supporting structure or equipment housing may be located within 15 feet of a street lot line or within ten feet of any other lot line.

(3) The overall height of the facility, including the structure cannot be more than 15 feet taller than the height of the structure before the installation or not more than 15 feet taller than a substantially similar, substantially same-location replacement of an existing structure.

(4) No bulk regulations or lot coverage, building coverage, or floor area ratio limitations apply to a facility or to any existing use or structure coincident with the establishment of a facility.

(C) *Non-qualifying structures.* The following regulations apply to non-qualifying wireless telecommunications structures.

(1) No minimum lot area, width or depth is required for a non-qualifying structure. A facility may be located on the same zoning lot as one or more other structures or uses and not be in violation of this ordinance. If the site is a residentially zoned lot that is less than two acres in area and used for residential purposes, a variance is required in accordance with § 155-16.70(M).

(2) No portion of a facility's supporting structure or equipment housing may be located within 15 feet of a street lot line or within ten feet of any other lot line.

(3) If the supporting structure is an antenna tower other than a qualifying structure then (i) the facility must be located in a residential district and the lot line setback distance to the nearest R-zoned lot must be at least 50% of the height of the facility's supporting structure or (ii) the facility must be located in a nonresidential zoning district

and the horizontal separation distance to the nearest principal residential building must be at least equal to the height of the facility's supporting structure. The required horizontal separation distance must be measured from the center of the base of the facility's supporting structure to the point where the ground meets a vertical wall of a principal residential building. For purpose of this provision, "principal residential building" does not include any building under the same ownership as the land of the facility lot and does not include any structure that is not designated for human habitation.

(4) The height of a facility may not exceed 75 feet if the facility will be located in a residential zoning district or 200 feet if the facility will be located in a nonresidential zoning district.

(5) No bulk regulations or lot coverage, building coverage, or floor area ratio limitations apply to a facility or to any existing use or structure coincident with the establishment of a facility.

(6) The improvements and equipment comprising the facility may be wholly or partly freestanding or wholly or partly attached to, enclosed in, or installed in or on a structure or structures.

(D) *Design criteria.* The telecommunication carrier must consider the following design criteria:

(1) No building or tower that is part of a facility should encroach onto any recorded easement prohibiting the encroachment unless the grantees of the easement have given their approval.

(2) Lighting should be installed for security and safety purposes only. Except with respect to lighting required by the FCC or FAA, all lighting should be shielded so that no glare extends substantially beyond the boundaries of a facility.

(3) No facility should encroach onto an existing septic field.

(4) Any facility located in a special flood hazard area or wetland should meet the legal requirements for those lands.

(5) Existing trees more than three inches in diameter should be preserved if reasonably feasible during construction. If any tree more than three inches in diameter is removed during construction a tree three inches or more in diameter of the same or a similar species must be planted as a replacement if reasonably feasible. Tree diameter must be measured at a point four and one-half feet above ground level.

(6) If any elevation of a facility faces an existing, adjoining residential use within a residential zoning district, low maintenance landscaping should be provided on or near the facility lot to provide at least partial screening of the facility. The quantity and type of that landscaping should be in accordance with county landscaping regulations.

(7) Fencing should be installed around a facility. Security fences are exempt from compliance with county fence regulations.

(8) Any building that is part of a facility located adjacent to an R-zoned lot should be designed with exterior materials and colors that are reasonably compatible with the residential character of the area.

(9) If the facility is to be manned on a regular, daily basis, one off-street parking space must be provided for each employee regularly at the facility. No loading facilities are required.

(10) The improvements and equipment comprising the facility may be wholly or partly freestanding or wholly or partly attached to, enclosed in, or installed in or on a structure or structures.

(E) *Variances.* See § 155-16.70(M).

(Ord. effective 10-1-2012)

§ 155-9.280 WINERIES, CRAFT BREWING AND DISTILLING.

The regulations of this section apply to craft brewing and distilling facilities.

(A) Wineries are manufacturing facilities engaged in the processing of grapes to produce wine or wine-like beverages. Craft breweries and distilleries are facilities that produce and distribute spirits, beer, or other fermented malt beverages.

(B) Sale of beverages produced on premises for off-site consumption is a permitted accessory use on the licensed premise. Sampling is permitted only in conjunction with pre-scheduled guided tours of the licensed premises or as scheduled during regular business hours. Such tours must be for the sole purpose of promoting the sale of the wine or alcoholic beverages produced and stored on the licensed premises. All sampling shall be in a designated on-site tasting room.

(Ord. 15-201, passed 7-16-2015)

155-10 ACCESSORY AND TEMPORARY USES

§ 155-10.10 ACCESSORY USES.

(A) General.

(1) *Accessory uses allowed.* Accessory uses and structures are permitted in connection with lawfully established principal uses unless otherwise expressly stated.

(2) *Incidental and subordinate nature.* The Zoning Administrator is authorized to determine when a use, building or structure meets the criteria of an accessory use or accessory structure. In order to classify a use or structure as "accessory" the Zoning Administrator must determine that the use or structure:

(a) Is subordinate to the principal building or principal use in terms of area and function;

(b) Contributes to the comfort, convenience or necessity of occupants of the principal building or principal use served; and

(c) Is customarily found in association with the subject principal use or principal building.

(3) Time of construction and establishment.

(a) Accessory uses may be established only after the principal use of the property is established.

(b) Accessory buildings may be established in conjunction with or after the principal building. They may not be established before the principal building is in place.

(4) *Location.* Accessory uses and structures must be located on the same lot as the principal use to which they are accessory, except as otherwise expressly stated.

(5) *Applicable regulations and standards.* Unless otherwise expressly stated, accessory uses and structures are subject to the same regulations and standards as apply to principal uses and structures on the subject lot.

(B) Animals (keeping of).

(1) *Companion animals.* The keeping of a cumulative total of up to five adult, domesticated companion animals is allowed as an accessory use to any residential use, subject to the regulations of this section. The care or keeping of six or more companion animals, in cumulative total, is considered "animal care/boarding" and is allowed only in zoning districts that allow animal care/boarding uses (See § 155-8.40(B)(1)).

(2) Horses, farm animals and micro-livestock.

(a) *A-1 district.*

1. The keeping of horses (stables), farm animals and livestock is allowed as of right in the A-1 zoning district.

2. There is no zoning-based limit on the number of animals that may be kept in the A-1 district.

3. Animal confinement buildings must comply with the building setback regulations of the A-1 district (See § 155-2.30(B)).

(b) A-2, E-1, and E-2 districts.

1. The keeping of horses (stables) farm animals and livestock is allowed as of right in the A-2, E-1 and E-2 districts.

2. Animal confinement buildings in the A-2, E-1 and E-2 districts must comply with the building setback regulations of the subject zoning district (See § 155-2.30(B) and § 155-3.30(B)).

3. A maximum of one animal unit is allowed per acre of lot area in the A-2, E-1 and E-2 districts, based on the following animal unit equivalencies:

Animal Type	Animals per Animal Unit
Cattle, Bison	1
Horse, Mule, Donkey, Burro	1

Animal Type	Animals per Animal Unit
Horse (34 inches or less at withers)	2
Swine, Ostrich	2
Goats, Sheep, Llama, Alpaca	2
Poultry and fowl (other than pigeons)	20
Rabbits	20
Mink and other similar fur-bearing animals	20
Bees	No animal density limit
Pigeons	No animal density limit
Note: The Zoning Administrator is authorized to determine the value in animal units for mature animals not listed above.	

(c) R-1 and R-2 districts.

1. The keeping of horses (stables), farm animals and livestock may be approved as a special use in the R-1 and R-2 districts (see the special use procedures of § 155-16.40).

2. The keeping of chickens (no roosters) is allowed as of right in the R-1 and R-2 zoning districts.

3. The minimum lot area required for the keeping of chickens shall be 12,500 square feet.

4. The animal confinement building setback and animal density requirements of division (B)(2)(b) of this section apply.

(d) R-2A, R-3 and R-4 districts.

1. The keeping of chickens (no roosters) is allowed as of right in the R-2A, R-3, and R-4 zoning districts.

2. The number of chickens is limited to 1 per 2,500 square feet of lot area.

3. The minimum lot area required for the keeping of chickens shall be 12,500 square feet.

4. The keeping of rabbits, pygmy goats, pigs and bees may be approved as a special use in the R-2A, R-3 and R-4 districts.

5. Rabbits are limited to six adult animals (over six months), with no restrictions on younger animals. Rabbits must be kept in a hutch or fenced enclosure.

6. Pygmy goats are limited to two female animals and nursing off-spring. Pygmy goats must be kept in a fenced yard or enclosure. All adult pygmy goats must be dehorned.

7. Pigs are limited to one female, up to 250 pounds in weight. The pig must be kept in a fenced yard or enclosure.

8. Africanized bees are prohibited.

9. All animals must be confined to the owner's property.

10. All buildings and structures that house farm animals or microlivestock in the R-2A, R-3 and R-4 districts must be located at least 25 feet from all existing dwellings (except the animal owner's) and must comply with the building setback regulations of the subject zoning district (See § 155-3.30(B)). No animal-related structures or enclosures may be located in a front or other street yard area.

(e) C-6 district.

1. The keeping of horses (stables) and farm animals is allowed as of right in the C-6 district.

2. Animal confinement buildings in the C-6 district must be set back at least 50 feet from all lot lines.

(f) Sanitation. Proper sanitation must be maintained for all horses, farm animals and microlivestock. Proper sanitation includes:

1. Not allowing animal waste to accumulate;

2. Taking necessary steps to ensure that odors resulting from horses, farm and microlivestock animals are not detectable beyond property lines; and

3. Storing all food in metal or other pest-proof containers.

(C) A*ccessory dwelling units.*

(1) Purpose

(a) The accessory dwelling unit regulations of this section are intended to help promote the benefits of accessory dwelling units, while also preserving neighborhood character and promoting predictability and certainty for developed residential areas.

(b) Accessory dwelling units (ADUs) help advance the county's housing and land use goals and policies by:

1. Accommodating additional housing units while preserving the character of existing developed areas;

2. Allowing efficient use of the existing housing stock and infrastructure;

3. Providing housing options and choices that respond to varying income levels, changing household sizes and lifestyle needs;

4. Providing a means for residents—particularly seniors, single parents, and empty-nesters—to remain in their homes and neighborhoods, and obtain extra income, security, companionship and assistance; and

5. Promoting a broader range of accessible and more affordable housing.

(2) General Regulations for all ADUs

All accessory dwelling units must comply with the regulations of this subsection.

(a) Zoning District Regulations

Accessory dwelling units are subject to all applicable regulations of the zoning district in which they are located, unless otherwise expressly stated in this section.

(b) Where Allowed

1. Accessory dwelling units are allowed in accordance with the use table of § 155-7.30 only on lots that are occupied by a detached house or attached house.

2. Accessory dwelling units are not permitted on nonconforming lots, except that accessory dwelling units may be approved on nonconforming lots in the A-1, A-2 and E-1 districts if approved through the special use permit procedures of § 155-16.40.

(c) Number

No more than one accessory dwelling unit is allowed per lot. Accessory dwelling units are not allowed on lots occupied by ECHO housing units (see also § 155-9.110).

(d) Owner Occupancy

The owner of record must reside in either the principal or accessory dwelling unit for a minimum of six months of each calendar year.

(e) Methods of Creation

An accessory dwelling unit may be created through any of the following methods:

1. Converting existing area within the interior of a house (e.g., attic or basement) to an ADU;

2. Adding floor area to an existing house to accommodate an ADU;

3. Constructing a detached accessory dwelling unit on a parcel with an existing house;
4. Converting space within a detached accessory building; or
5. Constructing a new house with an internal or detached accessory dwelling unit.

(f) Number of Residents

The total number of residents that reside in the accessory dwelling unit and the principal dwelling unit, combined, may not exceed the number permitted for a household.

(g) Location of Entrances

Only one entrance to a house containing an accessory dwelling unit may be located on a façade that faces a street, unless the house contained an additional street-facing entrance before the accessory dwelling unit was created. Detached ADUs are exempt from this regulation.

(h) Size

The floor area of an ADU may not exceed 49% of the gross floor area of the principal dwelling unit on the subject lot (excluding any attached garage), or 650 square feet, whichever is less.

(i) Parking

No additional parking is required for an accessory dwelling unit. Existing required parking for the house must be maintained or replaced on-site.

(j) Building Permit Approval

Before the issuance of a building permit for the construction of any new accessory dwelling unit, plans must be reviewed and approved by the director of building safety to determine compliance with all applicable building and life safety codes.

(3) Regulations for New Detached ADUs and Building Additions

The regulations of this subsection apply to all detached buildings and building additions proposed to be occupied by ADUs. These provisions apply only to detached buildings and building additions constructed after January 18, 2018.

(a) Exterior Finish Materials

The exterior finish material must be the same or visually match in type, size and placement, the exterior finish material of the principal dwelling unit.

(b) Roof Pitch

The roof pitch must be the same as the predominant roof pitch of the house.

(c) Trim

Trim on edges of elements on the building addition to the house or the accessory structure occupied by the ADU must be the same in type, size and location as the trim used on the principal dwelling.

(d) Entrances

Building entrances ADUs in detached structures or building additions may not face the nearest side or rear property line unless there is an alley abutting that property line.

(e) Setbacks

A detached accessory dwelling unit must be located at least 10 feet behind the principal dwelling. This required 10-foot separation distance must be open from the ground to the sky except that it may include walkways, patios, decks and similar structures that do not exceed 30 inches in height above finished grade.

(f) Height

The maximum allowed height of a detached accessory dwelling unit is 20 feet or the height of the principal dwelling building, whichever is less.

(D) Home occupations.

(1) *Where allowed.* One or more home occupations are allowed as accessory uses to an allowed household living use.

(2) *Regulations.* Home occupations are subject to all of the following regulations. These regulations apply to the property as a whole, regardless of the number of home occupations being conducted on the property.

(a) The operator of a home occupation must be a full-time resident of the dwelling unit.

(b) No more than one nonresident may be engaged in the conduct of any home occupations occurring on the subject site.

(c) The use of a dwelling unit for home occupation activities must be clearly incidental and subordinate to the dwelling's use for residential purposes by its occupants.

(d) Floor area devoted to any home occupations on the site may not exceed 33% of the floor area of the dwelling unit.

(e) Home occupations must be conducted within the dwelling unit and not from a detached or attached garage or other accessory structure. Equipment, materials, samples, and vehicles incidental to the home occupation may be stored in a detached or attached garage or other accessory structure as long as the business activity is limited to the dwelling.

(f) Home occupations may not involve any outdoor storage, outdoor display or other outdoor activity.

(g) There may be no visible evidence of the conduct of a home occupation when viewed from the street or right-of-way or from an adjacent lot. There may be no change in the exterior appearance of the dwelling unit that houses a home occupation or site upon which it is conducted that will make the dwelling appear less residential in nature or function. Examples of such prohibited alterations include parking lots, or adding commercial-like exterior lighting.

(h) No traffic may be generated by any home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation must be met by off-street parking, subject to the parking location regulations § 155-11.50.

(i) Customers may visit the site only from 8:00 a.m. to 8:00 p.m.

(j) Deliveries or pick-ups of supplies or products associated with home occupations are allowed only between 8:00 a.m. and 8:00 p.m. Vehicles used for delivery and pick-up are limited to those normally servicing residential neighborhoods (U.S. postal carrier, parcel service or passenger vehicle).

(k) No equipment or process may be used in a home occupation that creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process may be used that creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.

(l) Products incidental to a permitted home occupation may be sold from the premises. Retail sales through telephone or mail communication, or electronic or wireless communication are permitted.

(m) Consultation with the Zoning Administrator is required for proposed home occupations. The Zoning Administrator is authorized to determine, on a case-by-case basis, whether the proposed activity requires building permits or site development permits and whether adherence to applicable building, stormwater and water resource ordinances is required.

(n) Firearms dealers may be allowed as a home occupation only if approved in accordance with the special use permit procedures of § 155-16.40.

(o) All of the following uses are prohibited as home occupations:

1. Animal hospitals, veterinary clinics and kennels;
2. Eating and drinking establishments;
3. Retail stores;

4. Business or commercial storage of recreational vehicles, mobile homes, vehicles or mechanical equipment;

5. Funeral and interment services;

6. Manufacturing;

7. Automobile or truck repair; and

8. Any other use that is not deemed to be a customary or appropriate home occupation by the Zoning Administrator.

(E) Swimming pools.

(1) *Where allowed.* Swimming pools are allowed as an accessory use to household living uses and other uses approved by the Zoning Administrator. Accessory swimming pools are not subject to minimum lot area or lot frontage requirements.

(2) *Regulations.* Accessory swimming pools are subject to all of the following regulations:

(a) All swimming pools must have a perimeter barrier with a minimum height of five feet above grade or finished floor. Barriers must be installed in accordance with the building ordinance. These barrier height regulations supersede any other fence or wall height requirements in this zoning ordinance.

(b) On a corner lot, a swimming pool may be located in a street yard that does not contain the main entrance to the residence.

(c) On a double-frontage lot that is located on a limited access highway, a swimming pool may be located in the yard that does not contain the main entrance to the residence.

(d) In-ground swimming pools must be set back at least 25 feet from septic tanks and septic fields.

(e) Above-ground swimming pools must be set back at least ten feet from septic tanks and septic fields.

(f) Swimming pools must be set back at least eight feet from the nearest building, at least five feet from side and rear lot lines and at least 10 feet from any lot line abutting a street, exclusive of easements. These setbacks apply to the pool as well as associated decks, patios and equipment and supersede those setbacks established by the lot and building regulations of the subject district.

(F) Accessory solar energy systems.

(1) *General.*

(a) Accessory solar energy systems must comply with all applicable building ordinance and electrical code requirements.

(b) Owners of accessory solar energy systems are solely responsible for negotiating with other property owners for any desired solar easements to protect access to sunlight. Any such easements must be recorded with the county recorder of deeds.

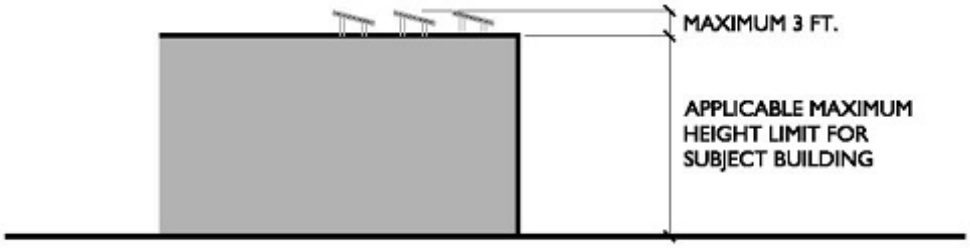
(2) Building-mounted solar energy systems.

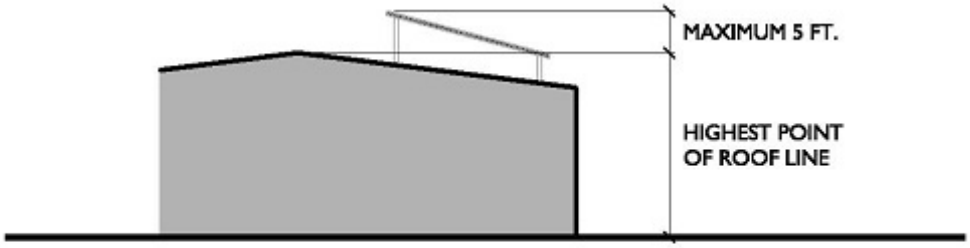
(a) Building-mounted solar energy systems may be mounted on principal and accessory structures.

(b) All applicable setback regulations apply to building-mounted solar energy systems. Systems mounted on principal structures may encroach into interior side and rear setbacks in accordance with § 155-18.10(F).

(c) Only building-integrated and/or flush-mounted solar energy system may be installed on street-facing building elevations.

(d) Solar energy systems may not extend more than three feet above the applicable maximum building height limit for the subject building type or more than five feet above the highest point of the roof line, whichever is less.





(3) Ground-mounted solar energy systems.

(a) In residential zoning districts, ground-mounted solar energy systems may not be located in a required street setback or street yard area.

(b) Ground-mounted solar energy systems may be located within required interior side and rear setbacks.

(c) Ground-mounted solar energy systems are subject to applicable accessory structure height and lot coverage regulations.

(G) Accessory wind energy systems.

(1) *Agricultural exemption.* Electric- generating wind devices that generate 100kW or less are exempt from zoning if they are off-grid systems and used for agricultural purposes.

(2) Rooftop mounted electric-generating wind devices.

(a) Where allowed. Rooftop mounted electric-generating wind devices are allowed as an accessory use in all zoning districts subject to compliance with all applicable regulations.

(b) Regulations. All rooftop mounted electric-generating wind devices are subject to the following regulations:

1. Building permit applications for rooftop mounted electric-generating wind devices must be accompanied by standard drawings of the wind turbine structure, including the tower and base. An engineering analysis of the system showing compliance with the building ordinance and certified by an Illinois licensed design professional must be submitted. This analysis is frequently supplied by the manufacturer. A valid first generation seal is required.

2. Noise levels must comply with the Illinois Pollution Control Board regulations. Proof of compliance must be submitted as part of the application process.

3. No rooftop mounted electric- generating wind device may be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned energy generator. Off-grid systems are exempt from this requirement.

4. Rooftop mounted electric- generating wind devices may not exceed 15 feet in height above the highest point of the structure to which it is attached. Rooftop-mounted electric- generating wind devices may be mounted to the side of a structure.

5. In residential districts, a maximum of one rooftop mounted electric-generating wind device is allowed per lot.

(3) Small wind energy systems.

(a) Where allowed. Small wind energy systems are allowed as an accessory use in all zoning districts subject to compliance with all applicable regulations.

(b) Regulations. All small wind energy systems are subject to the following regulations:

1. No more than one small wind energy system is permitted per lot.

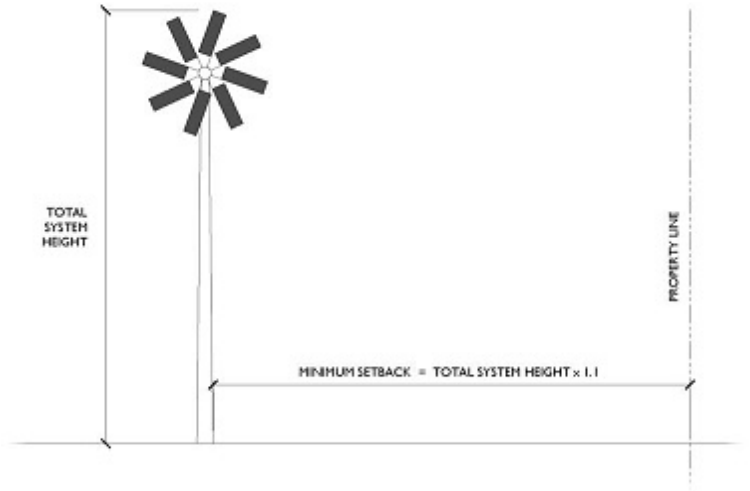
2. All small wind energy systems must be set back from all property lines a distance equivalent to at least 110% of the total system height.

3. The blade tip of any rotor must, at its lowest point, have ground clearance of at least 15 feet.

4. All climbing apparatus must be located at least 15 feet above the ground, and the tower must be designed to prevent climbing within the first 15 feet from the top of foundation.

5. Building permit applications for small wind energy systems must be accompanied by standard drawings of the wind turbine structure, including the tower, base and footings. An engineering analysis of the system showing compliance with the building ordinance and certified by an Illinois licensed design professional must be submitted. This analysis is frequently supplied by the manufacturer. A valid first generation seal is required.

6. Tower structure lighting is prohibited unless required by the Federal Aviation Administration or appropriate authority.



7. Small wind energy systems must comply with applicable FAA regulations, including any necessary approvals for installations close to airports.

8. Noise levels must comply with the Illinois Pollution Control Board regulations. Proof of compliance must be submitted as part of the application process. Rooftop mounted electric- generating wind devices may not exceed a noise level of 60dba, as measured at the owner's property line. The level, however, may be exceeded during short-term events, such as utility outages and severe wind storms.

9. No rooftop mounted electric-generating wind device may be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator. Off-grid systems are exempt from this requirement.

10. Any small wind energy system that is not operated for a continuous period of 12 months or more will be considered abandoned, and the owners of such system must remove all structures within 90 days of receiving notice from the county. If such facility is not removed within 90 days, the county may remove all structures at the owner's expense.

(H) Electric vehicle (EV) charging stations.

(1) *General.*

(a) Private (restricted-access) EV charging stations are permitted as accessory uses in all zoning districts.

(b) Public EV charging stations are permitted as accessory uses to allowed nonresidential uses in all zoning districts.

(2) *Parking.*

(a) Electric vehicle charging stations may be counted toward satisfying minimum off-street parking space requirements.

(b) Public electric vehicle charging stations must be reserved for parking and charging electric vehicles only. Electric vehicles may be parked in any space designated for public parking, subject to the restrictions that apply to any other vehicle.

(3) *Equipment.* Vehicle charging equipment must be designed and located so as to not impede pedestrian, bicycle or wheelchair movement or create safety hazards on sidewalks.

(4) *Usage fees.* Property owners are not restricted from collecting a service fee for the use of an electric vehicle charging station.

(5) *Signage.*

(a) Information must be posted identifying voltage and amperage levels and any type of use, fees, or safety information related to the electric vehicle charging station.

(b) Public electric vehicle charging stations must be posted with signage indicating that the space is reserved for electric vehicle charging purposes only. For purposes of this provision, "charging" means that an electric vehicle is parked at an electric vehicle charging station and is connected to the battery charging station equipment.

(6) *Maintenance.* Electric vehicle charging stations must be maintained in all respects, including the functioning of the equipment. A phone number or other contact information must be provided on the equipment for reporting when it is not functioning or other problems are encountered.

(I) Geothermal energy systems.

(1) *General.* Geothermal energy systems are permitted as an accessory use in all zoning districts.

(2) *Location.*

(a) Geothermal energy systems must be located entirely within the lot lines of the subject property or within appropriate easements.

(b) No portion of a geothermal energy system may be located within a stream or stream buffer.

(3) *Permitting, inspections and other regulations.* Geothermal wells are regulated and inspected by the Will County Health Department. Geothermal energy systems must comply with all applicable state and county regulations.

(J) Residential composting.

(1) The composting of landscape waste (including grass clippings, leaves, and chipped brush) and food waste (including discarded fruits, vegetables, and grains) is an allowed accessory use in residential zoning districts, subject to the regulations of this section.

(2) Only landscape waste generated from plants grown and maintained on the subject lot may be composted.

(3) Only food waste resulting from food preparation or consumption by residents of the subject lot and their visitors may be composted.

(4) All food waste must be placed within rodent-resistant compost bins.

(5) Landscape waste compost piles may not exceed five cubic yards in volume.

(6) Landscape waste compost piles must be set back at least five feet from all lot lines. Landscape waste compost piles that are not contained within a rodent-resistant compost bin must be set back at least 30 feet from all dwelling units on abutting lots.

(7) No animal waste is allowed within compost piles or bins.

(8) Burning of compost piles is not allowed.

(K) *Cargo containers.* Cargo containers may be used as accessory structures and for accessory uses only as follows:

(1) Cargo containers may be used in support of agricultural production by an active farmer as defined in ILCS Ch. 505, Act 5, § 3.01 and ILCS Ch. 505, Act 5, § 3.06.

(2) Cargo containers may be used for storage of electronic recyclable materials at governmental buildings and facilities. The use of cargo containers for the storage of electronic recyclable materials is limited to recycling programs administered by Will County.

(3) Cargo containers may be used in any zoning district for the purpose of storing construction materials and/or equipment when associated with a valid building permit.

(4) Cargo container storage is allowed as an accessory use to an allowed principal use in I-2 or I-3 zoning districts, subject to all of the following requirements:

(a) The site is not an intermodal facility or cargo container storage and maintenance facility;

(b) The site is at least ten aces in area;

(c) Cargo container storage areas may not exceed 15% of the lot area;

(d) Cargo containers may not be stacked more than two containers in height;

(e) Cargo containers must be placed on gravel or paved areas or on concrete pads;

(f) Cargo containers may not be located within any required setback or buffer area; and

(g) Cargo containers must be completely screened from view from any public right-of-way, any R-zoned property and any lot occupied by a residential use.

(5) Cargo containers may be used for the accessory storage of goods or materials associated with a principal use in the I-1, I-2 or I-3 zoning districts subject to the following requirements:

(a) Cargo containers must be placed on gravel or paved areas or on concrete pads;

(b) Cargo containers may not be located within any required setback or buffer;

(c) The use of cargo containers is limited to the storage of goods or materials associated with a principal use located on the same lot;

(d) No more than two cargo containers are permitted on a single lot;

(e) Cargo containers may not be stacked;

(f) Cargo containers must be painted to match the principal building; and

(g) Cargo containers must be completely screened from view from any public right-of-way, any R-zoned property and any lot occupied by a residential use.

(6) Cargo containers may be used for the accessory storage of commodities associated with a principal use in the in the C-3 and C-4 zoning districts, subject to the following requirements:

(a) The cargo container must have been used to transport the subject commodities to the site;

(b) Cargo containers may not be located on the premises for more than 60 days;

(c) Cargo containers must be located behind the principal building on gravel or paved areas or on concrete pads;

(d) No more than two cargo containers are permitted on a single lot;

(e) Cargo containers may not be stacked; and

(f) Cargo containers must be completely screened from view from any public right-of-way, any R-zoned property and any lot occupied by a residential use.

(7) Cargo containers may be used as an accessory structure building component in the A-1, A-2, E-1, E-2, R-1, R-2, R-2A and R-3 zoning districts, subject to the following requirements:

(a) Cargo container modifications are subject to building ordinance requirements;

(b) The cargo container must be completely wrapped by stick-built façades, with a peaked roof;

(c) Acceptable siding materials include wood, vinyl, metal, engineered wood and hardboard, brick and stone, fiber cement, stucco, and other similar materials with an exterior architectural finish;

(d) Prohibited siding materials include sheet metal, corrugated metal, particle board, pressed wood, plywood, and other similar materials not manufactured to be used as an exterior architectural finish; and

(e) The façades of the structure must be designed to be architecturally compatible with the principal building.

(8) All cargo containers must be safe, structurally sound, stable and in good repair.

(9) Any cargo container that becomes unsound, unstable or otherwise dangerous must be immediately repaired or removed. Any cargo container stored or kept in violation of this paragraph will be deemed a dangerous condition and a public nuisance and may be immediately removed by the county.

(10) Any cost or expense associated with the removal of the violating cargo containers is the responsibility of the property owner. All associated costs including but not limited to legal fees and court costs, constitutes a debt due and owed to the county and is recordable as a lien upon the land of the cargo container storage facility and/or property owner.

(L) Donation and collection drop boxes.

(1) *Where allowed.* Donation drop boxes are allowed as an accessory use in commercial and industrial districts.

(2) *Regulations.* Donation drop boxes are subject to the following regulations:

(a) Drop boxes may only be placed with the subject property owner's written permission.

(b) No more than two drop boxes are allowed on lots of less than two acres in area. No more than three drop boxes are allowed on any other lot.

(c) Drop boxes may not exceed seven feet in height or cover a ground area of more than 32 square feet. Donation drop boxes may cover a ground area of up to 100 square feet in industrial districts.

(d) Drop boxes are subject to the building setback regulations of the subject zoning district and to the intersection vision clearance regulations of § 155-14.80.

(e) Drop boxes must be located on a paved surface.

(f) Drop boxes may not:

1. Obstruct vehicular, pedestrian or bicycle traffic;

2. Reduce any sidewalk or paved space designed for the passage of pedestrians to less than five feet in width;

3. Be located within ten feet of a fire hydrant or fire suppression connection; or

4. Be located in a required parking space.

(g) The name of the company or organization that owns and/or controls the drop box must be prominently displayed on the drop box, along with contact information, including a phone number and email address. The drop box must also include a legible notice prohibiting the placement of items outside of the drop box and identifying

the drop box owner/operator. Items that are not enclosed within a drop box are deemed a public nuisance and are subject to removal by the county at the subject property owner's expense.

(M) *Farm (roadside) stands.* Farm stands are allowed as an accessory use to an active farm in the A-1 district. At least 85% of the material displayed and offered for sale at an accessory farm stand must consist of farm products or value-added farm products that have been produced on the premises or on land owned, rented or leased by the farm stand operator. Live animals may not be displayed or sold as part of a farm stand. Farm stands may not exceed 600 square feet of floor area. Farm stands must be set back at least 20 feet from the nearest road edge. Each roadside farm stand must have facilities for vehicular ingress and egress and adequate off-street parking, as approved by the Zoning Administrator.

(N) *Garage sales and yard sales.* Garage/yard sales are allowed as an accessory use to a permitted household living use. No more than four garage/yard sales are permitted in any single calendar year and each garage/yard sale may last no longer than three consecutive days. All sale items must be removed from public view during inactive periods.

(Ord. effective 10-1-2012; Ord. 16-27, passed 2-18-2016; Ord. 16-277, passed 12-15-2016)

§ 155-10.20 TEMPORARY USES.

(A) General.

(1) Description and Purpose.

(a) A temporary use is a use of private property that does not require a building permit and that is not allowed by the subject zoning district.

(b) The temporary use regulations of this section are intended to permit such occasional, temporary uses and activities when consistent with the purposes and regulations of this zoning ordinance.

(2) *Agricultural and residential districts.* The Zoning Administrator is authorized to approve temporary uses in agricultural and residential districts in accordance with the following tables and all other applicable regulations of this zoning ordinance.

Temporary Use	A-1	A-2 and all Residential Districts
Batch plant for specifically defined construction	Yes	Yes
Carnival or circus	Yes	No
Events of public interest	Yes	Yes
Real estate sales office	Yes	Yes
Temporary sales	Yes	No
Emergency shelter	Yes	Yes
Residence during construction	Yes	Yes
Structures for classrooms	Yes	Yes
Mobile storage units	Yes	Yes
Temporary liquor sales	Yes	Yes
Yes = Zoning Administrator authorized to approve | **No** = Zoning Administrator may not approve		

(3) *Commercial and industrial districts.* The Zoning Administrator is authorized to approve temporary uses in C and I districts in accordance with the following tables and all other applicable regulations of this zoning ordinance.

Temporary Use	C-1	C-2	C-3	C-4	C-5	C-6	I-1	I-2	I-3
Batch plant [1]	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Carnival or circus	Yes	Yes	Yes	Yes	No	Yes	No	No	No
Events of public interest	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Real estate sales office	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Temporary sales	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No
Temporary liquor sales	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Yes = Zoning Administrator authorized to approve | **No** = Zoning Administrator may not approve									
[1]During specifically defined construction projects									

(4) *Temporary use permit required.* No temporary use may be established unless a temporary use permit evidencing the use's compliance with the provisions of this section and all other applicable provisions of this zoning ordinance has been issued by the Zoning Administrator. The Zoning Administrator is authorized to impose conditions on temporary use permits.

(4) Applications, notices and decision- making.

(a) Applications for temporary use permits must be submitted to the Zoning Administrator.

(b) Whenever this zoning ordinance states that notice must be provided to governmental agencies and abutting property owners, applicants must deliver notice to all owners of property abutting the subject parcel, in accordance with § 155-16.10(D)(3). Notice must also be delivered to local governments and governmental agencies, as determined by the Zoning Administrator.

(c) If the Zoning Administrator receives a written objection to the proposed temporary use or the use is not authorized by the temporary use provisions of this section, the application may not be approved by the Zoning Administrator and must be considered by the Planning and Zoning Commission. Applicants for uses that require Planning and Zoning Commission consideration are required to deliver notice to abutting property owners in accordance with § 155-16.10(D)(3).

(5) *General standards.* The following standards apply to all temporary uses unless otherwise expressly stated:

(a) Access approval from the highway authority with jurisdiction over the subject road is required.

(b) No temporary electrical supply may be installed without an electrical permit and inspection.

(c) Temporary structures must be located at least four feet from any buildings or structures on the subject property.

(d) The Zoning Administrator is authorized to require evidence of approval from the Will County Health Department regarding temporary sanitary facilities.

(e) No signs in connection with a temporary use are permitted except in accordance with the provisions of Article 155-13. All temporary signage must be removed immediately upon cessation of the temporary use.

(f) Temporary uses or structures may not encroach into any required landscaping.

(g) Parking areas must be provided for the temporary use (in addition to required parking for any principal use existing or proposed on the site), and such areas must be capable of accommodating the number of parking spaces that are required for the most similar use subcategory or use type under Article 155-13.

(h) The Zoning Administrator is authorized to suspend, revoke, or modify a temporary use permit immediately upon determination that the conditions and requirements set forth in the permit have been violated. Written notice of the Zoning Administrator's determination to suspend, revoke, or modify the permit must be promptly provided to the applicant. If the non-compliance is not cured within three calendar days after receipt of this determination, the determination under this division is final and conclusive. The applicant may appeal to the Planning and Zoning Commission, by filing a notice of appeal with the chairperson of the Planning and Zoning Commission within ten calendar days after receipt of notice of the Zoning Administrator's determination.

(i) The Zoning Administrator is authorized to deny temporary use permits to any person who owns property on which an uncorrected violation is present or who applied for or otherwise caused an uncorrected violation of a provision of this zoning ordinance or who has demonstrated a willful history of violations, including any condition attached to a permit or approval previously granted by the county. This provision applies regardless of whether the property for which the permit or other approval is sought is the property in violation.

(j) The Zoning Administrator is authorized to deny temporary use permits on any land or structure or improvements thereon upon which there is an uncorrected violation of a provision of this zoning ordinance, including any condition attached to a permit or approval previously granted by the county. This enforcement provision applies regardless of whether the current owner or applicant is responsible for the violation in question.

(k) The main road from which access is taken must be kept free of dust, dirt, mud and other debris.

(l) Any food service operation that sells, prepares or serves potentially hazardous food must obtain appropriate permits from the Will County Health Department and is subject to inspection.

(B) Batch plants (for specifically defined construction).

(1) Batch plants must be located a minimum of 1,000 feet from any building used for residential purposes.

(2) The period for which such permit is valid must be stated on the permit and may not exceed the duration of the construction contract by more than 14 days.

(3) All facilities placed or located on the site must be removed and the site restored to a clean and vegetated condition within the time-frame of the permit.

(C) Carnivals and circuses.

(1) The maximum length of the permit is ten days and no more than one permit may be issued per zoning lot in any calendar year.

(2) No structure or equipment may be located within 200 feet of any (off-site) building used for residential purposes.

(D) *Events of public interest.* The Zoning Administrator is authorized to approve events of public interest, such as races for motorized vehicles, water craft or aircraft races, haunted houses, fall festivals, gun shows, outdoor concerts, public fireworks displays and similar activities. Note: Entertainment and sporting events are regulated under Sec. 155-8.40-K and Sec. 155-9.120. Events of public interest are subject to the following regulations:

(1) Unless otherwise expressly approved, all uses and activities are limited to specified hours and a maximum of 3 consecutive days and no more than 21 days per calendar year per zoning lot.

(2) All activities and uses are limited to the dates and hours of operation specified in the permit.

(3) Events of public interest are permitted in residential districts only when located on the site of a permitted nonresidential use.

(4) Traffic control must be arranged by the operators of the event with the appropriate road jurisdiction and law enforcement agency.

(5) Public parking for the exclusive use of the facility/event must be provided and a stabilized drive to the parking area must be maintained. It is the responsibility of the operators to guide traffic to these areas. No parking is allowed on any road or public right-of-way.

(6) Noise levels associated with events of public interest must comply with all applicable noise regulations of the county code.

(7) The site must be cleared of all debris within 24 hours of the end of the event and cleared of all temporary structures within seven days after closing of the event. A cash bond or other assurance may be required by the Zoning Administrator to ensure clean up. Bond amounts must be based on the estimated costs of clean-up and site restoration.

(8) If liquor will be used, sold or consumed on the property, a liquor permit must be obtained from the Will County Liquor Commissioner, as required by the Will County Liquor Control Ordinance.

(9) The Zoning Administrator is authorized to require proof of insurance to ensure public safety and protection.

(10) It is the responsibility of the applicant to see that the area used for the event is maintained in a condition that provides for the public health, safety and welfare for event attendees and neighbors alike.

(11) In addition to the conditions listed above, a temporary use permit for supervised public displays is subject to the terms and conditions of all applicable county ordinances.

(12) Private, non-commercial events on the host's property such as agriculture-related training, homeowners' association picnics at the subdivision park, corporate picnics on the corporate campus, graduation celebrations and weddings at a private residence or subdivision clubhouse, etc., are not considered events of public interest.

(E) Real estate sales offices.

(1) Real estate sales offices are allowed in any zoning district for any new development approved in accordance with this zoning ordinance. Unless otherwise expressly approved by the Zoning Administrator, the real estate sales office must be located on the site of a new development. The office may not be used as a residence, but a model home may be used as a temporary sales office.

(2) The maximum length of the permit is 179 days. Permits may be renewed throughout the sales period of the development.

(3) Applications to establish temporary real estate sales offices prior to final plat approval must be accompanied by a signed affidavit from the builder and property owner acknowledging that the builder/ owner will remove any structures, including model homes, if the preliminary plat lapses prior to approval of the final plat. The affidavit must be in a form specified by the Zoning Administrator.

(F) Off-premise seasonal farm produce sales.

(1) Seasonal sales of farm produce may be allowed by temporary use permit in all zoning districts for a period not to exceed six months per calendar year. In residential zoning districts, seasonal sale of farm produce is allowed only on parcels with a minimum area of 80,000 square feet and a minimum road frontage of 190 feet.

(2) Temporary sales are allowed only during daylight hours, with specified hours of operation specified in the temporary use permit.

(3) All sales must be conducted at least 30 feet from all streets, public rights-of-way, residential zoning districts and lots occupied by residential uses.

(4) The property must be of sufficient size to provide adequate off-street parking in addition to required parking for any existing use on the property.

(5) Sales must be conducted in such a manner so as not to interfere with traffic or cause a nuisance.

(6) The access drive to the site must be located at least 150 feet from the right-of-way of any public road intersection or other major access drive unless there is an existing access within 150 feet of the intersection and the highway authority having jurisdiction grants approval to use the existing access.

(G) Temporary holiday material sales.

(1) Christmas tree, pumpkin and similar customary outdoor holiday material sales may be allowed by temporary use permit in all zoning districts for a period not to exceed 45 days per calendar year. If the principal use of the property is a retail greenhouse/nursery or garden center, no temporary use permitted is required.

(2) All sales must be conducted at least 30 feet from the right-of-way of any street.

(3) A minimum of 30 foot setback must be maintained from property use or zoned for residential purposes.

(4) The property must be of sufficient size to provide adequate off-street parking in addition to required parking for any existing use on the property.

(5) Sales must be conducted in such a manner so as not to interfere with traffic or cause a nuisance.

(6) The access drive to the site must be located at least 150 feet from the right-of-way of any public road intersection or other major access drive unless there is an existing access within 150 feet of the intersection and the highway authority having jurisdiction grants approval to use the existing access.

(H) *Temporary emergency shelter.* When fire or natural disaster has rendered a residence unfit for human habitation, the temporary use of a single mobile home located on the parcel during rehabilitation of the original residence or construction of a new residence is permitted subject to the following additional regulations:

(1) Required water and sanitary facilities must be provided.

(2) The maximum length of a permit is 179 days, but the Zoning Administrator may grant extensions of the permit for up to 60 days in length for each extension, provided reasonable construction progress has been made and such construction progress is diligently pursued. Application for the extension must be made prior to expiration of the original permit.

(3) The mobile home must be removed from the property upon issuance of any occupancy permit for the new or rehabilitation residence. The applicant is required to provide express consent and authorization to Will County to remove the shelter at the owner's expense upon termination of the permit, if the applicant has not done so voluntarily.

(I) *Temporary residences (during house construction).* Any legally existing residential structure or mobile home may be used for residential purposes only during the construction of a residence and must be removed within 30 days of obtaining a certificate of occupancy or completion of construction, whichever occurs first. In no case may the temporary residential structure, or mobile home be permitted to remain on the premises for more than two years.

(J) *Temporary classroom structures.* The Zoning Administrator is authorized to approve the use of temporary structures for portable classrooms, when Zoning Administrator determines that such structures are necessary to accommodate uses and activities of immediate necessity within the county. The maximum length of the permit is 179 days.

(K) *Temporary mobile signs.* See § 155-13.100.

(L) *Temporary liquor sales.* An application for temporary liquor sales may only be applied for in conjunction with temporary use permit for an event of public interest. Applicants are also required to obtain a temporary permit from the Will County Liquor Commission.

(M) Mobile storage units.

(1) *Storage allowed.* The Zoning Administrator is authorized to approve a temporary use permit for short-term use of mobile storage units, as follows.

(a) Temporary household storage. One mobile storage unit may be used for temporary storage of household goods, wares or materials in any agricultural or residential zoning district when used in connection with moving or relocation, or interior improvements that do not require a building permit. The time period for which a mobile storage unit may be used for this purpose is limited to a maximum of 30 consecutive days per calendar year. One additional 30-day extension may be granted by the Zoning Administrator.

(b) Temporary construction storage. One mobile storage unit may be used for temporary storage of household goods, wares or materials in any agricultural or residential zoning district in conjunction with construction allowed through an active building permit. The time period for which a mobile storage unit may be used for this purpose is limited to a maximum of 179 consecutive days per two consecutive calendar years, beginning in the calendar year in which the temporary permit is issued. Extensions of this time period may not be granted.

(c) Temporary emergency storage. One mobile storage unit may be used for temporary storage of household goods, wares or materials in cases where a residential building in any agricultural or residential zoning district becomes uninhabitable due to acts that are not within the control of the property owner. The time period for which a mobile storage unit may be used for this purpose is limited to a maximum of 179 consecutive days per two consecutive calendar years, beginning in the calendar year in which the temporary permit is issued. Extensions of this time period may not be granted.

(2) *Regulations.* Mobile storage units must comply with the following requirements:

(a) Stacking of mobile storage units is prohibited.

(b) Mobile storage units must be accessory to a principal residential building.

(c) Mobile storage units may not exceed eight feet in height, eight feet in width or 16 feet in length.

(d) Mobile storage units must be placed on a driveway or other hard surface.

(e) Mobile storage units may not be placed in a location that obstructs pedestrian or vehicular movement or intersection visibility.

(f) Mobile storage units may not include any signage other than the name, address and telephone number of the person or firm engaged in the business of renting or otherwise placing the mobile storage container on the subject property.

(g) Mobile storage units must be maintained in a good state of repair, free from rust, peeling paint and other forms of visible deterioration.

(h) Mobile storage units may not be used for the purpose of conducting business or selling merchandise.

(i) Mobile storage units may not be used for the storage of toxic or hazardous materials or flammable liquids.

(j) Mobile storage units may not be used for habitation.

(Ord. effective 10-1-2012)

155-11 PARKING AND LOADING

§ 155-11.10 GENERAL.

(A) Purpose.

(1) The regulations of this article are intended to ensure provision of off-street motor vehicle parking and loading facilities, bicycle parking areas, and other transportation access facilities in rough proportion to the generalized parking and transportation demands of different land uses. By requiring such facilities, it is the intent of this article to help avoid the negative impacts associated with spillover parking into adjacent areas, while at the same time avoiding the negative environmental and appearance impacts that can result from parking lots and other vehicular use areas.

(2) The provisions of this article are also intended to help protect the public health, safety, and general welfare by:

(a) Helping avoid and mitigate traffic congestion;

(b) Encouraging multi-modal transportation options and enhanced pedestrian and cyclist safety;

(c) Providing methods to reduce the amount of impervious surfaces in parking areas and adequate drainage structures in order to reduce the environmental impacts of stormwater runoff; and

(d) Providing flexible methods of responding to the transportation and access demands of various land uses in different areas of the county.

(B) Applicability.

(1) *General.* Unless otherwise expressly stated, the regulations of this article apply to all districts and uses.

(2) *New uses and development.* Unless otherwise expressly stated, the regulations of this article apply to all new buildings constructed and all new uses established in all districts.

(3) Enlargements and expansions.

(a) Unless otherwise expressly stated, the regulations of this article apply whenever an existing building or use is enlarged or expanded to include additional dwelling units, floor area, seating capacity, employees or other units of measurement used for establishing off-street parking and loading requirements.

(b) In the case of enlargements or expansions triggering requirements for additional parking or loading, additional spaces are required only to serve the enlarged or expanded area, not the entire building or use. In other words, there is no requirement to address lawfully existing parking and loading space deficits.

(4) Change of use.

(a) Unless otherwise expressly stated, when the use of property changes, additional (vehicle and bicycle) parking spaces and loading spaces must be provided to serve the new use only when the number of spaces required for the new use exceeds the number of spaces required for the lawful use that most recently occupied the building, based on the regulations of this zoning ordinance. In other words, 100% "credit" is given to the most recent lawful use of the property for the number of parking and loading spaces that would have been required under this zoning ordinance, regardless of whether such spaces are actually provided. Any new parking spaces required must comply with all applicable parking and loading area design and layout standards.

(b) When the number of parking or loading spaces required for the new use exceeds the number of spaces required for the use that most recently occupied the property, additional spaces are required only to make up the difference between the number of spaces required for the previous use and the number of spaces required for the new use, based on the regulations of this zoning ordinance.

(Ord. effective 10-1-2012)

§ 155-11.20 CALCULATIONS.

The following rules apply when calculating the required number of off-street parking and loading spaces required under this zoning ordinance.

(A) *Multiple uses.* Unless otherwise expressly stated, lots occupied by more than one use must provide parking and loading in an amount equal to the total of the requirements for all uses that occupy the lot.

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

(C) *Area measurements.* All area-based (square footage) parking and loading standards must be computed on the basis of the total gross floor area devoted to such use, including accessory storage areas located within selling or working space such as counters, racks, or closets, and any floor area devoted to retailing activities, to the production or processing of goods, or to business or professional offices. However, for the purposes of determining off-street parking and loading space requirements the following areas are not counted as part of the gross floor area:

(1) Floor area devoted primarily to storage purposes (except as otherwise noted herein);

(2) Floor area devoted to off-street parking or loading facilities, including aisles, ramps and maneuvering space; or

(3) Mechanical or storage floor area other than area devoted to retailing activities, to the production of goods, or to business or professional offices.

(D) *Seating or occupancy.* A seat is the space intended for a single individual; in places where patrons or spectators occupy benches, pews, or other similar seating arrangements, each 20 linear inches of such seating is counted as one seat. In places without fixed seating, each eight square feet of seating floor area is counted as one seat.

(E) *Employees.* For the purpose of computing requirements based on employees, calculations must be based on the average number of persons working on any single shift.

(F) *Unlisted uses.* Upon receiving a development application for a use not specifically listed in an off-street parking schedule, the Zoning Administrator is authorized to apply the off-street parking ratio specified for the listed use that is deemed most similar to the proposed use or establish a minimum off-street parking requirement for the proposed use in accordance with division (G) of this section.

(G) *Establishment of other parking ratios.* The Zoning Administrator is authorized to establish required minimum off-street parking ratios for unlisted uses and in those instances where authority to establish a requirement is expressly granted. Such ratios may be established on the basis of a similar use/parking determination (as described in division (F) of this section), on parking data provided by the applicant or information otherwise available to the Zoning Administrator. Parking data and studies must include estimates of parking demand based on reliable data collected from comparable uses or on external data from credible research organizations (e.g., Institute of Transportation Engineers (ITE) or American Planning Association (APA)). Comparability will be determined by density, scale, bulk, area, type of activity and location. Parking studies must document the source of all data used to develop recommended requirements.

(Ord. effective 10-1-2012)

§ 155-11.30 PARKING RATIOS.

(A) *Minimum requirements.* Except as otherwise expressly stated, off-street motor vehicle parking spaces must be provided in accordance with the following table:

USE CATEGORY Use Subcategory └Specific Use Type	Minimum Motor Vehicle Off-Street Parking Ratio
RESIDENTIAL	
Household Living (except as identified below)	2.0 spaces per dwelling unit
└Multi-unit or Mixed-use Building (1-bedroom unit)	1.5 spaces per dwelling unit
└Multi-unit or Mixed-use Building (Efficiency unit)	1.0 spaces per dwelling unit
Group Living	1 space per 1,000 square feet
PUBLIC/CIVIC	
Airport-related Facilities	As determined by Zoning Administrator (See § 155-11.20(G))
College/University	1 space per 4 students
Day Care	2 spaces plus 1 space per employee
Detention and Correctional Facilities	As determined by Zoning Administrator (See § 155-11.20(G))
Fraternal, Labor, Membership Organization	As determined by Zoning Administrator (See § 155-11.20(G))
Hospital	As determined by Zoning Administrator (See § 155-11.20(G))
Library/Cultural Facility	3 spaces per 1,000 square feet
Park/Recreation/Open Space (except as identified below)	As determined by Zoning Administrator (See § 155-11.20(G))
└Golf course	45 spaces per 9 holes
Religious Assembly	1 space per 6 seats
Safety Services	As determined by Zoning Administrator (See § 155-11.20(G))
School	
└Elementary & Junior High	1 space per employee
└High School	1 space per 6 students
Utilities and Services	
└Minor, Basic	None
└Major	As determined by Zoning Administrator (See § 155-11.20(G))
Wireless Telecommunication Facilities	None
COMMERCIAL	

USE CATEGORY Use Subcategory └Specific Use Type	Minimum Motor Vehicle Off-Street Parking Ratio
Adult Entertainment Facilities	4 spaces per 1,000 square feet of retail sales and display area 1 space per 2.5 seats in the entertainment area
Animal Services	
└Sales and Grooming	2.5 spaces per 1,000 square feet
└Animal Shelter or Boarding Kennel	1 space per employee
└Veterinary Clinic, Animal Hospital	4 spaces per 1,000 square feet
└Horse Boarding	Parking for vehicles and trailers must be on a driveway or other designated parking area located outside of street setback
Building Maintenance Service	1 space per employee
Building Supplies and Equipment	2.5 spaces per 1,000 square feet
Business Support Service	2.5 spaces per 1,000 square feet
Communication Service Establishments	2.5 spaces per 1,000 square feet
Drive-in or Drive-through Uses	Spaces required for principal use plus vehicle stacking spaces as required by § 155-11.110
Eating and Drinking Establishments	
└Restaurant	10 spaces per 1,000 square feet
└Bar, Tavern, Cocktail Lounge, Nightclub	15 spaces per 1,000 square feet
└Drive-in or Drive-through Restaurant	15 spaces per 1,000 square feet, plus vehicle stacking spaces as required by § 155-11.110
Entertainment and Spectator Sports	1 space per 10 seats
Financial Services	4 spaces per 1,000 square feet
Food and Beverage Retail Sales	4 spaces per 1,000 square feet
Funeral and Interment Services	1 space per 4 seats in chapel, plus one per vehicle used as part of operation plus 1 space per employee
Lodging	1 space per guest room
Office, Admin., Prof., or Consumer Service	3 spaces per 1,000 square feet
Office or Clinic, Medical	4 spaces per 1,000 square feet
Parking, Non-Accessory	None
Personal Improvement Service	4 spaces per 1,000 square feet

USE CATEGORY Use Subcategory └Specific Use Type	Minimum Motor Vehicle Off-Street Parking Ratio
Repair or Laundry Service, Consumer	4 spaces per 1,000 square feet
Research Service	3 spaces per 1,000 square feet
Residential Convenience/Support	None
Retail Sales and Service	4 spaces per 1,000 square feet
Sports and Recreation, Participant	As determined by Zoning Administrator (See § 155-11.20(G))
└Shooting Range	2 spaces per shooting lane; none required in A-1
Vehicle Sales and Service	
└Motor Vehicle Fueling Station	1 space per gas pump plus 1 space per service bay
└Car Wash/Cleaning Service	Vehicle stacking spaces as required by § 155-11.110
└Heavy Equipment Sales/Rentals	1 space per employee plus 2 spaces per service stall/bay
└Light Equipment Sales/Rentals	1 space per employee plus 2 spaces per service stall/bay
└Motor Vehicle Repair	4 spaces per service stall/bay
└Vehicle Storage and Towing	5 spaces plus 1 space per employee
INDUSTRIAL	
Auto Salvage	3 spaces plus 1 space per employee
Manufacturing, Production and Industrial Service	1 space per employee
Mining/Quarrying	1 space per employee
Recycling Facilities	1 space per employee
Self-Service Storage Facility	1 space per 15 storage units plus 1 space per employee
Warehousing, Wholesaling and Freight Movement	1 space per employee
Waste-Related Use	1 space per employee
AGRICULTURAL	
Agriculture, Crop or Animal	None
Community Garden	None
Horticulture, Nurseries and Greenhouses	1 space per employee plus 2.5 spaces per 1,000 square feet of customer-accessible sales area

USE CATEGORY	Minimum Motor Vehicle Off-Street Parking Ratio
Use Subcategory	
[L]Specific Use Type	
OTHER	
Aircraft Landing Strip or Pad, Private	As determined by Zoning Administrator (See § 155-11.20(G))
Bus or Railroad Passenger Stations	As determined by Zoning Administrator (See § 155-11.20(G))

(Ord. effective 10-1-2012; Ord. 16-258, passed 9-15-2016)

§ 155-11.40 SHARED PARKING.

(A) *Description.* Shared parking represents an arrangement in which two or more uses with different peak parking demand periods use the same off-street parking spaces to meet their minimum off-street parking requirements.

(B) Authorization and criteria.

(1) The Zoning Administrator is authorized to approve shared parking arrangements for uses with different hours of operation.

(2) The Zoning Administrator may permit parking required for one use to be supplied by the off-street parking spaces provided for another use if the Zoning Administrator determines that the uses or activities will have peak parking demands at different periods of the day or week.

(3) In order to approve an alternative compliance parking plan for shared parking, the Zoning Administrator must find, based on competent evidence provided by the applicant, that there is no substantial conflict in the principal operating hours of the uses for which the sharing of parking is proposed. The Zoning Administrator may utilize the Urban Land Institute's (ULI) Shared Parking methodology as a guide in reviewing the shared parking proposal submitted by the applicant.

(4) A request for approval of a shared parking arrangement must be accompanied by such information determined by the Zoning Administrator to be necessary to evaluate the peak parking demand characteristics or difference in hours and/or days of operation, including, but not limited to, a description of the uses and their operational characteristics, a site plan, and a parking study that justifies the reduction in parking requested, as prepared by a licensed professional traffic engineer or other qualified professional.

(C) *Location of shared parking.* Shared parking arrangements are subject to the location standards of § 155-11.50.

(D) Shared parking agreement.

(1) An agreement providing for the shared use of parking areas, executed by the parties involved, must be filed with the Zoning Administrator in a form approved by the state's attorney and recorded with the county recorder of deeds.

(2) Shared parking agreements are binding upon applicants, their successors and assigns. Amendments to parking agreements require Zoning Administrator approval, based on whether the proposed amendment complies with all applicable zoning ordinance provisions.

(3) Shared parking privileges remain in effect only as long as the agreement, binding on all parties, remains in force. If a shared parking agreement lapses or is no longer valid, then parking must be provided as otherwise required by this article.

(Ord. effective 10-1-2012)

§ 155-11.50 LOCATION OF OFF-STREET PARKING.

(A) *General.* Except as otherwise expressly stated in this zoning ordinance, required off-street parking spaces must be located on the same lot as the building or use they are required to serve.

(B) Off-site parking.

(1) *General.* All or a portion of required off-street parking for nonresidential uses may be provided off-site, in accordance with the provisions of this section. Required accessible parking spaces may not be located off-site.

(2) *Location.* Off-site parking areas must be located within a 600-foot radius of the use served by such parking, measured between the entrance of the use to be served and the outer perimeter of the furthest parking space within the off-site parking lot.

(3) Control of off-site parking area.

(a) The property to be occupied by the off-site parking facilities must be under the same ownership as the lot containing the use to be served by the parking. The off-site parking area may be under separate ownership only if a legal agreement is provided to the Zoning Administrator guaranteeing the long-term availability of the parking. The agreement must be in a form approved by the state's attorney and recorded with the county recorder of deeds.

(b) Off-site parking agreements are binding upon applicants, their successors and assigns. Amendments to off-site parking agreements require Zoning Administrator approval, based on whether the proposed amendment complies with all applicable zoning ordinance provisions.

(c) Off-site parking privileges remain in effect only as long as the agreement, binding on all parties, remains in force. If an off-site parking agreement lapses or is no longer valid, then parking must be provided as otherwise required by this article.

(C) *Parking in setbacks and yard areas.* In residential districts, parking is prohibited in street setbacks, except that parking spaces for residential uses may be located on a driveway leading to a garage or other allowed off-street parking area. In all other districts, parking spaces may be located in street setbacks unless otherwise expressly stated.

(D) *Limit on number of vehicles parked in residential districts.* No more than five vehicles owned or controlled by the owner or occupant of the subject property may be parked outside of an enclosed building in A-2, E-1, E-2, R-1, R-2, R-2A, R-3, R-4 and R-5 zoning districts. All vehicles parked outside of an enclosed building in these districts must be parked on a regularly constructed residential driveway.

(Ord. effective 10-1-2012)

§ 155-11.60 USE OF OFF-STREET PARKING AND LOADING AREAS.

(A) Required off-street parking and loading areas may be used solely for the temporary parking and loading/unloading of licensed motor vehicles in operating condition.

(B) Required off-street parking and loading spaces are intended to serve residents, tenants, patrons, employees, or guests of the principal use. Parking spaces may be provided with or without charge.

(C) Outdoor parking spaces may not be used for sale, repair, dismantling, or servicing of any vehicles, equipment, materials, or supplies.

(D) Required off-street parking and loading spaces may not be used for the display of goods for sale or lease or for storage of building materials.

(E) Off-street loading spaces in residential and commercial districts may not be used for sale, repair, dismantling, or servicing of any vehicles, equipment, materials, or supplies. Off-street loading spaces in industrial districts may not be used for sale, repair, dismantling, or servicing of any vehicles, equipment, materials, or supplies if the loading facilities are located within 500 feet of a residential district. Washing of vehicles and emergency service required to start vehicles is permitted in loading spaces located in industrial districts.

§ 155-11.65 PARKING OF TRUCKS, TRAILERS AND RECREATIONAL VEHICLES IN A-2 AND RESIDENTIAL DISTRICTS.

(A) Trucks, commercial vehicles and commercial trailers.

a. Parking or storage of commercial vehicles or trucks displaying or requiring the display of an Illinois state license plate of greater than a D classification (or an out-of-state equivalent), including truck tractors and tow trucks, is prohibited on lots in A-2 and residential zoning districts, except as follows:

1. When in the process of moving or delivering or receiving goods, materials or merchandise;
2. When utilized in the process of installation, repair or maintenance of landscaping during the actual time of parking such vehicle;
3. When involved in the installation, repair or maintenance of utilities; or
4. When utilized in the construction, repair or maintenance of any building, structure or grading project, during the actual time of parking such vehicle.

b. Parking or storage of commercial vehicles displaying or requiring the display of a Class "D" Illinois state license or less (or an out-of-state equivalent), or commercial trailers displaying or requiring the display of a class "TA" or "TD" Illinois state license plate or less (or out-of-state equivalent), is subject to the following regulations when located on lots in A-2 and residential zoning districts:

1. The total number of such commercial vehicles or commercial trailers parked or stored outside of an enclosed building in A-2 and residential districts may not exceed the following limits:

Zoning District	Maximum Number of Commercial Vehicles/Commercial Trailers (combined)
A-2, E-1, E-2, R-1, R-2	2
R-2A, R-3, R-4, R-5, R-6	1

2. Commercial vehicles parked or stored outside of an enclosed building in A-2 and residential districts must:

(a) be parked on a constructed driveway;

(b) display a valid license for the use of such vehicle on any public road in the County;

© have no visible loads;

(d) not exceed an overall vehicle height of 90 inches.

3. Commercial trailers parked or stored outside of an enclosed building in A-2 and residential districts must:

(a) be parked on a constructed driveway;

(b) not block, extend or encroach into the right-of-way or over the public sidewal©(c) not be parked or stored in a side or rear yard, unless completely screened from view by a fence or wall;

(d) not exceed an overall height of 90 inches.

4. Vehicles and trailers authorized under this section are included in the limit on the maximum number of vehicles parked on lots in A-2 and residential zoning districts (see § 155-11.50.D).

(B) *Noncommercial trailers and recreational vehicles.* Parking or storage of noncommercial trailers displaying or requiring the display of a class "TA" Illinois state license plate (or out of state equivalent), recreational trailers displaying or requiring the display of a class "RT" Illinois state license plate (or out of state equivalent), travel trailers, camping trailers, boats, personal water crafts, all-terrain vehicles, or similar recreational vehicles may be

parked or stored, but not lived in, on lots in A-2 and residential zoning districts, subject to the following regulations:

a. The total number of such noncommercial trailers and recreational vehicles parked or stored outside of an enclosed building in A-2 and residential districts may not exceed the following limits:

Zoning District	Maximum Number of Noncommercial Trailers/RVs (combined)
A-2, E-1, E-2, R-1, R-2	3
R-2A, R-3, R-4, R-5, R-6	2

b. Any noncommercial trailer or recreational vehicle permitted to be parked or stored outside of an enclosed building pursuant to this section must be parked on a constructed driveway. The vehicle may not extend or encroach into the right-of-way or over the public sidewalk.

c. Whenever any recreational vehicles are parked or stored in compliance with this section are commonly used in conjunction with a trailer for towing purposes, such combination of recreational vehicle and trailer are counted as one recreational vehicle for the purposes of this section, regardless of whether an additional recreational vehicle is mounted on the trailer.

d. Recreational vehicles and trailers authorized under this section are included in the limit on the number of vehicles parked on lots in A-2 and residential zoning districts (see § 155-11.50.D).

(Ord. effective 10-1-2012)

§ 155-11.70 PARKING AREA DESIGN.

All public and private parking areas, including non-accessory parking uses and vehicle and equipment sales and rental uses must be designed, developed, and maintained in accordance with the following requirements.

(A) Plans for the design of parking areas are subject to approval by the county.

(B) Parking areas must be graded for proper drainage and provided with an all-weather surface material capable of carrying a wheel load of 4,000 pounds maintained at all times in such a manner as to prevent the release of dust and to be free of dust, trash and debris. The use of pervious paving material is encouraged.

(C) Parking areas must be provided with entrances and exits of at least 12 feet in width and located to minimize traffic congestion. Except on residential lots, each off-street parking space must open directly upon an aisle or driveway at least 12 feet in width or such additional width and design to provide safe and efficient means of vehicular access to parking spaces.

(D) Parking areas must be designed with appropriate means of vehicular access to a street or alley in a manner that will least interfere with traffic movement.

(E) Except for parallel parking spaces, each required off-street parking space must be at least nine feet in width and at least 18 feet in length, exclusive of access drives or aisles, ramps, columns, or office or work space. Parallel parking spaces must be 22 feet in length. All parking spaces must have a vertical clearance of at least seven feet.

(Ord. effective 10-1-2012)

§ 155-11.80 ACCESSIBLE PARKING (FOR PEOPLE WITH DISABILITIES).

Accessible parking facilities must be provided in accordance with the Illinois Accessibility Code (71 Illinois Administrative Code Ch. I, § 400.310).

(Ord. effective 10-1-2012)

§ 155-11.90 BICYCLE PARKING.

(A) *General.* This section establishes requirements for short-term bicycle parking and incentives for long-term bicycle parking and storage facilities.

(B) *Spaces required.* Short-term bicycle parking is required in accordance with the following minimum ratios:

Use	Minimum Short-term Bicycle Parking Spaces
Multi-dwelling Residential	1 space per 5 dwelling units in projects with over 8 units
Commercial, Public and Civic	1 per 10 motor vehicle spaces in projects with 10 or more spaces
Industrial	1 per 25 motor vehicle spaces in projects with 25 or more spaces

(C) Short-term bicycle parking spaces.

(1) *Purpose.* Short-term bicycle parking is generally intended to serve the needs of cyclists who park their bicycles for short time periods, including customers, clients, students and other short-term visitors.

(2) Design and location.

(a) General. Required short-term bicycle parking spaces must:

1. Consist of bike racks or lockers that are anchored so that they cannot be easily removed;
2. Be of solid construction, resistant to rust, corrosion, hammers, and saws;
3. Allow both the bicycle frame and the wheels to be locked with the bicycle in an upright position using a standard U-lock;
4. Be designed so as not to cause damage to the bicycle;
5. Facilitate easy locking without interference from or to adjacent bicycles; and
6. Be in highly visible, active, well-illuminated areas that do not interfere with pedestrian movements.

(b) Location. At least 50% of required bicycle parking spaces must be located within 50 feet of a customer entrance, and the remainder must be located within 100 feet of any entrance. If required short-term bicycle parking spaces are not visible from the abutting street or the main customer entrance, signs must be posted indicating their location.

(c) Size. All required short-term bicycle parking spaces must have minimum dimensions of two feet in width by six feet in length, with a minimum overhead vertical clearance of seven feet.

(D) *Long-term bicycle parking and storage spaces.* Long-term bicycle parking is generally intended to serve the needs of cyclists who park their bicycles for long time periods. As a means of encouraging the provision of long-term bicycle parking spaces for nonresidential uses, off-street motor vehicle parking space requirements based on the number of employees may be reduced by one space for each eight long-term bicycle parking spaces provided. Off-street parking requirements based on other measures (e.g., floor area) may be reduced by one space for each ten long-term bicycle parking spaces provided. These provisions may not be used to reduce motor vehicle parking requirements by more than 33%. Long-term bicycle parking spaces must comply with the following provisions.

(1) Design and location.

(a) General. Long-term bicycle parking spaces must:

1. Be protected from weather and access by unauthorized persons;
2. Consist of bike racks or lockers anchored so that they cannot be easily removed;
3. Be of solid construction, resistant to rust, corrosion, hammers, and saws;
4. Allow both the bicycle frame and the wheels to be locked with the bicycle in an upright position using a standard U-lock;
5. Be designed so as not to cause damage to the bicycle; and

6. Facilitate easy locking without interference from or to adjacent bicycles.

(b) Location. Required long-term bicycle parking must be provided in at least one of the following locations:

1. In covered stationary racks or lockers that comply with the short-term bicycle parking location requirements of § 155-11.90(C)(2)(b).

2. In a locked room;

3. In a covered, locked area that is enclosed by a fence or wall with a minimum height of seven feet;

4. In a private garage or private storage space serving an individual dwelling unit within a multi-dwelling (residential) building;

5. In a covered area within clear view of an attendant or security personnel;

6. In a covered area continuously monitored by security cameras; or

7. In a covered area that is visible from employee work areas.

(2) *Size.* Required long-term bicycle parking spaces must have minimum dimensions of two feet in width by six feet in length, with a minimum overhead vertical clearance of seven feet. Bicycle lockers are exempt from overhead clearance requirements.

(E) *Authorized administrative adjustments.* The Zoning Administrator is authorized to approve an administrative adjustment reducing the number of bicycle spaces required and to modify the bicycle parking design and location requirements of this section in accordance with the administrative adjustment procedures of § 155-16.60.

(Ord. effective 10-1-2012)

§ 155-11.100 MOTORCYCLE PARKING.

In parking lots containing over 20 motor vehicle parking spaces, motorcycle parking may be substituted for up to ten automobile parking spaces or 10% of required motor vehicle parking, whichever is less. For every four motorcycle parking spaces provided, the automobile parking requirement is reduced by one space. Each motorcycle space must have minimum dimensions of four feet by eight feet. This provision applies to existing and proposed parking lots.

(Ord. effective 10-1-2012)

§ 155-11.110 DRIVE-THROUGH FACILITIES AND VEHICLE STACKING SPACES.

(A) Applicability.

(1) The regulations of this section apply to all uses that include drive-through facilities and to all portions of a development that comprise the drive-through facility.

(2) The regulations apply to new developments, the addition of drive-through facilities to existing developments, and the relocation of existing drive-through facilities.

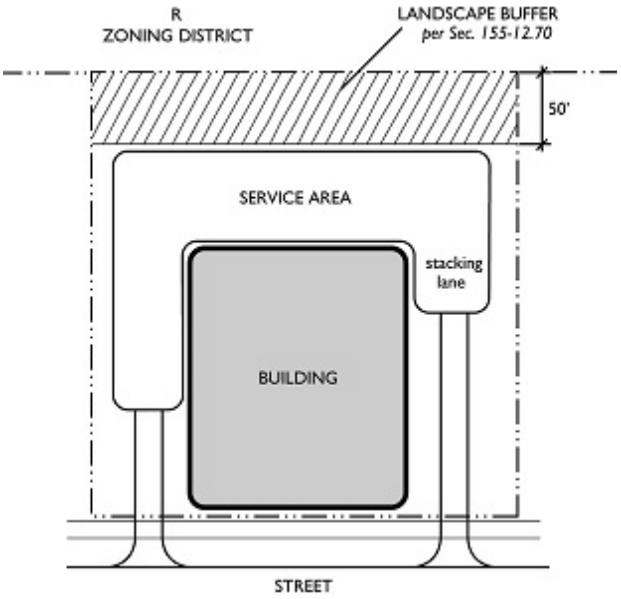
(B) *Parts of a drive-through facility.* A drive-through facility is composed of two parts:

(1) The stacking lanes (the space occupied by vehicles queuing for the service to be provided); and

(2) The service area, where the service occurs. In uses with service windows, the service area starts at the service window. In uses where the service occurs indoors, the service area is the area within the building where the service occurs. For other facilities, such as gas pumps, air compressors, and vacuum cleaning stations, the service area is the area where the vehicles are parked during the service or operation.

(C) Setbacks and landscaping.

(1) Service areas and stacking lanes on parcels abutting residential zoning districts must be set back at least 50 feet and landscaped in accordance with the landscape buffer requirements of § 155-12.70.



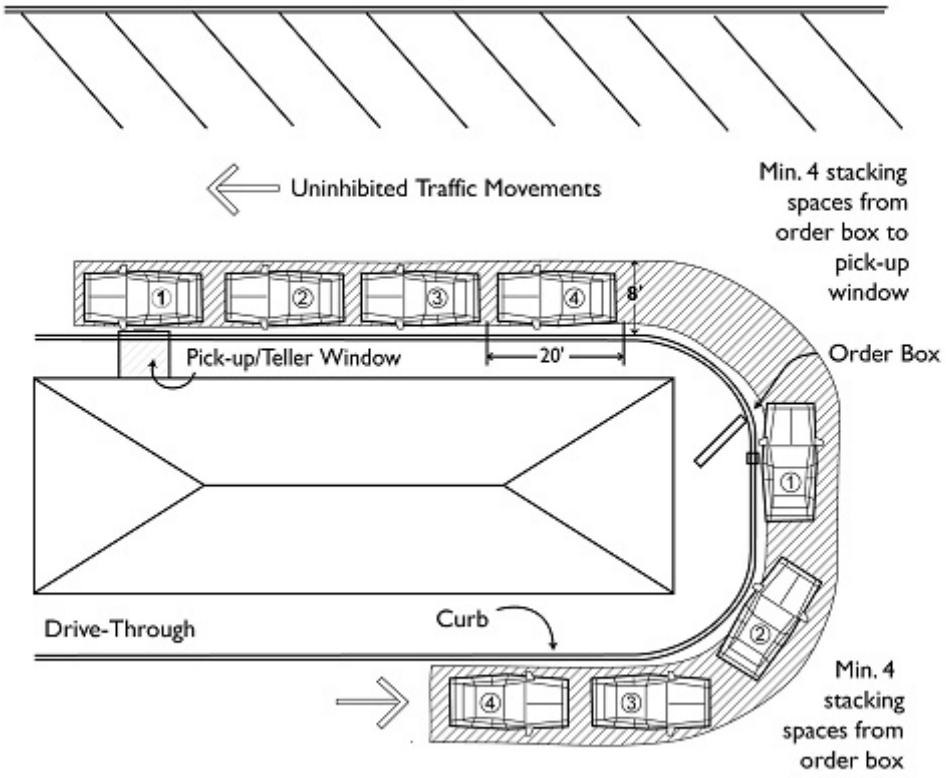
(D) *Stacking lanes.* These regulations help ensure that there is adequate on-site maneuvering and circulation areas, that stacking vehicles do not impede traffic on abutting streets and that stacking lanes will not have nuisance impacts on nearby residential uses.

(1) All drive-through facilities must provide at least four stacking spaces for vehicles at the pick-up or teller window and at least four spaces from the order box. Each stacking space must be at least 20 feet in length.

(2) A stacking lane is not required for accessory facilities where vehicles do not routinely queue up while waiting for the service. Examples are window washing, air compressor and vacuum cleaning stations.

(3) Stacking lanes must be designed and laid out in accordance with all applicable ordinance requirements and engineering standards and specifications.

(4) All stacking lanes must be clearly identified, through such means as striping, landscaping, pavement design and signs. Such identification must comply with all applicable ordinance requirements and engineering standards and specifications.



(E) *Noise.* Speakers associated with drive-through facilities must be located and designed to minimize noise levels on nearby uses. Sound attenuation walls, landscaping or other mitigation measures may be required to ensure that the facility will not have adverse noise-related impacts on nearby residential uses.

(F) *Site plans.* Site plans must show the location of drive-through windows and associated facilities (for example: communications systems and access aisles), as well as adjacent residential uses.

(Ord. effective 10-1-2012)

§ 155-11.120 CROSS-ACCESS.

(A) *Description and purpose.* Cross-access refers to providing vehicular access between two or more contiguous sites so that motorists and pedestrians are not required to reenter the public road system to gain access to an abutting site. Cross-access between abutting properties reduces vehicular conflicts between motorists on the street and motorists entering and leaving driveways. Reduced traffic conflicts result in fewer accidents and improved traffic flow on the public road network.

(B) *Requirements.* Vehicular and/or pedestrian access between abutting parcels may be required in accordance with all applicable county requirements.

(Ord. effective 10-1-2012)

§ 155-11.130 OFF-STREET LOADING FACILITIES.

(A) Required.

(1) Off-street vehicle loading and unloading areas must be provided for any new proposed public/ civic, commercial or industrial use or building expansion that would result in a building with a floor area of 20,000 square feet or more.

(2) Off-street vehicle loading and unloading areas must be provided for any new proposed residential use or building expansion that would result in project containing 50 or more dwelling units.

(B) *Plans required.* Off-street loading plans must be submitted with site plans, building permits and zoning certificates involving any use required or proposing to provide off-street loading facilities. Plans must accurately designate the required or proposed off-street loading spaces, dimensions and clearance, and access to the loading spaces. Plans for the design of loading areas are subject to approval by the county.

(C) *Location and design.* The following location and design regulations apply to all off-street loading facilities regardless of whether they are required to be provided by this zoning ordinance.

(1) Required off-street loading facilities must be located on the same lot as the use served.

(2) All loading areas adjacent to residential zoning districts must be screened from view of the residential zoning district in accordance with the ground-mounted equipment screening standards of § 155-12.80(A)(1).

(3) No loading spaces may be located within 30 feet of the nearest point of intersection of any two streets.

(4) Loading spaces may not be located in a required street setback.

(5) Loading areas and access drives must be paved and maintained with concrete, asphalt, or similar material of sufficient thickness and consistency to support anticipated traffic volumes and weights unless otherwise approved by the county engineer.

(6) Each required off-street loading berth must be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movement, and are subject to approval by the Zoning Administrator.

(Ord. effective 10-1-2012)

155-12 LANDSCAPING AND SCREENING

§ 155-12.10 GENERAL.

(A) *Purpose.* The landscaping and screening regulations of this section establish minimum requirements for landscaping and screening. The regulations are intended to advance the general purposes of this ordinance and specifically to:

(1) Enhance quality of life for residents and visitors;

(2) Protect property values;

(3) Enhance the quality and appearance of new development;

(4) Mitigate possible adverse impacts of higher intensity land uses abutting lower intensity land uses;

(5) Promote the preservation, expansion, protection and proper maintenance of landscaping, including the wise use of water resources;

(6) Improve air quality;

(7) Protect water quality and reduce the negative impacts of stormwater runoff by reducing impervious surface area and providing vegetated areas that filter and retain greater amounts of stormwater on site;

(8) Moderate heat by providing shade;

(9) Reduce the impacts of noise and glare;

(10) Promote sustainable landscape practices including the use of non-invasive native and regionally adaptable plants; and

(11) Encourage the use of landscape architects licensed in the State of Illinois.

(B) *Applicability.* The landscaping and screening regulations of this article apply as set forth in the individual sections. In general, the regulations apply to new development that requires permitting or review by the county and significant expansion of existing uses and developments.

(C) *Exemptions.* The following are exempt from the landscaping and screening regulations of this article:

(1) Detached houses, townhouses and two-unit residential buildings, provided that new residential subdivisions must provide landscaping in accordance with Article 29 of the subdivision ordinance;

(2) Group care homes with no more than six residents;

(3) Public parks, forest preserves and other public open spaces, except for parking, loading and outdoor service areas; and

(4) Agricultural uses, except for public parking areas associated with such uses.

(Ord. effective 10-1-2012)

§ 155-12.20 REMOVAL OF EXISTING TREES.

The removal of trees with a single-stem diameter breast height (DBH) of six inches or greater must be mitigated by providing one or more replacement trees with a total combined DBH equal to at least 125% of the total DBH of trees that are removed. The Zoning Administrator is authorized to waive this tree replacement requirement when it is determined that inadequate area exists for healthy growth of replacement trees or when they determine that the removed trees are diseased or of an undesirable species.

(Ord. effective 10-1-2012)

§ 155-12.30 GENERAL SITE LANDSCAPING.

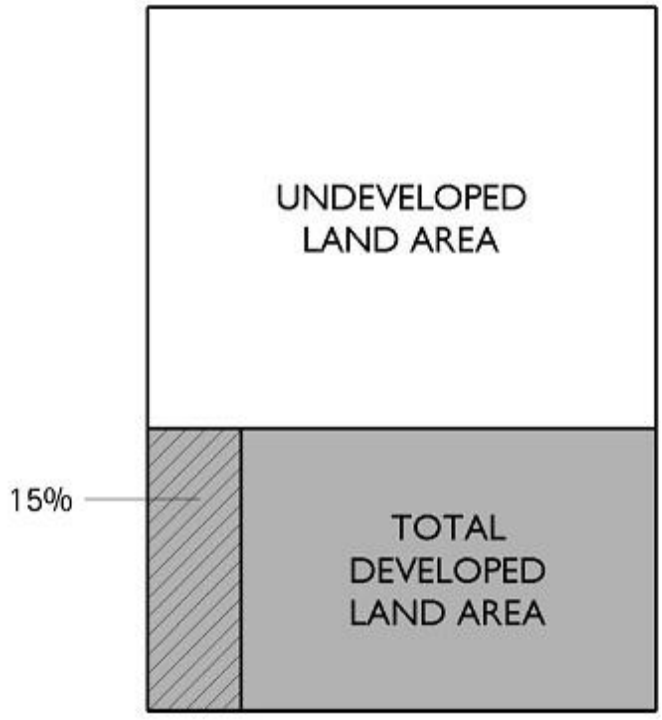
(A) *Applicability.* The general site landscaping standards of this section apply when any of the following occurs:

(1) When new development occurs that will result in more than 25,000 square feet of impervious surface coverage; or

(2) When 25,000 square feet or more additional impervious surface coverage is added to an existing development site.

(B) Standards.

(1) General site landscaping must be provided on at least 15% of the total developed area of a lot. If less than 15% of the developed area of the lot is available for landscaping, the applicant must provide general site landscaping on the entire developed area of the lot that is available for landscaping. For the purpose of this provision, "developed area" is that portion of a property that is disturbed for development purposes including areas covered by buildings, impervious surfaces and other areas graded or excavated to support the development.



(2) Landscaping must be provided throughout the required general site landscape area. Such landscaping may consist of trees, shrubs, vines, flowers, groundcover and other landscape materials or landforms provided for environmental or aesthetic effect.

(3) At least one tree and four shrubs must be provided per 1,000 square feet of required general site landscaping area. Groundcover plants may be substituted for required shrubs at a ratio of three groundcover plants per each required shrub.

(4) Landscape areas and plant material provided to meet the road frontage landscaping requirements of § 155-12.40, the perimeter vehicular use area landscaping requirements of § 155-12.50, the interior vehicular use area landscaping requirements of § 155-12.60, the land use buffer requirements of § 155-12.70 and the screening requirements of § 155-12.80 count toward satisfying the general site landscaping requirements of this section.

(C) Materials, design and maintenance. General site landscape areas are subject to the regulations of § 155-12.90.

(Ord. effective 10-1-2012)

§ 155-12.40 ROAD FRONTAGE LANDSCAPING.

(A) *Applicability.* The road frontage landscaping standards of this section apply when any of the following occurs:

(1) When new development occurs; or

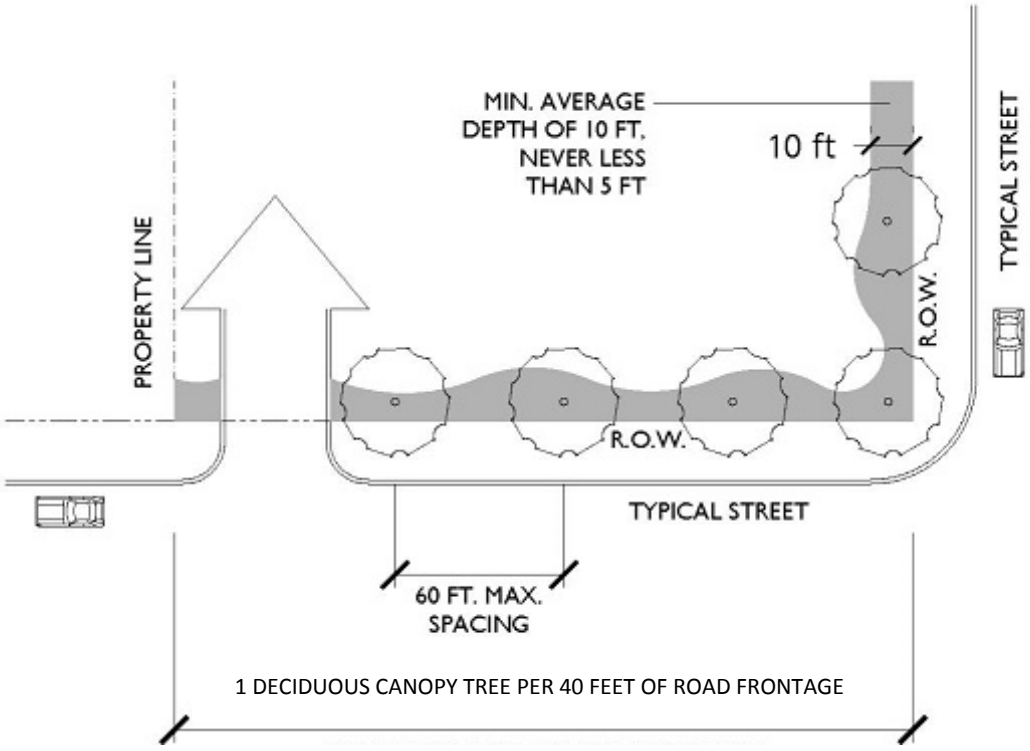
(2) When the gross floor area, number dwelling units or area of impervious surface on an existing development site is expanded by more than 50%.

(B) Standards.

(1) Road frontage landscape areas must have a minimum average depth of at least ten feet, measured inward from the edge all road rights-of-way. The depth of the road frontage landscape area may be averaged, but it may never be less than five feet.

(2) Parking lots and paved vehicular use areas may not encroach into required road frontage landscape areas, nor may parked vehicles encroach into required road frontage landscape areas. Berms or swales may be located within road frontage landscape areas.

(3) Required road frontage landscape areas must include at least one deciduous canopy tree per 40 feet of road frontage. For road frontages of less than 40 feet, a minimum of one tree is required. Required trees may be clustered or irregularly spaced, but the maximum spacing of trees may not exceed 60 feet on-center.



(4) For industrial land uses, if the immediately surrounding development pattern does not include road frontage landscaping, the Zoning Administrator may authorize trees and landscaping otherwise required as part of road frontage landscaping to be located elsewhere on the site.

(5) Depressed bioretention areas used for landscaping and stormwater management are strongly encouraged.

(C) *Materials, design and maintenance.* Road frontage landscape areas are subject to the regulations of § 155-12.90.

(Ord. effective 10-1-2012)

§ 155-12.50 PERIMETER VEHICULAR USE AREA LANDSCAPING.

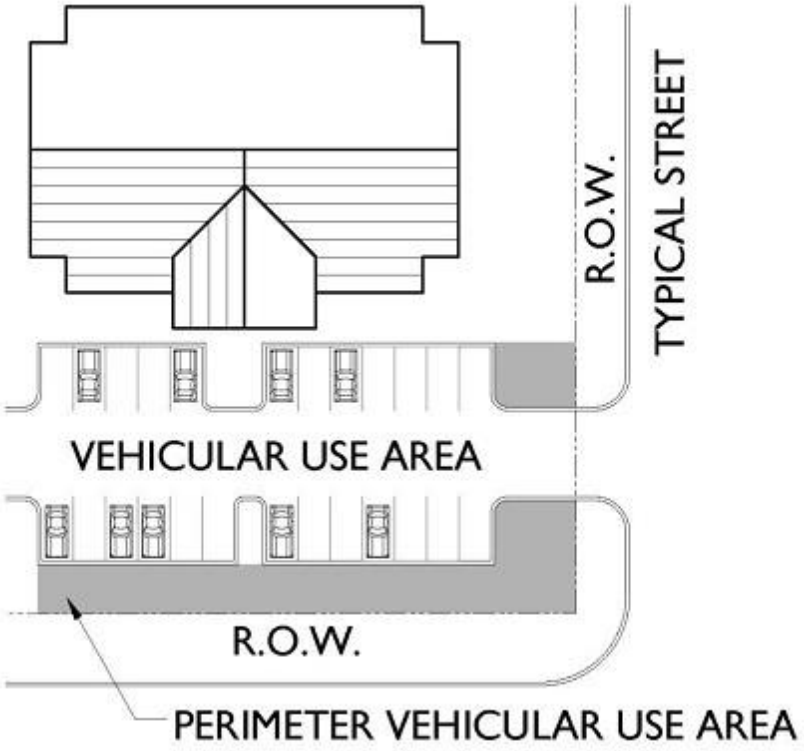
(A) *Applicability.* Perimeter vehicular use area landscaping must be provided in accordance with the standards of this section when parking stalls, other than those provided in bus terminals, truck terminals and recreational

vehicle storage areas, are located within 100 feet of the right-of-way and when the stalls are part of any of the following:

(1) The construction or installation of any new vehicular use area containing 12 or more parking spaces or more than 4,200 square feet of area;

(2) The expansion of any existing vehicular use area if the expansion would create 12 or more new parking spaces or more than 4,200 square feet of additional paved area, in which case the requirements of this section apply only to the expanded area; and

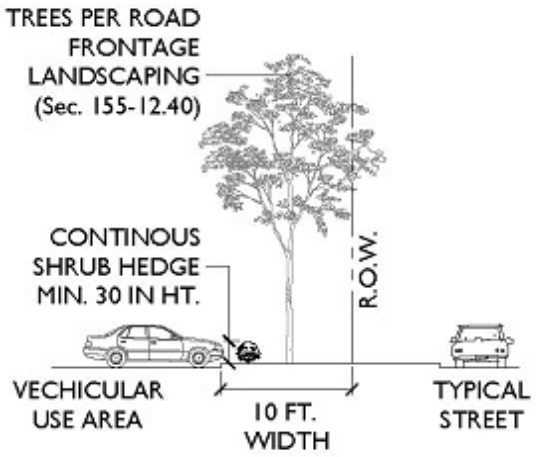
(3) The excavation and reconstruction of existing vehicular use areas containing 12 or more parking spaces or more than 4,200 square feet of area if such excavation and reconstruction involves more than 50% of the paved surface, in which case the requirements of this section apply only to the portion of the vehicular use area that is excavated and reconstructed.

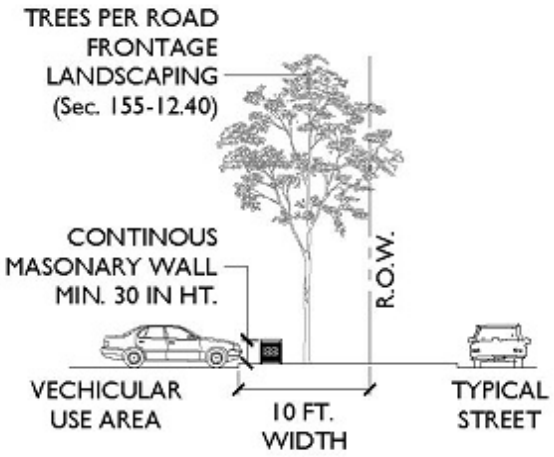


(B) Standards.

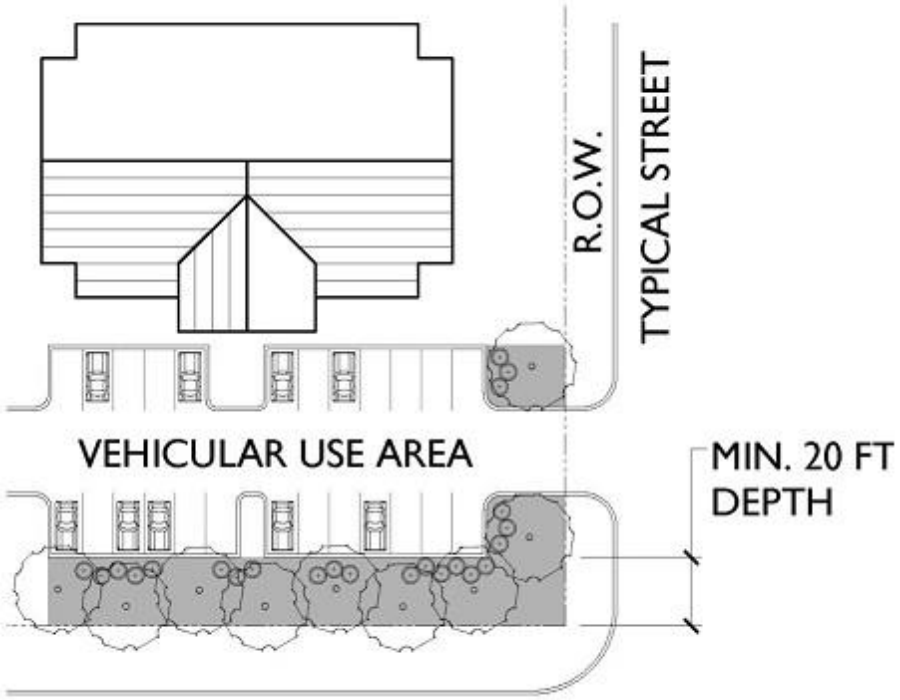
(1) Perimeter vehicular use area landscaping standards may be satisfied by providing at least one of the following options abutting the vehicular use area:

(a) A landscape strip with a minimum depth of ten feet that includes a hedge, dense shrub planting, masonry wall or combination of such features that results in a continuous visual screen to a height of at least 30 inches above the grade of the vehicular use area along the length of the vehicular use area frontage; or





(b) A landscape strip with a minimum depth of 20 feet that includes at least two trees and five shrubs per 40 feet of vehicular use area frontage. A berm may be substituted for the trees required in this paragraph. Berms must comply with § 155-12.90(M).



(2) The Zoning Administrator is authorized to approve reductions in height for vehicular use area perimeter buffers to improve sight distance at intersections.

(3) Landscape areas and plant material provided to meet the road frontage landscaping requirements of § 155-12.40 count toward satisfying the perimeter vehicular use area landscaping requirements of this section.

(4) Depressed bioretention areas used for landscaping and stormwater management are strongly encouraged.

(C) *Materials, design and maintenance.* Perimeter vehicular use area landscaping is subject to the regulations of § 155-12.90.

(Ord. effective 10-1-2012)

§ 155-12.60 INTERIOR VEHICULAR USE AREA LANDSCAPING.

(A) *Applicability.* The interior vehicular use area landscaping standards of this section apply to all of the following except that they do not apply to parking areas in bus terminals, truck terminals or recreational vehicle storage areas:

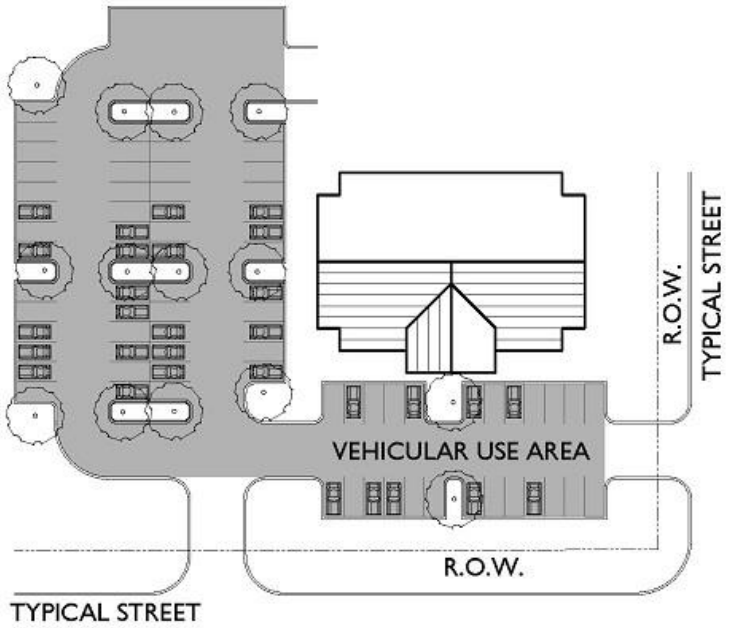
(1) The construction or installation of any new vehicular use area containing 12 or more parking spaces or more than 4,200 square feet of paved or impervious area;

(2) The expansion of any existing vehicular use area if the expansion would create 12 or more new parking spaces or more than 4,200 square feet of additional area, in which case the requirements of this section apply only to the expanded area; and

(3) The excavation and reconstruction of existing vehicular use areas containing 12 or more parking spaces or more than 4,200 square feet of area if such excavation and reconstruction involves the removal of more than 50% of the paved surface, in which case the requirements of this section apply only to the portion of the vehicular use area that is excavated and reconstructed.

(B) Standards.

(1) *Vehicular use areas.* Vehicular use areas include parking spaces, drive aisles, driveways and drive-through lanes. Vehicular use areas that are covered by canopies or similar structures must be included when calculating minimum interior vehicular use area landscaping requirements, but installation of landscaping is not required beneath canopies or other structures that block sunlight and rainfall. Parking and circulation areas located within a parking structure are not counted as vehicular use areas for purposes of these interior vehicular use area landscaping requirements.



(2) *Minimum interior landscape area.* Landscaping must be provided within the interior of vehicular use areas in accordance with the following minimum ratios:

Size of Vehicular Use Area (sq. ft.)	Minimum Interior Landscaping (pct.)
3,501-49,999	5.0
50,000-149,999	7.5
150,000+	10.0

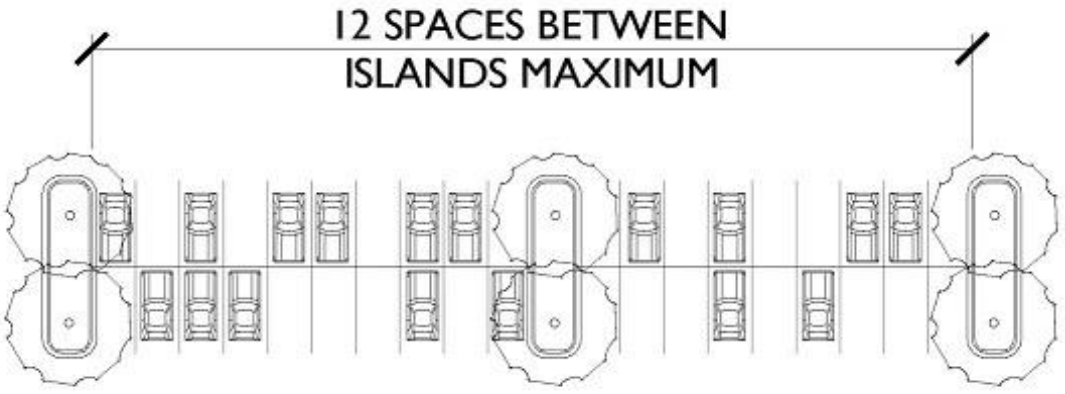
(3) *Landscape islands.* Interior vehicular use area landscaping must be provided in the form of landscape islands.

(a) Landscape islands must have an area of at least 135 square feet and be at least eight feet in width. Only pervious area within landscape islands may be counted toward meeting minimum area and width requirements. Combining landscape islands to form larger interior landscape areas is encouraged.

(b) At least one deciduous canopy tree must be provided per landscape island or per 150 square feet of landscape island, whichever results in more trees.

(c) Landscape areas located outside the perimeter of the vehicular use area may not be counted toward satisfying interior vehicular use area landscaping requirements. Landscaped areas within the corners of the vehicular use area may be counted up to a maximum of 200 square feet for each corner, if at least one deciduous canopy tree is located within the area.

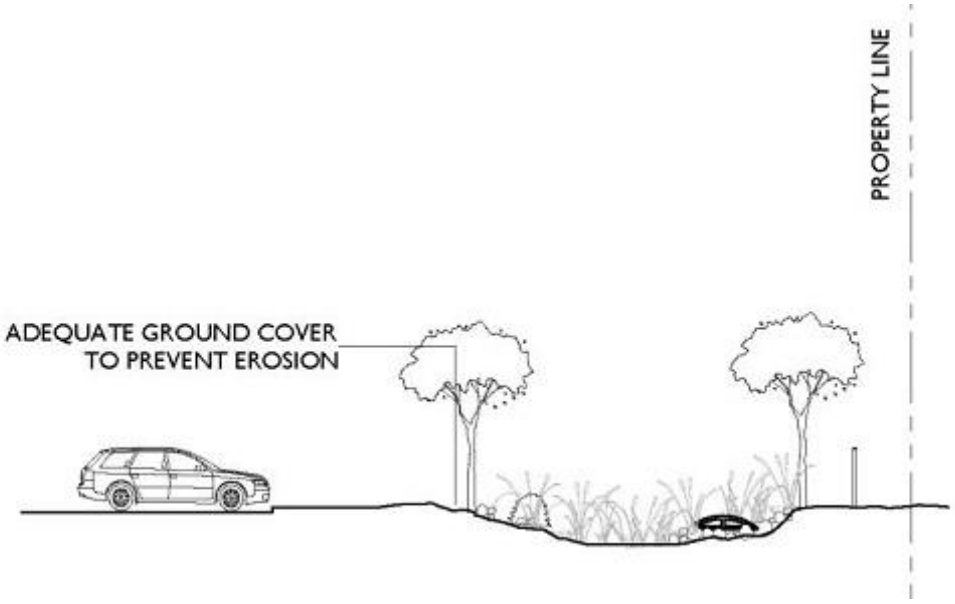
(d) Landscape islands must be dispersed so that the distance between landscape islands is no greater than 12 parking spaces.



(e) If landscape islands are combined to form larger bioretention areas the maximum allowable distance between such bioretention landscape islands is increased to 20 parking spaces.

(f) Deciduous canopy trees must be provided in interior landscape islands at a minimum rate of one tree per 250 square feet of required interior landscape area.

(g) Depressed bioretention areas used for landscaping and stormwater management are strongly encouraged.



(C) *Materials, design and maintenance.* Interior vehicular use area landscaping is subject to the regulations of § 155-12.90.

(Ord. effective 10-1-2012)

§ 155-12.70 LAND USE BUFFERS.

Land use buffers are intended to mitigate the possible adverse effects (e.g., noise, visual, lighting, and other site-related and operational impacts) that can occur when high-intensity development occurs abutting residential areas.

(A) Applicability.

(1) Land use buffers are required when new development occurs or new uses are established on lots that abut a residential zoning district or lot used for residential purposes; or

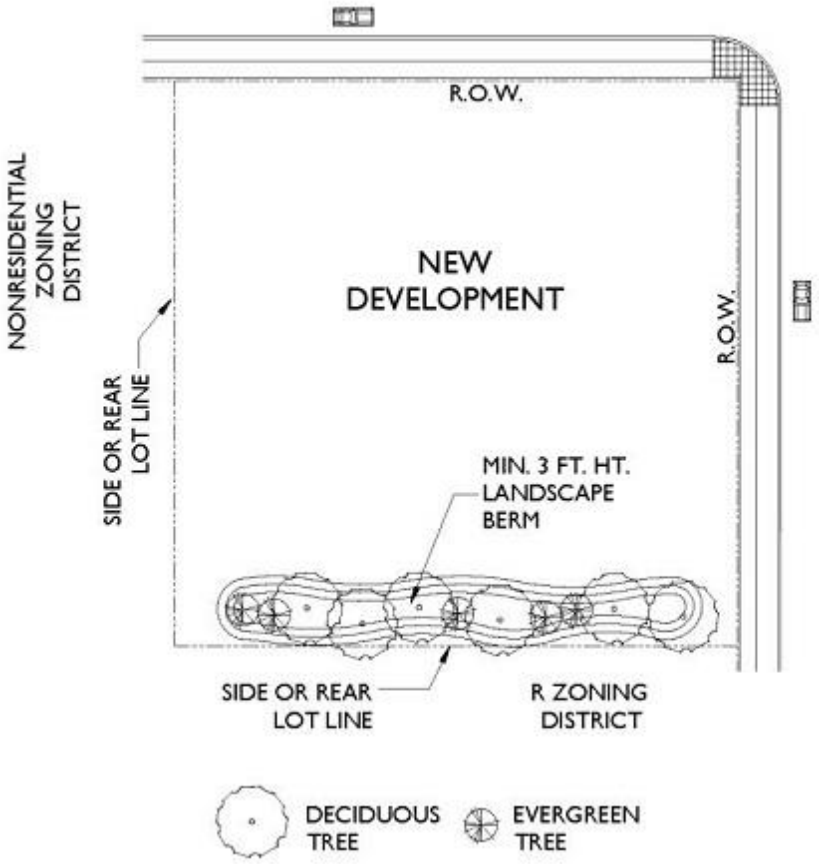
(2) When the gross floor area, number dwelling units or area of impervious surface on an existing development site is expanded by more than 50% and such site abuts a residential zoning district or lot used for residential purposes.

(B) Standards.

(1) Land use buffers must be provided along the entire property line of the subject lot that abuts a lot that is zoned or used for residential purposes.

(2) Any of the following three options may be used to satisfy the land use buffer requirements of this section:

(a) Provide a landscaped area at least ten feet in width with at least one shrub per five linear feet of land use buffer area, plus at least one evergreen tree and one deciduous (shade or understory) tree per 30 linear feet of land use buffer area. Shrubs must be at least three feet in height at time of planting.



(b) Provide a landscaped area at least ten feet in width with a solid wall or fence with a minimum height of 6 feet along the interior of the land use buffer area. At least one evergreen tree and one deciduous (shade or understory) tree is required per 30 linear feet of fence or wall.

(c) Provide a landscape berm at with at least one evergreen or deciduous (shade or understory) tree per 30 linear feet of berm. Berms must comply with § 155-12.90(M).

(3) Land use buffers may be located in required building setback areas.

(C) *Materials, design and maintenance.* Land use buffer landscaping is subject to the regulations of § 155-12.90. (Ord. effective 10-1-2012)

§ 155-12.80 SCREENING.

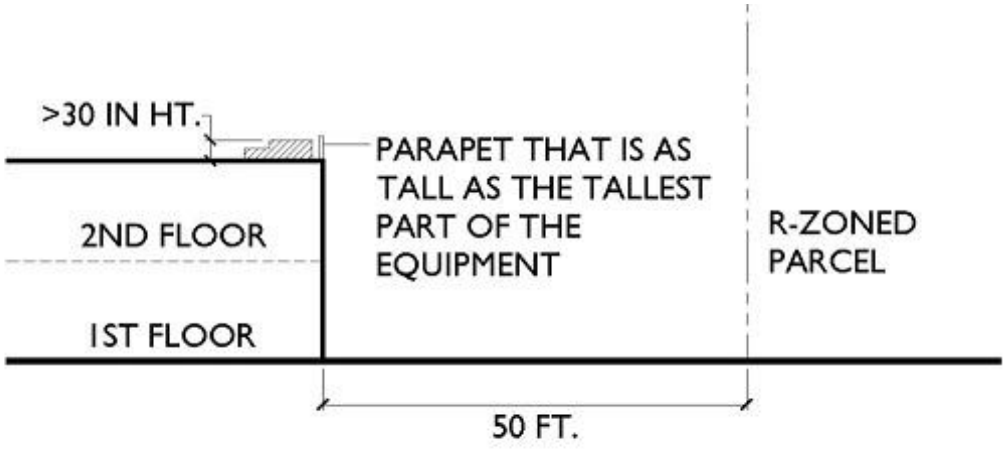
(A) *Features to be screened.* The following features must be screened from view of public rights-of-way, public open spaces and from lots used or zoned for residential purposes.

(1) *Ground-mounted mechanical equipment.* Ground-mounted mechanical equipment over 30 inches in height may not be located within 15 feet of the property line of a lot used or zoned for residential purposes. Ground-mounted mechanical equipment, including non-exempt utility installations, more than 30 inches in height and located within 25 feet of a street or a lot used or zoned for residential purposes must be screened from view by a solid fence, solid wall, dense hedge, or combination of such features. The hedge, fence or wall must be tall enough to screen the equipment.

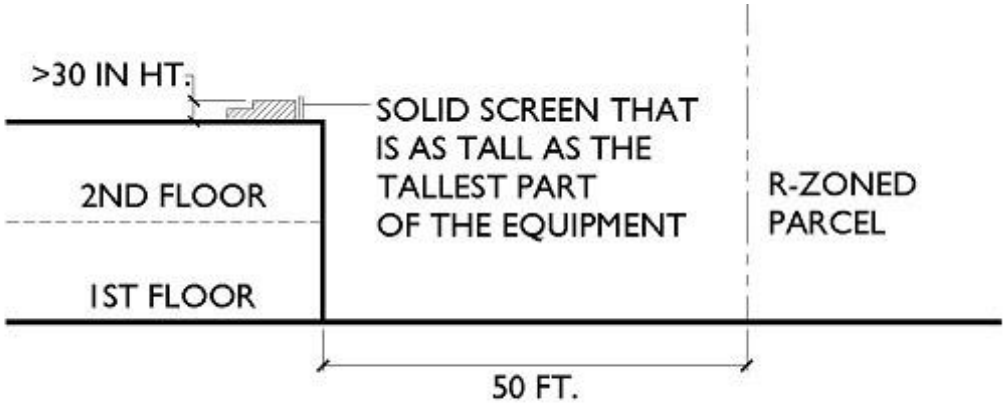
(2) *Roof-mounted mechanical equipment.* Roof-mounted mechanical equipment (e.g., air conditioning, heating, cooling, ventilation, exhaust and similar equipment, but not solar panels, wind energy or similar

renewable energy devices) over 30 inches in height and located within 50 feet of a lot used or zoned for residential purposes must be screened from the lot used or zoned for residential purposes in one of the following ways:

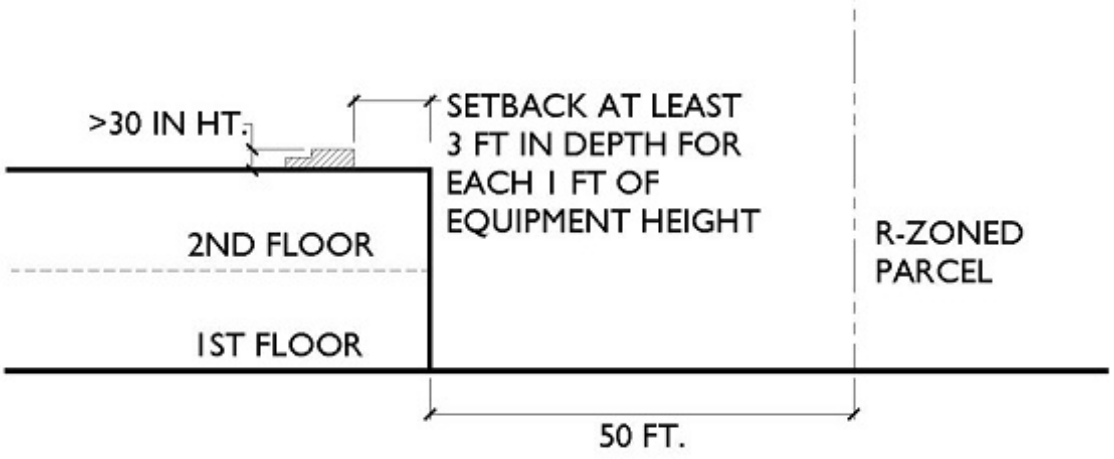
(a) A parapet along façades facing the lot used or zoned for residential purposes that is as tall as the tallest part of the equipment;



(b) A solid screen around the equipment that is as tall as the tallest part of the equipment, with the screen an integral part of the building's architectural design; or



(c) An equipment setback from roof edges facing lots used or zoned for residential purposes that is at least three feet in depth for each one foot of equipment height.



(3) *Refuse/recycling containers.* Refuse/ recycling containers must be screened from view of streets and all abutting lots with a solid wall or fence at least six feet in height. Refuse/recycling containers may not be located in street setbacks. These location and screening requirements do not apply to containers used on a temporary basis.

(4) *Outdoor storage areas.* All outdoor storage of materials, supplies, merchandise, vehicles, equipment, or other similar materials not on display for direct sale, rental or lease to the ultimate consumer or user must be screened by a fence, wall, dense hedge, or combination of such features.

(B) Outdoor storage shall be screened from view of public rights-of-way, public open spaces and all adjoining lots regardless of use or zoning as per 155-14.100 (B) 3.

(C) Standards.

(1) All plant material used for screening must be at least three feet in height at time of planting.

(2) Screens may be broken only as necessary to accommodate gates, approved access drives and walkways.

(D) *Materials, design and maintenance.* Required landscaping and screening elements are subject to the regulations of § 155-12.90.

(Ord. effective 10-1-2012)

§ 155-12.90 LANDSCAPE MATERIAL AND DESIGN.

(A) Landscaping within required landscape areas.

Required landscaped areas must be covered with biodegradable mulch, ornamental grasses, forbs, native prairie plants, native wetland plants, grass or other perennial herbaceous or shrub planting combinations. Landscape-grade stone or aggregate material may also be used within landscape areas. In areas subject to erosion, erosion-reducing blankets or reinforced mulch must be used.

(B) *Existing trees and vegetation.* Existing non-invasive, non-noxious trees and shrubs count toward satisfying the landscaping and screening regulations of this article if they are located within the subject area (e.g., existing trees within the road frontage landscape area may be used to meet those requirements) and they comply with the plant height and size requirements of § 155-12.90.

(C) Installation.

(1) Landscaping must be installed and maintained in accordance with the requirements of this section and the approved landscape plan.

(2) Required landscaping must be installed in complete and healthy condition before a certificate of occupancy may be issued.

(D) Plant selection; invasive and noxious plants prohibited in Will County.

(1) Trees and plants selected for required landscape areas must be well-suited to the microclimate and on-site soil conditions.

(2) Trees and plant material must comply with the specifications found in American Standards for Nursery Stock (ANSI).

(3) Woody plants must be rated to survive in USDA Hardiness Zones 1, 2, 3, 4, or 5.

(4) The county finds that invasive and noxious plant species are a public nuisance that degrade landscaped and natural areas. Invasive or noxious plant species may not be used to meet the landscape requirements of this article. Moreover, the planting or maintenance of invasive and noxious plant species is prohibited. The county may require the owner of the property to remove any invasive and noxious plant species regardless of the property owner's roles in introducing it to the property.

(5) If more than 30 trees will be used, a mixture of three or more tree species must be used.

(6) If more than 50 shrubs will be used, a mixture of three or more shrub species must be used.

(E) Maximum plant height generally.

(1) Plant height is limited to a maximum of ten inches within all of the following areas:

(a) Within ten feet of the public right- of-way;

(b) Within five feet of a lot line; and

(c) Within five feet of any fixed utility equipment or similar structure or property.

(2) The ten-inch maximum plant height requirements of this division (E) do not apply to any of the following:

(a) Woody plants, such as trees and shrubs;

(b) Plants located directly along opaque fences or walls or provided to satisfy the requirements of this landscaping and screening article;

(c) Vines attached to woody plants, fences or walls;

(d) Areas used for scientific and educational purposes through accredited programs;

(e) Areas of public open space or open space governed by a homeowners association, land trust or within a conservation easement that is covered under the provisions and regulations of the Subdivision Ordinance;

(f) Areas that contain documented state or federally listed threatened and/or endangered species;

(g) Buffers associated with lakes and wetlands;

(h) Buffers and filter strips associated with channels, creeks, streams, and rivers;

(i) Cemeteries;

(j) Golf courses;

(k) Heavily wooded property;

(l) Public-owned property;

(m) Regulatory mitigation areas; or

(n) Properties two and one-half acres or more in area.

(F) *Trees.*

(1) *Deciduous.* Deciduous trees used to satisfy the requirements of this article must have a minimum caliper size of two and one-half inches (measured six inches above the root ball) and a minimum clear stem of five feet, except in vision clearance areas where a minimum clear stem of feet is required. Only those deciduous trees identified on the following list with a "Y" may be used to satisfy the landscaping and screening requirements of this article, provided that the zoning administrator is authorized to permit the use of other deciduous tree species if such trees are not invasive species or listed as prohibited (“N”) in the following list.

Deciduous Trees		Landscaping Requirement			
Botanical Name	Common Name	Road Frontage	Vehicular Use Area (Interior)	Land Use Buffer	Replacement
Deciduous Canopy Trees					
Acer nigrum	Black Maple	N	Y	Y	Y
Acer pseudoplatanus	Sycamore Maple	N	N	Y	Y
Acer miyabei	Miyabe Maple	Y	N	Y	Y
Acer rubrum	Red Maple Varieties	Y	Y	Y	Y
Acer saccharum	Sugar Maple	N	N	Y	Y
Aesculus glabra	Ohio Buckeye	N	N	Y	Y
Aesculus hippocastanum	Horsechestnut	N	N	Y	Y
Carya species	Hickory	N	N	Y	Y
Celtis occidentalis	Hackberry	Y	Y	Y	Y
Cladrastis lutea	Yellowwood	N	N	Y	Y
Fagus grandifolia	American Beech	N	N	Y	Y
Fagus sylvatica	European Beech	N	N	Y	Y
Ginkgo biloba (male)	Ginkgo	Y	N	Y	N
Gymocladus dioicus	Kentucky Coffeetree	N	N	Y	Y
Juglans cinerea	Butternut	N	N	Y	Y
Liquidambar styraciflua	Sweetgum	N	N	Y	Y
Liriodendron tulipifera	Tuliptree	N	Y	Y	Y
Metasequoia glyptostroboides	Dawn Redwood	N	N	Y	Y
Nyssa sylvatica	Tupelo	N	N	Y	Y
Platanus acerifolia	Planetree	Y	Y	Y	Y
Platanus occidentalis	American Sycamore	Y	Y	Y	Y
Pyrus calleryana	Flowering Pear	Y	N	Y	N
Quercus alba	White Oak	Y	Y	Y	Y
Quercus bicolor	Swamp White Oak	Y	Y	Y	Y

Deciduous Trees		Landscaping Requirement			
Botanical Name	Common Name	Road Frontage	Vehicular Use Area (Interior)	Land Use Buffer	Replacement
Quercus coccinea	Scarlet Oak	N	N	Y	Y
Quercus ellipsoidalis	Hill's Oak	N	N	Y	Y
Quercus imbricaria	Shingle Oak	N	Y	Y	Y
Quercus macrocarpa	Bur Oak	Y	Y	Y	Y
Quercus muehlenbergii	Chinkapin Oak	Y	Y	Y	Y
Quercus prinus	Chestnut Oak	Y	Y	Y	Y
Quercus robur	English Oak	Y	Y	Y	Y
Quercus rubra	Red Oak	Y	Y	Y	Y
Quercus velutina	Black Oak	Y	Y	Y	Y
Taxodium distichum	Bald Cypress	N	N	Y	Y
Tilia americana	American Basswood	Y	Y	Y	Y
Tilia cordata	Little Leaf Linden	Y	Y	Y	Y
Deciduous Understory Trees					
Acer ginnala	Amur Maple	N	N	Y	Y
Amelanchier species	Serviceberry	N	N	Y	Y
Betula alleghaniensis	Yellow Birch	N	N	Y	Y
Betula nigra	River Birch	N	N	Y	Y
Alnus	Alder	N	N	Y	Y
Carpinus caroliniana	American Hornbeam	N	N	Y	Y
Cercis canadensis	Eastern Redbud	N	N	Y	Y
Crataegus species	Hawthorn	N	N	Y	Y
Hammamalis virgineana	Common Witchhazel	N	N	Y	Y
Larix decidua	Larch	N	N	Y	Y
Malus	Crab Apple	N	N	Y	N
Magnolia species	Magnolia	N	N	Y	Y
Ostrya virginiana	Hophornbeam	N	N	Y	Y

(2) *Evergreen.* Evergreen trees used to satisfy the requirements of this article must have a minimum height of five feet at time of planting. There is no minimum caliper size for evergreen trees at time of planting. Only those evergreen trees identified on the following list with a "Y" may be used to satisfy the landscaping and screening requirements of this article, provided that the zoning administrator is authorized to permit the use of other evergreen tree species if such trees are not invasive species or listed as prohibited ("N") in the following list.

Evergreen Trees		Landscaping Requirement			
Botanical Name	Common Name	Road Frontage	Vehicular Use Area (interior)	Land Use Buffer	Replacement
Abies concolor	Concolor Fir	N	N	Y	Y
Juniperus virginiana	Red Cedar	N	N	Y	Y
Picea abies	Norway Spruce	N	N	Y	Y
Picea glauca	White Spruce	N	N	Y	Y
Picea omorika	Serbian Spruce	N	N	Y	Y
Picea pungens	Colorado Spruce	N	N	Y	Y
Pinus nigra	Austrian Pine	N	N	Y	Y
Pinus resinosa	Red Pine	N	N	Y	Y
Pinus strobus	White Pine	N	N	Y	Y
Pinus sylvestris	Scotch Pine	N	N	Y	Y
Pseudotsuga menziesii	Douglas Fir	N	N	Y	Y
Tsuga canadensis	Canadian Hemlock	N	N	Y	Y

(G) *Shrubs.*

(1) *Deciduous/broadleaf.* Deciduous/broadleaf shrubs used to satisfy the requirements of this article must have a minimum height of three feet or be a minimum five-gallon size.

(2) *Evergreen.* Evergreen shrubs used to satisfy the requirements of this article must have a minimum width of two feet or be a minimum five-gallon size.

(3) *Plant list.* Only those shrubs identified on the following list may be used to satisfy the landscaping and screening requirements of this article, provided that the zoning administrator is authorized to permit the use of other shrub species if they are not invasive species or listed as prohibited ("N") in the following list.

Shrubs		Landscaping Requirement			
Botanical Name	Common Name	Road Frontage	Vehicular Use Area	Land Use Buffer	Replacement
Aronia	Chokeberry	Y	Y	Y	Y
Betula pumila	Dwarf Birch	N	N	Y	Y

Shrubs		Landscaping Requirement			
Botanical Name	Common Name	Road Frontage	Vehicular Use Area	Land Use Buffer	Replacement
Cephalanthus occidentalis	Buttonbush	Y	Y	Y	Y
Chaenolmeles speciosa	Flowering Quince	N	N	Y	N
Clethra alnifolia	Summersweet	Y	Y	Y	Y
Cornus species	Dogwood	N	N	Y	Y
Corylus americana	American Filbert	Y	Y	Y	Y
Corylus cornuta	Beaked Hazelnut	Y	Y	Y	Y
Cotoneaster species	Cotoneaster	Y	Y	Y	Y
Deutzia	Deutzia	Y	Y	Y	Y
Forsythia	Forsythia	Y	Y	Y	N
Euonymus species	Euonymous	Y	Y	Y	Y
Hamamelis vernalis	Vernal Witchhazel	Y	Y	Y	Y
Hydrangea quercifolia	Oakleaf Hydrangea	Y	Y	Y	Y
Ilex opaca	American Holly	Y	Y	Y	Y
Ilex verticillata	Winterberry	Y	Y	Y	Y
Itea virginica	Sweetspire	Y	Y	Y	Y
Juniperus species	Juniper	Y	Y	Y	Y
Lindera benzoin	Spicebush	Y	Y	Y	Y
Myrica pennsylvanica	Northern Bay Berry	N	N	Y	Y
Physocarpus opulifolius	Common Ninebark	Y	Y	Y	Y
Potentilla fruticosa	Bush Cinquefoil	Y	Y	Y	Y
Rhus species	Sumac	Y	Y	Y	Y
Ribes	Current	Y	Y	Y	Y
Rosa species	Rose varieties	Y	Y	Y	Y
Salix discolor	Pussy Willow	N	N	Y	Y
Sambucus canadensis	Elderberry	N	N	Y	Y
Spirea species	Spirea	N	N	Y	N
Symphoricarpos albus	Snowberry	Y	Y	Y	Y
Syringa species	Lilac	N	N	Y	N
Taxus species	Yew	N	N	Y	N

Shrubs		Landscaping Requirement			
Botanical Name	Common Name	Road Frontage	Vehicular Use Area	Land Use Buffer	Replacement
Thuja species	Arborvitae	N	N	Y	N
Viburnum species	Viburnum	Y	Y	Y	Y

(H) *Groundcover plants.* Groundcover plants are deciduous or evergreen plants that grow low and spread horizontally, not including turf. Groundcover plants used to satisfy the requirements of this article must be at least one-gallon size.

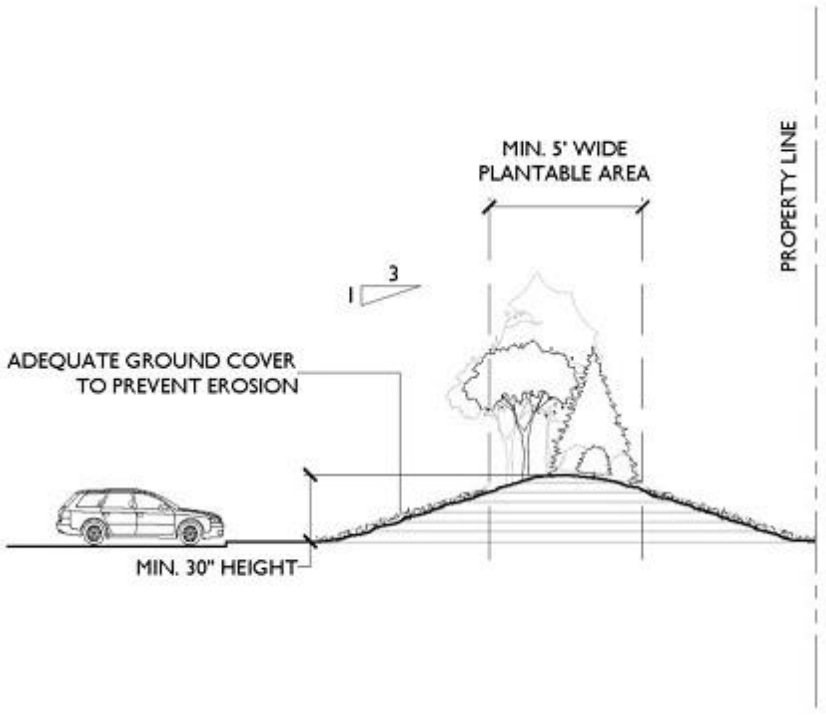
(I) *Mulch.* All required trees and shrubs must be located within a (biodegradable) mulched area and be separated from turf by a minimum distance of five feet.

(J) *Fences and walls.* All fences and walls are subject to the regulations of § 155-14.90 and all other applicable regulations. Chain-link or other open wire fences may not be used to satisfy any of the requirements of this article unless improved with slats.

(K) *Curbs and vehicle barriers.* Landscaped areas in or abutting vehicular use areas must be protected by concrete curbing, anchored wheel stops, or other durable barriers approved by the Zoning Administrator. Wood timbers that are not part of a structural retaining wall may not be used to meet this requirement. Alternative barrier designs that provide improved infiltration or storage of stormwater are encouraged. Curbs protecting landscape islands within vehicular use areas may be designed to allow stormwater runoff to pass through them. Curbs may be perforated or have gaps or breaks.

(L) *Bioretention.* When landscape islands are used for bioretention the ponding area should be six inches to 18 inches in depth and planted with salt-tolerant native wildflowers/forbs and grasses suited to the micro-hydrology of the bioretention area.

(M) *Berms.* Berms used to satisfy the requirements of this article must consist of a mound or bank of formed earth at least 30 inches in height, a slope not exceeding one foot of vertical rise for each three feet of horizontal run, with a five-foot wide (minimum) plantable area on top and adequate ground cover on side slopes to prevent erosion.



(N) *Intersection vision clearance.* Plantings and landscape material, other than trees, located within the vision clearance area established by § 155-14.80 within a sight triangle may not exceed a height of 30 inches. Trees within the required vision clearance area must have all branches trimmed to provide clear vision for a vertical height of at least eight feet above the highest adjacent roadway or driveway surface. Evergreen trees are not permitted within required vision clearance areas.

(O) *Fire hydrants and utilities.* Landscaping must be placed to allow full access to fire hydrants and utility systems. A minimum five-foot clear space must be maintained around the circumference of fire hydrants and from any access point to a utility system (e.g., water shutoff valve box, sanitary/storm sewer manhole).

(P) *Water conservation.* To promote resource- efficient landscaping for the conservation of water and other natural resources, the following principles and practices are encouraged:

(1) Practical turf areas;

(2) Use of water-conserving plant material;

(3) Grouping of plants with similar water requirements;

(4) Installation of pervious paving to encourage groundwater recharge and reuse, and to discourage run-off;

(5) Rainwater harvesting techniques;

(6) Use of mulches;

(7) Use of soil amendments based on soil analysis; and

(8) Use of reclaimed water.

(Q) *Maintenance.* It is the responsibility of the property owner to maintain required landscaping in accordance with an approved maintenance plan. The maintenance plan must include, at a minimum, methods for providing the following:

(1) Necessary irrigation,

(2) Integrated pest management,

(3) Fertilization,

(4) Tree care and pruning,

(5) Replacement of lost vegetation, and

(6) Weed management.

(Ord. effective 10-1-2012)

§ 155-12.100 LANDSCAPE PLAN.

A landscape plan must be submitted at the time of site development permit review. If a site development permit is not required, the landscape plan must be submitted with the building permit application. The landscape plan must have a minimum scale of 1" = 50' and include at least the following information:

(A) Location, species, and size of existing trees with a DBH of six inches or greater that are proposed to be removed and the location, species and size of replacement trees.

(B) Location of trees and vegetation proposed for use within required landscape areas in sufficient detail for a determination that the plan conforms with this article.

(C) The vehicular use areas clearly identified and dimensioned for the purpose of determining compliance with the landscape requirements for each vehicular use area and a tabulation in chart form of each vehicular use area including the square footage of each vehicular use area, the square footage of each interior landscape area, and the number of trees proposed to meet interior and perimeter requirements.

(D) A plant list of proposed landscape materials showing caliper sizes, root type (bare root, balled and burlapped, container size), height of material, botanical and common names, type and amount of mulch, groundcover and grasses.

(E) Specifications for treatment of compacted soil within required landscape areas.

(F) Specifications for planting media in required landscape areas.

(G) The location of walls, fences, walks and other hard landscaping materials.

(H) Irrigation plan or location of water outlets.

(I) Planting and staking details to ensure proper installation and establishment of proposed plant materials.

(J) Identification of a landscape maintenance program including a statement that all diseased, damaged, or dead material will be replaced by the end of the following planting season, in perpetuity.

(K) Identification of snow storage areas including a statement that snow will not be pushed onto interior landscape islands unless designed for and identified on the landscape plan for snow storage.

(L) Other information or data determined necessary by the Zoning Administrator, such as construction details and/or cross-sections sufficient to resolve specific site conditions. These conditions include, but are not limited to berms, retaining walls, screen walls, fences, or culverts to maintain natural drainage patterns.

(Ord. effective 10-1-2012)

§ 155-12.110 ALTERNATIVE COMPLIANCE.

The landscaping and screening regulations of this article are not intended to be arbitrary, physically impossible or economically impractical. The Zoning Administrator is authorized to approve alternative compliance landscape plans when the Zoning Administrator determines that one or more of the following conditions is determined to be present:

(A) The site or sites involve space limitations or unusually shaped lots;

(B) Conditions on or adjacent to the site such as topography, soils, vegetation or existing structures or utilities are such that full compliance is impossible or impractical;

(C) Safety considerations such as intersection visibility, utility locations, etc., make alternative compliance necessary; or

(D) Alternative creative landscaping applications will provide an equal or better means of meeting the intent of the landscaping and screening regulations.

(Ord. effective 10-1-2012)

155-13 SIGNS

§ 155-13.10 GENERAL.

(A) *Purpose.* The sign regulations of this section are intended to achieve balance among the following differing, and at times, competing goals:

(1) To support the desired character of Will County, as expressed in adopted plans, policies and regulations;

(2) To promote an attractive visual environment;

(3) To encourage the effective use of signs as a means of communication for businesses, organizations and individuals;

(4) To provide a means of way-finding, thus reducing traffic confusion and congestion;

(5) To provide for adequate business identification, advertising, and communication;

(6) To prohibit signs of such excessive size and number that they obscure one another to the detriment of the economic and social well-being of county and its residents, property owners and visitors;

(7) To protect the safety and welfare of the public by minimizing the hazards to pedestrian and vehicular traffic;

(8) To differentiate among those signs that, because of their location, may distract drivers on public streets and those that may provide information to them while they remain in their cars but out of active traffic;

(9) To minimize the possible adverse effects of signs on nearby public and private property; and

(10) To provide broadly for the expression of individual opinions through the use of signs on private property.

(B) Scope and applicability.

(1) All signs within unincorporated Will County are subject to the regulations of this section and all other applicable provisions of this zoning ordinance.

(2) ILCS Ch. 225, Act 440, §§ 1 et seq. is an act that relates to the control of the erection and maintenance of billboards and other outdoor advertising devices on lands adjacent to the Federal-Aid Primary System and the National System of Interstate and Defense Highways in Illinois. Consequently, the ordinance is applicable and enforceable only in commercially and industrially zoned areas along these roads and highways and in all zones along all other roads and highways in Will County.

(C) *Content neutrality.* Any sign allowed under this section may contain, in lieu of any other message or copy, any lawful noncommercial message that does not direct attention to a business operated for profit, or to a product, commodity or service for sale or lease, or to any other commercial interest or activity, so long as the sign complies with the size, height, area and other requirements of this article.

(Ord. effective 10-1-2012)

§ 155-13.20 PROHIBITED SIGNS AND SIGN CHARACTERISTICS.

The following signs and sign characteristics are prohibited except as otherwise expressly stated:

(A) Signs that obstruct any fire escape, required exit, window or door opening used as a means of egress;

(B) Signs that interfere with an opening required for ventilation, except that signs may cover transom windows when not in violation of building and fire prevention codes;

(C) Signs, other than allowed campaign signs, special event signs and advertising signs (see § 155-13.30(C)(3) and (C)(4) and § 155-13.60), that direct attention to a business, commodity service, or entertainment conducted, sold, or offered elsewhere than upon the premises where such sign is located or to which it is affixed;

(D) Signs larger than two square feet in area that are suspended by chains, ropes, or other means designed to allow the sign to swing or move freely;

(E) Signs affixed directly to a tree, pole, fence or traffic control device;

(F) Signs that obstruct, impair, obscure, interfere with the view of, or that may be confused with, any authorized traffic control sign, signal, or device;

(G) Signs that violate the vision clearance provisions of § 155-14.80;

(H) Signs attached to or painted on an inoperable or unlicensed vehicle (motorized or non-motorized) located in view of the right-of-way;

(I) Signs attached to or painted on a licensed vehicle that is located in view of the right-of-way when the Zoning Administrator determines that the vehicle is parked solely for the purpose of displaying the sign to passing motorists or pedestrians (this prohibition is not intended to apply to vehicles regularly used for deliveries or otherwise integral to the operation of a legally operated business on the subject property);

(J) Search lights and rotating beams of light, including those that resemble emergency lights;

(K) Signs located in or that extend into the public right-of-way or that project beyond property lines (this prohibition on signs in the right-of-way does not apply to signs established by, or by order of, any governmental agency); and

(L) Signs that include flashing lights, projected or moving images, moving parts or that emit noise, unless otherwise expressly authorized by regulations of this section.

(Ord. effective 10-1-2012)

§ 155-13.30 SIGNS ALLOWED WITHOUT SIGN PERMITS.

Signs that comply with all regulations of this section are allowed without a sign permit and are not counted as signs for the purpose of calculating the number and amount of signage on a site, unless otherwise expressly stated. Unless otherwise expressly stated, such signs may not be illuminated. All illuminated signs allowed by this ordinance require a sign permit

(A) *Governmental/institutional signs, flags, emblems and plaques.* The following signs are allowed without a sign permit:

(1) Signs established by, or by order of, any governmental agency;

(2) Flags, emblems or insignia of any nation or political subdivision, provided they contain no commercial message;

(3) Commemorative plaques and memorial signs up to six square feet in area.

(B) Directional signs.

(1) One directional sign may be installed at each vehicle entrance and exit. Such signs may be illuminated, but they may not exceed four square feet in area or five feet in height. Commercial messages may comprise no more than 50% of the area of a directional sign.

(2) Off-street parking areas with a capacity of more than four vehicles may display signs that do not exceed nine square feet in area or ten feet in height. Such signs are intended to direct and inform patrons and visitors about parking rates and rules, the location of stairways and elevators, pedestrian routes, restrooms, telephones, and other facilities. Such signs may not be illuminated and may not contain any commercial messages.

(C) *Temporary signs.* The following temporary signs are allowed without a sign permit.

(1) *Sale/lease signs.* One "For Sale," "For Rent" or similar real estate sign is allowed per street frontage. Such signs must be removed within seven days after the sale, rental, or lease has been accomplished.

(a) "For Sale" or "For Rent" signs on lots containing a single-family dwelling unit or zoned for single-family residential development are limited to a maximum area of nine square feet per sign.

(b) "For Sale" or "For Rent" signs on lots containing agricultural, multi-family, public/ quasi-public, commercial, or industrial use or that are zoned for such use may not exceed the greater of 32 square feet or 0.25 square feet of sign area per each linear foot of street frontage for the first 150 feet of street frontage and 0.10 square feet of sign area for each linear foot of street frontage for street frontage in excess of 150 feet. These area

calculations must be based on the street frontage to which the sign is oriented. No such sign may exceed 150 square feet in area.

(2) *Construction signs.* One construction sign is allowed per street frontage during the time that construction or development activity is occurring on the subject lot, as follows:

(a) Construction signs on a lot containing a single dwelling unit or a lot zoned for single-family residential development may not exceed 24 square feet in area.

(b) Construction signs on a lot containing multiple dwelling units, public/quasi- public, commercial or industrial uses or a lot zoned for such uses may not exceed may not exceed the greater of 32 square feet or 0.25 square feet of sign area per each linear foot of street frontage for the first 150 feet of street frontage and 0.10 square feet of sign area for each linear foot of street frontage for street frontage in excess of 150 feet. These area calculations must be based on the street frontage to which the sign is oriented. No such sign may exceed 150 square feet in area.

(c) Construction signs for new residential subdivisions or planned unit developments consisting of fewer than 100 dwelling units may not exceed 100 square feet. For subdivisions or planned unit developments of more than 100 dwelling units, up to two signs totaling no more than 200 square feet are permitted.

(d) Construction signs must be removed within two weeks of completion of the construction or development.

(3) *Campaign signs.* Temporary campaign (candidate or ballot issue) signs are allowed for a period of not more than 60 days before an election, referendum, or similar voting event. Temporary campaign signs must be removed no later than six days after the voting event. The total copy area for all campaign signs allowed without a sign permit may not exceed 32 square feet per lot and campaign signs allowed without a sign permit may not exceed six feet in height.

(4) *Special event (temporary) signs.* Temporary signs and banners may be allowed for on-site special events such as grand openings, festivals, special promotions and similar events located on the site on which the sign is located. These signs may be in place no more than 21 days per calendar year.

(5) *Window signs.* Temporary window signs are allowed when a sale of goods or services is being conducted by a business establishment located on the premises. Such signs are allowed in addition to all other authorized signs, provided they do not exceed 33% of the area of the window to which they are affixed. Temporary window signs may not exceed 64 square feet in area, regardless of the size of the window to which it is affixed, and no establishment may have more than 100 square feet of temporary window signs displayed at any one time. No temporary window sign may be affixed to the exterior of any window, wall or other exterior surface of the structure. Temporary window signs that advertise or pertain to sales or events that have already occurred or that are substantially tattered, discolored, frayed, ripped, or otherwise in a state of visible disrepair are prohibited and must be removed.

(6) *Holiday decorations.* Holiday decorations on private property clearly incidental, customary, and commonly associated with national, local or religious holidays are allowed, provided they are displayed for a period of not more than 60 days for each holiday.

(7) *Agricultural test plot signs.* Signs used to mark test plot areas within a farm field, including seed test areas are allowed without a permit. Such signs may not exceed 32 square feet in area.

(D) *Other signs.* The following additional signs are allowed without a sign permit and are not counted as signs for the purpose of calculating the number and amount of signage on a site:

(1) Signs that are not legible from any public right-of-way or from beyond the boundaries of the lot or parcel;

(2) Signs within completely enclosed buildings that contain no commercial message;

(3) Wall signs identifying allowed home occupations, provided that no home occupation signs may be illuminated or exceed two square feet in area;

(4) Address signs and name plates not exceeding two square feet in area;

(5) "No trespassing," "no dumping" and similar warning/security signs that do not to exceed four square feet in area; and

(6) Non-illuminated awnings with no more than six square feet of sign (copy) area on the border of the awning.

(7) Signs on scoreboards, fences and walls associated with sports fields and recreation and entertainment venues if such signs are primarily oriented and visible to participants and spectators within the venue.

(8) Non-illuminated murals on side and rear building facades and on fences and walls if such murals do not contain a commercial message. Illuminated murals and murals containing a commercial message are regulated as signs and require a permit.

(Ord. effective 10-1-2012; Am. Ord. 15-202, passed 7-16-2015)

§ 155-13.40 RESIDENTIAL USES AND ZONING DISTRICTS.

(A) *Applicability.* The regulations of this division apply to signs accessory to residential uses in all zoning districts and to all uses in agricultural, residential and SP-PO zoning districts.

(B) *Single-family and two-family.* Signs accessory to single-family and two-family residential uses are subject to the regulations of § 155-13.30, which allows real estate (for sale/for rent) signs, home occupation signs and other sign types commonly associated with single-family and two-family residential uses.

(C) *Multi-family.* Signs accessory to multi-family residential uses are subject to the regulations of § 155-13.30. In addition, multi-family buildings or developments containing from three to ten dwelling units are allowed one wall or ground sign with a maximum area of nine square feet. Multi-family buildings or developments containing more than ten dwelling units are allowed one or wall or ground sign with a maximum area of 50 square feet.

(D) *Neighborhood/subdivision identification signs.* Neighborhood or subdivision identification signs are allowed as entrance features to neighborhoods or subdivisions. Neighborhood/ subdivision identification signs:

(1) Must be monument signs; and

(2) May not exceed eight feet in height or 40 square feet of area.

(E) *Nonresidential uses.* The following regulations apply to all nonresidential uses allowed in residential and agricultural zoning districts, except for home occupations. Home occupation signs are subject to the regulations of § 155-13.30(D):

(1) *Wall signs.* Nonresidential uses may have a maximum of one wall sign per public building entrance. Such signs may not exceed 32 square feet in area.

(2) *Freestanding signs.* Nonresidential uses may have a maximum of one monument sign per street frontage. Allowed monument signs may not exceed 64 square feet in area or eight feet in height. All freestanding signs must be set back at least ten feet from street rights-of-way.

(Ord. effective 10-1-2012)

§ 155-13.50 COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS.

(A) *Applicability.* The regulations of this division apply to signs accessory to all commercial and industrial zoning districts.

(B) Wall signs.

(1) *Maximum number.* A maximum of one wall sign is allowed per 100 feet of building frontage or fraction thereof. See § 155-13.130(B) for "building frontage" calculation rules.

(2) *Maximum area.* Except as expressly stated in division (B)(3) of this section, the cumulative maximum area of all allowed wall signs is determined by multiplying the applicable maximum sign area ratio by the length of the subject building frontage. Different maximum sign area ratios are established for different sign types, as follows:

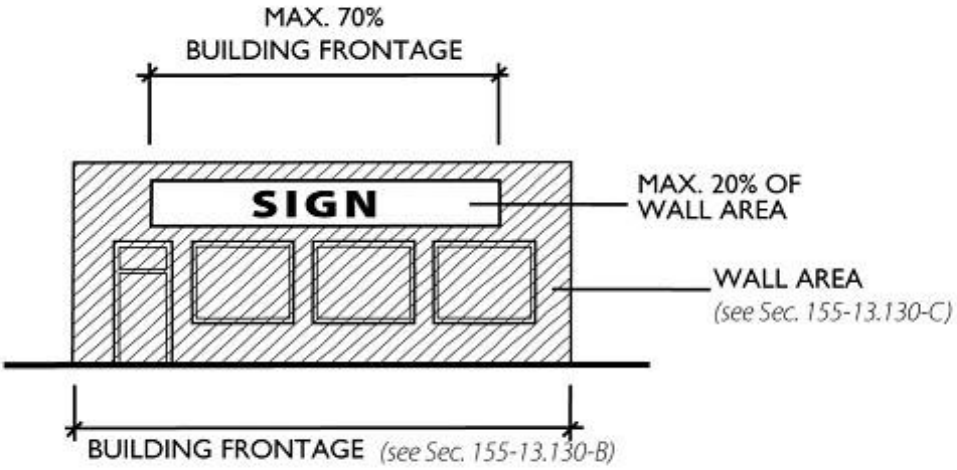
Wall Sign Type	Maximum Sign Area Ratio (sq. ft. of sign area per foot of building frontage)
Box sign	0.50
Screened box sign w/raised or recessed letters	0.75
Raceway-mounted channel letter signs	1.00
Pin-mounted channel letter sign	1.25
Distinctive materials/design sign	1.50
Other (unclassified) sign	0.50

(3) Alternative maximum area.

(a) Regardless of the maximum wall sign area allowance calculated pursuant to division (B)(2) of this section, the maximum area of a wall sign may not exceed 250 square feet.

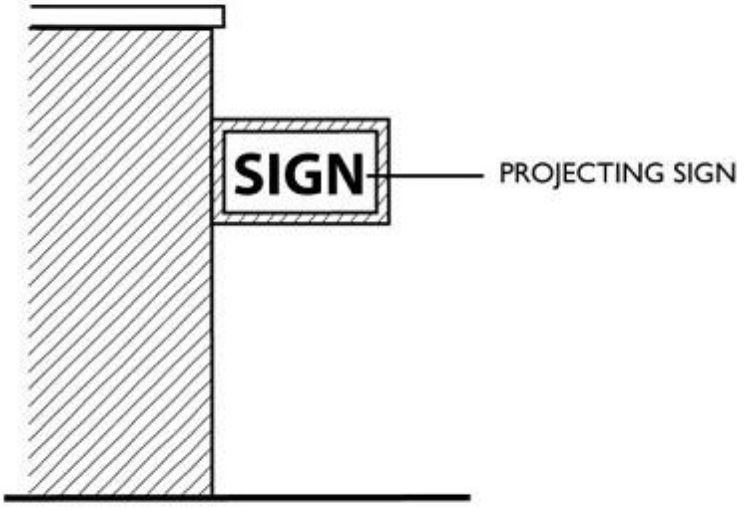
(b) Conversely, all allowed wall signs may be at least 16 square feet in area, regardless of the length of the subject building frontage.

(4) *Location.* Except as otherwise expressly stated, wall signs may be placed on any wall as long as the sign does not cover more than 20% of the area of the wall or more than 70% of the building frontage to which it is attached. This provision does not apply to wall signs using the alternative maximum area allowance of division (B)(3)(b) of this section.



(C) Projecting signs.

(1) *When allowed.* Projecting signs may be substituted for allowed wall signs, provided that the total number of wall signs and projecting signs combined may not exceed one per 100 feet of building frontage or fraction thereof. See § 155-13.130(B) for "building frontage" calculation rules.



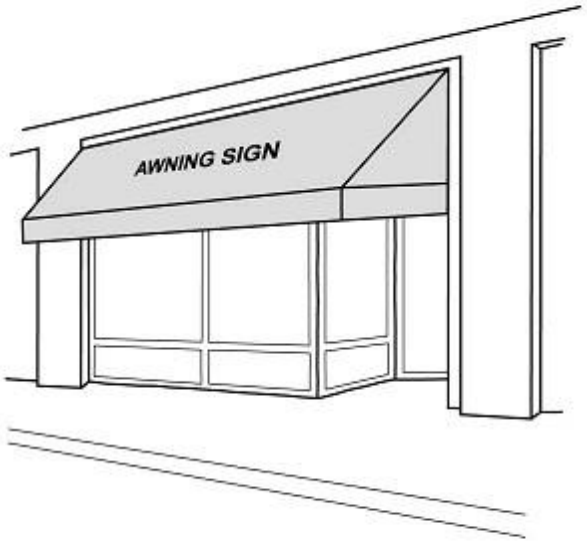
(2) *Sign area calculation.* In calculating the sign area of a multi-faced projecting sign, the area of the largest sign face must be counted twice.

(3) *Maximum projection.* Projecting signs may not project more than ten feet beyond the wall of the subject building.

(4) *Vertical clearance.* The bottom of a projecting sign must be at least nine feet above the ground elevation beneath the sign.

(D) Awning and canopy signs.

(1) *When allowed.* Non-illuminated awnings with no more than six square feet of sign (copy) area on the border of the awning may be used in addition to wall signs. Other awning signs or canopy signs may be substituted for allowed wall signs, provided that the total combined number of wall signs, projecting signs, awning signs and canopy signs may not exceed one per 100 feet of building frontage or fraction thereof. See § 155-13.130(B) for "building frontage" calculation rules.



(2) *Maximum area.* Letters, logos, and symbols on awning or canopy signs are limited to a maximum area of one square foot per one foot of awning length or 25% of the awning area, whichever is less. The total combined length of letters, logos and symbols may not exceed 70% of awning or canopy length. In calculating the length and area of an awning or canopy only the single longest plane of the awning or canopy may be counted. This generally means that the valance and sides (ends) of the awning or canopy will not be counted for purposes of measuring length or area.

(E) Freestanding signs.

(1) *Maximum number.* A maximum of one freestanding sign is allowed per lot. If a lot has more than 1,000 feet of street frontage, a maximum of two freestanding signs are allowed.

(2) *Maximum area.* Freestanding signs are subject to the following maximum sign area standards:

Freestanding Sign Type	Maximum Area (sq. ft.)
Box sign	60
Screened box sign with raised or recessed letters	120
Distinctive materials/ design sign	150
Other (unclassified) sign	60
Dynamic display	See Sec. 155-13.70(C)

(3) *Maximum height.* Freestanding signs may not exceed 40 feet in height.

(4) *Location.*

(a) Freestanding signs must be set back at least ten feet from all public rights-of-way and from the back of curb or outer edge of all drive-ways.

(b) Freestanding signs must be set back at least 50 feet from all residential zoning districts.

(c) Freestanding signs are subject to the vision clearance provisions of § 155-14.80.

(5) *Design.*

(a) Poles or pylons used to support freestanding signs must be covered or concealed by a decorative cover that is architecturally compatible with the overall design of the sign and the architectural character of buildings on the site, in terms of style, colors, and materials.

(b) The ground area surrounding the base of all freestanding signs must be landscaped. The landscape area must be at least as large as the sign area. The landscape area must include shrubs, perennial and/or annual flowers, ornamental grasses, and/or vegetative groundcover. Landscape plans, indicating plant materials and location must be submitted with the sign permit application. The Zoning Administrator is authorized to approve alternative landscape or base treatments if the Zoning Administrator determines that landscaping at the base of the freestanding sign is impractical because of soil conditions, space constraints or other factors beyond the reasonable control of the applicant. Alternative landscape treatments may include additional landscaping elsewhere on the site, the use of masonry materials to conceal the base of the sign or other treatments that provide an equivalent or higher level of visual amenity than the otherwise required sign base landscaping requirements.

(6) *Address.* All freestanding signs must include the street address (number) of the subject property. Street address numbers will not be counted as part of the sign's area.

(F) *Multi-tenant developments.* Multi-tenant developments are subject to the regulations of divisions (B), (C) and (E) of this section, except as expressly modified or supplemented by the regulations of this division.

(1) *Directory signs.* In addition to other allowed signs, multi-tenant developments may have up to one directory sign for each driveway within the development. Directory signs may not exceed 15 square feet in area and, if freestanding, may not exceed six feet in height. Directory signs are intended to convey information to pedestrians and motorists within the boundaries of the development.

(2) *Freestanding signs on outlots and outparcels.* A maximum of one freestanding sign is allowed per outlot or outparcel in a multi-tenant development. Freestanding signs on outlots and outparcels are subject to the following regulations:

(a) Maximum area. Freestanding signs on outlots or outparcels are subject to the following maximum sign area standards:

Freestanding Sign Type	Maximum Area (sq. ft.)
Box sign	32
Screened box sign with raised or recessed letters	64
Distinctive materials/ design sign	96
Other (unclassified) sign	32

(b) Maximum height. Freestanding signs on outlots or outparcels may not exceed 16 feet in height.

(c) Location.

1. Freestanding signs must be set back at least ten feet from all public rights-of-way and from the back of curb or outer edge of all driveways.

2. Freestanding signs must be set back at least 50 feet from all residential zoning districts.

3. Freestanding signs are subject to the vision clearance provisions of § 155-14.80.

(d) Design.

1. Poles or pylons used to support freestanding signs on outlots or outparcels must be covered or concealed by a decorative cover that is architecturally compatible with the overall design of the sign and the architectural character of buildings on the site, in terms of style, colors, and materials.

2. The ground area surrounding the base of all freestanding signs on outlots or outparcels must be landscaped. The landscape area must be at least as large as the sign area. The landscape area must include shrubs, perennial and/or annual flowers, ornamental grasses, and/or vegetative groundcover. Landscape plans, indicating plant materials and location must be submitted with the sign permit application. The Zoning Administrator is authorized to approve alternative landscape or base treatments if the Zoning Administrator determines that landscaping at the base of the freestanding sign is impractical because of soil conditions, space constraints or other factors beyond the reasonable control of the applicant. Alternative landscape treatments may include additional landscaping elsewhere on the site, the use of masonry materials to conceal the base of the sign or other treatments that provide an equivalent or higher level of visual amenity than the otherwise required sign base landscaping requirements.

(3) *Master sign plans.* Master sign plans are required for multi-tenant developments in accordance with § 155-13.80.

(G) *Menu board signs.* Menu board signs accessory to allowed drive-through uses are permitted in addition to other allowed signs, as follows:

(1) *Number and dimensions.* One primary menu board not to exceed 36 square feet in area or eight feet in height is allowed per order station up to a maximum of two primary menu boards. One secondary menu board not to exceed 15 square feet in area or six feet in height is allowed.

(2) *Residential separation.* Menu board signs must be set back at least 75 feet from residential zoning districts.

(3) *Visibility.* Menu board signs are intended to convey information to motorists within the boundaries of the development and therefore may not be located or oriented to be visible from off site.

(Ord. effective 10-1-2012)

§ 155-13.60 ADVERTISING SIGNS.

Advertising signs are subject to the regulations of this subsection.

(A) *Where allowed.* Advertising signs are allowed only in the C-4, I-1, I-2 and I-3 districts and only if reviewed and approved in accordance with the special permit use procedures of § 155-16.40.

(B) *Area.* Advertising signs may not exceed the following maximum area requirements for signs readable and intended to be viewed from the following types of highways and streets:

Highway/Street Type	Maximum Area (sq. ft.)
Interstate Highway	700
Federal Aid Primary Highway	378
All other streets/highways	200

(C) *Lease.* Whenever the applicant for a permit does not own the proposed site, a fully executed site lease or other proof of consent to erect and maintain an advertising sign on the site must accompany the permit application.

(D) *State permit.* If the advertising sign site is adjacent to a Federal-Aid Primary or Interstate Highway, a county sign permit may not be issued until the applicant provides proof that a state permit has been approved by the

Illinois Department of Transportation in accordance with ILCS Ch. 225, Act 440, and Title 92 Part 522 of the Illinois Administrative Code.

(E) Spacing and separation.

(1) No advertising sign may be located within a 5,280-foot radius of any other advertising sign. For purposes of interpreting this spacing requirement advertising signs attached to the same freestanding sign structure are not considered separate signs.

(2) No advertising signs are permitted within a 1,320-foot radius of any public park of more than five acres in area, as measured from the nearest point of the advertising sign to the nearest park property line.

(3) No advertising signs are permitted within a 1,320 foot radius of any residential zoning district, as measured from the nearest point of the advertising sign to the nearest residential zoning district.

(4) No advertising signs are permitted within a 1,320 foot radius of any school, as measured from the nearest point of the advertising sign to the nearest property line of a lot occupied by a school.

(F) *Height.* The maximum allowed height of an advertising sign is 40 feet above curb level or four feet above the roof or top of the parapet of the nearest building, whichever is higher.

(G) RESERVED

(H) *Setbacks.* All portions of advertising signs, including their pedestals, must be set back from the street right-of-way line (or easement line on undedicated streets) a distance of at least 15 feet or one foot per 20 square feet of a sign face area, whichever setback distance is greater.

(Ord. effective 10-1-2012)

§ 155-13.70 DYNAMIC DISPLAYS.

The regulations of this section govern the use of dynamic displays. Different regulations are established for advertising signs and all other signs.

(A) *Advertising signs.* The regulations of this division (A) apply to dynamic display advertising signs. See division (C) of this section for regulations governing other signs that incorporate dynamic displays.

(1) *Purpose.*

(a) There are few, if any, opportunities to establish new (static display or dynamic display) advertising signs in unincorporated Will County because of long-standing regulations that require advertising signs to be separated from one another and from certain protected land uses. At the same time, the county is extremely limited in its ability to require the removal of existing nonconforming advertising signs. The provisions of this section establish fair and objective regulations governing the use of dynamic displays on advertising signs.

(b) Among other things, these regulations allow some advertising signs to be converted from static to dynamic displays. Such regulations are intended to provide an incentive for the voluntary and uncompensated removal of nonconforming advertising signs under certain circumstances and to help reduce the number of nonconforming signs in the county, thereby improving its overall appearance. In doing so, these provisions are intended to advance the goals of the Land Resource Management Plan, the overall purposes of this zoning ordinance and specific purposes of this section.

(2) Where allowed.

(a) A new advertising sign that incorporates a dynamic display may be established only if approved as a special use (in accordance with the procedures of § 155-16.40), subject to compliance with all applicable advertising sign and dynamic display regulations of this section.

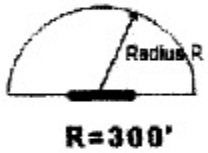
(b) An existing, conforming advertising sign face may be converted to incorporate a dynamic display if approved as a special use (in accordance with the procedures of § 155-16.40), subject to compliance with all applicable advertising sign and dynamic display regulations of this section.

(c) A single existing, conforming advertising sign face may be converted to incorporate a dynamic display as of right in exchange for the removal of at least two square feet of nonconforming advertising sign face area for

each one square foot of dynamic display sign face area without obtaining special use approval, subject to compliance with all applicable advertising sign and dynamic display regulations of this section.

(d) A single existing, nonconforming advertising sign face may be converted to incorporate a dynamic display as of right in exchange for the removal of at least four square feet of nonconforming advertising sign face area for each one square foot of dynamic display sign face area without obtaining special use approval, provided that all of the following requirements are met:

1. The proposed advertising sign dynamic display sign face shall not be located within 300 feet of a residential zoning district as measured in a semicircular arc with a 300-foot radius as measured from the dynamic display sign face. The 300-foot radius shall be measured from the midpoint of the length of the dynamic displace sign face;



2. The advertising sign must be located at least one mile from any existing dynamic display advertising sign face facing the same direction along the same roadway;

3. The advertising sign must be located at least 660 feet from another dynamic display advertising sign on an intersecting roadway; and

4. The dynamic display advertising sign complies with all applicable advertising sign and dynamic display regulations of this section.

(e) A nonconforming advertising sign face may be converted to incorporate a dynamic display if approved in accordance with the special use procedures of § 155-16.40. Such conversions are subject to compliance with all applicable advertising sign and dynamic display regulations of this section and the "conversion" provisions of § 155-15.40(G).

(f) Advertising signs removed through the process of eminent domain or other similar process whereby monetary compensation from a federal, state or local government agency is received by the sign owner in exchange for removal of an advertising sign, are not eligible to use the static to dynamic display sign conversion regulations of divisions (A)(2)(c), (A)(2)(d) or (A)(2)(e) of this section.

(g) For the purpose of counting the square footage of a removed sign face area, the sign face area that is being replaced with a dynamic display sign face cannot be counted towards fulfilling the removal requirement.

(3) Voluntary removal of advertising signs.

(a) Before issuance of a sign permit for an advertising sign that incorporates a dynamic display, applicants who elect to remove nonconforming advertising signs in exchange for permission to convert a static display to a dynamic display must agree in writing to permanently remove, within 180 days after issuance of the sign permit, the number of advertising sign faces required to be removed pursuant to divisions (A)(2)(c) or (A)(2)(d) of this section.

(b) Signs to be removed must be owned or leased by the applicant for the dynamic display. Removal must include the complete removal of the above-grade structure and the foundation to at least one foot below grade.

(c) The applicant must also agree in writing that the county may remove the sign if the applicant does not do so within the time required, and the application must be accompanied by a financial guarantee acceptable to the Land Use Department to cover the county's costs of removing the signs.

(d) The applicant must also agree in writing that they are removing the sign voluntarily in order to receive a dynamic display sign permit as compensation for the removed sign and that they have no right under any law to financial compensation for the removed sign.

(e) If the removed sign face is one for which an Illinois state permit is required, the applicant must surrender the permit to the state upon removal of the sign. The dynamic display may not be operated until proof is provided to the county that the state permit has been surrendered.

(f) An owner of an advertising sign face also has the right to remove a conforming or nonconforming sign face in a Will County municipality that was originally permitted by Will County, provided that the advertising sign face is located wholly within the boundaries of Will County. The new dynamic display sign face must be installed on a sign structure that is located in unincorporated Will County. The removal of any sign located within a municipality must be done solely to fulfill the requirements of divisions (A)(2)(c) or (A)(2)(d) and cannot be combined to fulfill any municipal requirements.

(g) At a minimum, one advertising sign structure must be removed within a five-mile radius of the advertising sign face that is converted to a dynamic display to comply with divisions (A)(2)(c) or (A)(2)(d). If the advertising sign owner does not have any sign structures within a five-mile radius, then the radius will be increased in one-mile increments until the closest advertising sign owned is removed. Additional sign faces may be removed outside of the five-mile radius.

(h) A sign owner may remove an existing static advertising sign in advance before applying for a dynamic display building permit. In such cases the Zoning Administrator is authorized to approve a credit for the sign face area removed and apply that credit towards a future dynamic display permit for the sign owner. The sign owner must provide 30 days advance written notice to the Land Use Department before removing the static advertising signs; nighttime brightness levels must be verified when adjacent to a residential zoning district. The sign owner must provide written notification including property location, number of signs and faces (including area of sign faces, before and after photographs of each sign structure, and date of removal to the Land Use Department. The Land Use Department must then determine whether the requirements for receiving credit have been met and issue a letter to the sign owner acknowledging any sign face square footage that will be allowed to be counted towards a future dynamic display. A removed advertising sign may not be re-erected on the subject property without Land Use Department approval. The credit the sign owner receives is valid for no more than two years from the date of removal.

(B) *Additional regulations.* In addition to all other applicable regulations of this section, advertising signs that include dynamic displays are subject to the following additional regulations:

(1) If regulations governing dwell time of dynamic displays are modified by the Illinois Department of Transportation, advertising sign owners and operators are required to bring dynamic display advertising signs into compliance with those dwell time regulations. In no case may dwell time be less than ten seconds.

(2) If an Illinois licensed design professional determines that it is necessary to have an advertising sign upgraded or rebuilt to accept a dynamic display sign face, this work may be performed on the subject property only if a dynamic display sign face is being attached to the advertising sign structure in conformance with all the dynamic display regulations of this section. A special use permit is not required for an advertising sign that is upgraded or rebuilt to have a dynamic display sign face attached to it, the advertising structure will not have to conform to the current sign regulations except the advertising structure may not exceed the current size of the sign faces and the overall height of the advertising sign. Any sign structure that is rebuilt must be located on the same parcel and may not be located more than 10% of the parcel's lineal frontage or 200 feet from the center of the existing sign structure that is being replaced, whichever is the lesser distance.

(3) Dynamic display advertising signs are subject to the general dynamic display regulations of division (D) of this section.

(C) *Other signs.* The regulations of this division (C) apply to dynamic display in all signs except advertising signs. See division (A) of this section for regulations governing advertising signs that incorporate dynamic displays.

(1) Where allowed.

(a) Prohibited locations. Dynamic displays are prohibited in agricultural and residential zoning districts, except as may be approved as a special use permit.

(b) Allowed locations. Dynamic displays are permitted for all allowed uses in commercial and industrial zoning districts, subject to the dynamic display regulations of this division. Dynamic displays may be approved as a special use permit in agricultural and residential zoning districts.

(2) *Maximum dynamic display area.* The dynamic display portion of a sign may not exceed 48 square feet or 50% of the total area of the sign, whichever is less. The dynamic display element must be computed as part of the sign's total area. The remainder of the sign may not have the capability to have dynamic displays even if not used. Only one, contiguous dynamic display is allowed on a sign face.

(3) *Orientation.* The dynamic display must be oriented away from adjacent residential uses and zoning districts.

(D) *General regulations.* The general regulations of this division (D) apply to all dynamic displays, whether incorporated in advertising signs or in other signs.

(1) The images and messages displayed on a dynamic display must have a minimum dwell time of at least ten seconds and may not contain any movement, animation, audio, video, pyrotechnics or other special effects.

(2) The transition or change from one message to another must occur in one second or less and involve no animation or special effects.

(3) The images and messages displayed must be complete in and of themselves within the required dwell time.

(4) Dynamic displays must be equipped with a default mechanism that freezes the display in one position or presents a static or blank display if a malfunction occurs.

(5) Dynamic displays may not have a brightness of such intensity or brilliance that they impair the vision or endanger the safety and welfare of any pedestrian, cyclist, or person operating a motor vehicle.

(6) Dynamic displays must be equipped with a light detector/photocell that automatically adjusts the display's brightness according to natural ambient light conditions.

(7) The maximum brightness level of a dynamic display may not exceed 5,000 nits (candelas per square meter) during daylight hours or 250 nits between 30 minutes after sunset and 30 minutes before sunrise, as those times are determined by the National Weather Service (Actual Time). Brightness must be measured from the brightest element of the sign's face. Before the issuance of a sign permit, the applicant must provide written certification from the sign manufacturer that the light intensity has been factory pre-set so that it will not exceed 5,000 nits (candelas per square meter).

(a) The maximum nighttime brightness level, measured in nits, of a dynamic display sign that is permitted by division (A)(2)(d) of this section may not exceed the nighttime brightness level, measured in nits, of the sign that is converted if the dynamic display sign is adjacent to and faces a residential zoning district.

(b) For the purpose of verifying compliance with maximum brightness level requirements, the Zoning Administrator will measure brightness levels with the dynamic display sign set to run full white copy with a luminance meter positioned at a location perpendicular to the sign face center. When taking the luminance reading, the sign face must be the only subject visible in the viewfinder.

(c) If the measurement is more than the maximum allowed, the brightness level is in violation of this ordinance and must be adjusted downward. Failure to make such adjustments may result in other available enforcement actions to be taken by the county.

(8) Regulations governing dynamic displays are subject to ongoing monitoring and future modification in the exercise of the county's police powers. No vested right is ever created in an existing dynamic display. If regulations governing operational aspects of dynamic displays (e.g., dwell time, transitions, illumination/brightness, etc.,) are modified by the county, sign owners and operators are required to bring dynamic display advertising signs into compliance with all applicable dynamic display regulations.

(9) Proposals for dynamic displays must be reviewed and approved by the Land Use Department for compliance with all applicable building, safety and electrical codes. Applications must include appropriate

documentation from an Illinois licensed design professional of the sign structure's ability to accommodate the dynamic display technology.

(10) Light trespass from any dynamic display may not cause the light level along any residential zoning district, as measured at a height of 60 inches above grade in a plane at any angle of inclination, to exceed 0.1 footcandles above ambient light levels at the residential property line.

(Ord. effective 10-1-2012: Ord. 13-265, passed 10-17-2013; Am. Res. 15-38, passed 2-19-2015)

§ 155-13.80 MASTER SIGN PLANS.

(A) *Applicability.* No sign permit may be issued for a new multi-tenant development until a master sign plan has been reviewed and approved by the county. A master sign plan is not required for existing multi-tenant developments except when the development is being rehabilitated or expanded and the value of such rehabilitation or expansion exceeds three times the equalized assessed valuation of the development (based upon information obtained from the Will County Supervisor of Assessments or Township Assessor) for the most recent tax year.

(B) *Contents of master sign plans.* Master sign plans must indicate the number, location, materials, colors and dimensions of all freestanding and wall signs in the multi-tenant development. The master sign plan must also identify the types proposed and any other information necessary to determine whether the proposed signs comply with the sign regulations of this article.

(C) *Design.* Master sign plans must describe and illustrate a consistent pattern of signage in the development. All signs within the development must have at least three of the following design elements in common:

(1) Common colors on the background or text;

(2) Common lettering style;

(3) Common size (e.g., a height or wall location common to each sign); or

(4) Common materials.

(D) *Sign structure color.* All sign cabinets, trim caps, returns and all sign supports such as poles and braces must be of a common color.

(E) *Plan approval and amendments.* The Zoning Administrator is authorized to approve master sign plans and amendments to master sign plans. Amendments to master sign plans may be approved by the Zoning Administrator only if all signs approved under the existing master sign plan are in conformance or are brought into conformance with the provisions of the amended master sign plan.

(Ord. effective 10-1-2012)

§ 155-13.90 ADMINISTRATION.

(A) Any person proposing to erect any sign requiring a sign permit must submit a sign permit application to the Zoning Administrator. Application for such permit must be accompanied by detailed plans, including scaled drawings of the proposed sign and other information deemed necessary by the Zoning Administrator to determine compliance with all applicable regulations.

(B) All freestanding signs and illuminated signs require review and approval and the issuance of a building permit.

(C) Where a proposed sign includes elements of two different sign types (e.g., box signs, raceway-mounted channel letter signs, distinctive materials/design signs), the Zoning Administrator must determine the appropriate classification of the sign based on the dominant characteristics of the proposed sign.

(D) Where this section requires the submission of master sign plan, such sign plan must be submitted to the Zoning Administrator for review and approval.

(E) Sign permit fees must be paid prior to the issuance of a sign permit.

(1) The calculation of the sign permit fee for an on-premise freestanding sign or projecting sign is based on each sign face.

(2) For wall signs, only the actual copy is counted in calculating the sign permit fee.

(3) The calculation of the sign permit fee for an advertising sign is based on the gross area of each sign face. A sign permit must be obtained for each sign face.

(4) An annual registration fee must be submitted by the sign owner to the county by February 1 of each year for each sign face on an advertising sign structure. The annual registration fee will be doubled if paid after February 1.

(5) In accordance with ILCS Ch. 225, Act 440, and Title 92 Part 522 of the Illinois Administrative Code, applicants for sign permits for advertising signs adjacent to the federal-aid primary or interstate system must provide verification that an Illinois state permit was issued and are subject to all applicable permits and fees required. No sign permits may be issued until such verification is provided to the Zoning Administrator.

(F) If the work associated with a sign permit has not been completed within one year of the date of the issuance of the permit, such permit will lapse and become null and void.

(Ord. effective 10-1-2012)

§ 155-13.100 TEMPORARY MOBILE SIGNS.

The use of temporary mobile signs is allowed only in commercial zoning districts and is limited to no more than 21 days per calendar year. No more than two temporary use permits for a temporary mobile sign may be issued for a lot within a single calendar year.

(Ord. effective 10-1-2012)

§ 155-13.110 NONCONFORMING SIGNS.

Nonconforming signs are subject to the nonconforming sign regulations of § 155-15.60.

(Ord. effective 10-1-2012)

§ 155-13.120 UNLAWFUL SIGNS.

(A) *General.* The provisions of this division describe a variety of unlawful signs. Upon determination that a sign is unlawful, the Zoning Administrator is authorized to take any action allowed by this zoning ordinance, the building ordinance and state law to enforce the provisions of this article, including requiring the sign's removal. For purposes of these provisions, sign removal means removing the entire sign and, in the case of freestanding signs, removing all supporting structures or elements.

(B) *Revocation of sign permit.* Any sign for which a sign permit has been revoked is unlawful.

(C) *Signs installed without permit.* Any sign installed without required permits, including those that may be required by this zoning ordinance or the building code is unlawful.

(D) *Signs constructed in violation.* Any sign installed in violation of county regulations, including this zoning ordinance or the building code, is unlawful.

(E) *Signs in right-of-way.* Except as otherwise expressly allowed, any sign installed or placed on public property or within public rights-of-way will be forfeited to the public and are subject to confiscation.

(F) Obsolete or abandoned signs.

(1) Any sign that advertises a business no longer conducted on the premises will be considered abandoned and must be removed by the owner within 30 days of written notification from the Zoning Administrator.

(2) Any advertising sign that has not been used to display a message for a period of one year or more will be considered abandoned and must be removed at the sign owner's expense within 30 days of written notification from the Zoning Administrator.

(3) In all cases, the sign structure must be kept in good repair at all times, with adequate painting and secure structure. If the provisions of this division (F) are not met, all portions of the sign and support structures must be brought into compliance or removed.

(G) *Sign maintenance.* All signs (including nonconforming signs) must be maintained in safe, presentable, and good structural material condition at all times, including the replacement of defective parts, painting, repainting, cleaning, and other acts required for sound maintenance and appearance of the sign. Any sign that is deemed by the county to be in violation of these maintenance provisions or other applicable regulations of this ordinance may be ordered to be removed by the property owner after notice has been given by the Zoning Administrator.

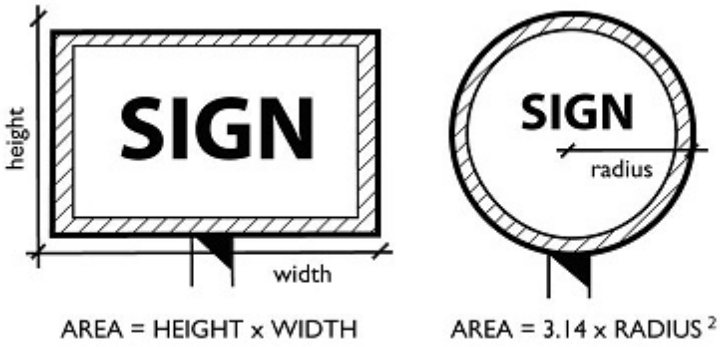
(H) *Responsibility for removal.* When removal of a sign is required, both the owner of the property on which the sign is located and the owner of the sign, if different, are jointly and severally responsible for removal.

(Ord. effective 10-1-2012)

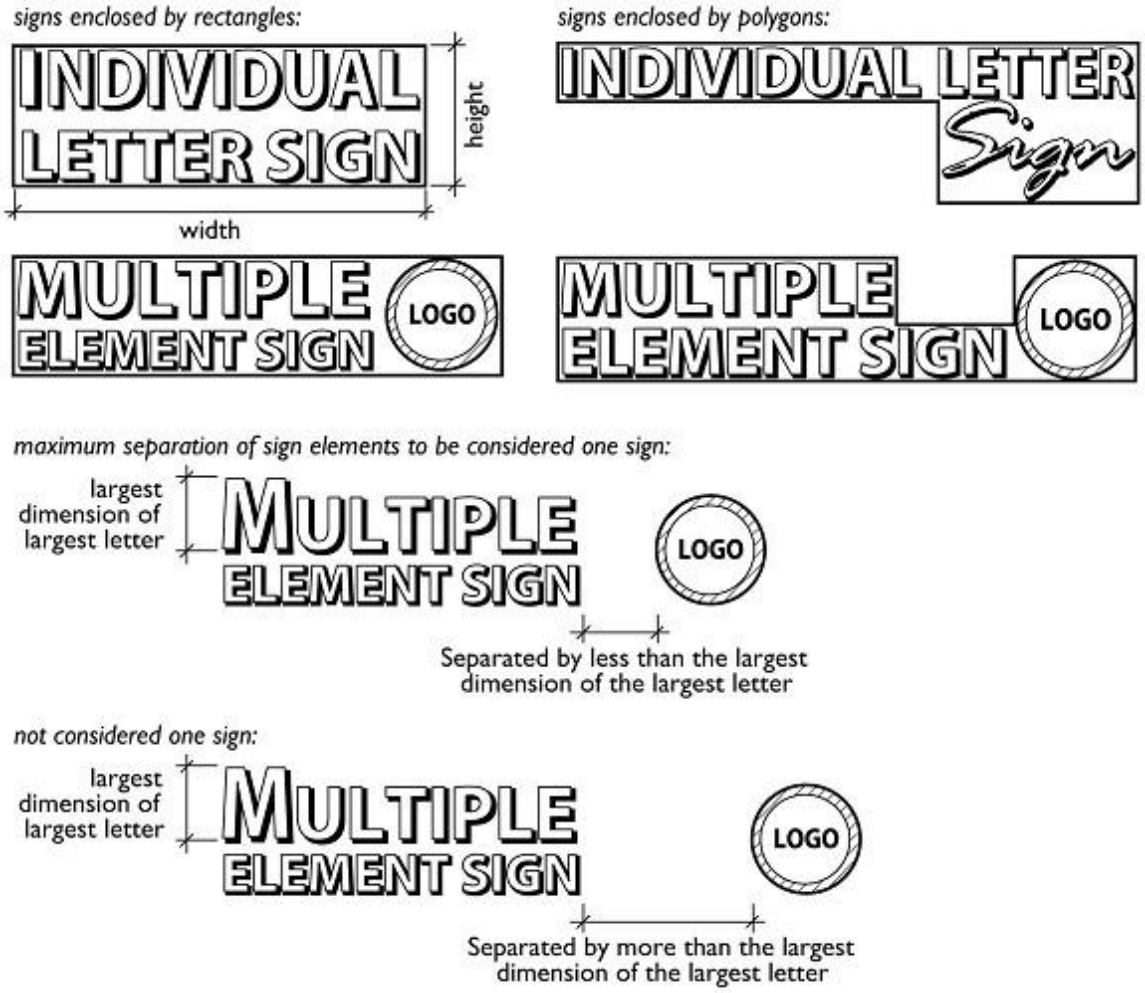
§ 155-13.130 RULES OF MEASUREMENT.

(A) *Sign area.* This section sets forth rules for measuring sign area and other regulated dimensional features.

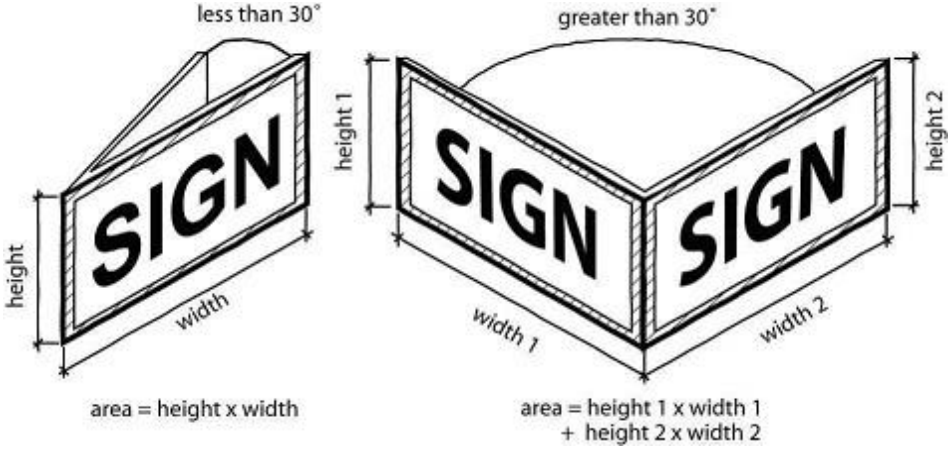
(1) *Box or signs.* The area of a box sign is determined based on the outer dimensions of the frame or cabinet surrounding the sign face. However, screened box signs with raised or routed out letters, may be measured as described in division (A)(2) below.



(2) *Channel (individual) letter signs.* The area of a sign comprised of individual letters or elements attached to a building wall is determined by calculating the area of the smallest geometric figure (e.g. square, rectangle, circle, polygon, etc.) that can be drawn around the letters and/or elements. Signs consisting of individual letters and/or elements will be measured as one sign when the distance between the letters and/or elements is less than the largest dimension of the largest sign letter.

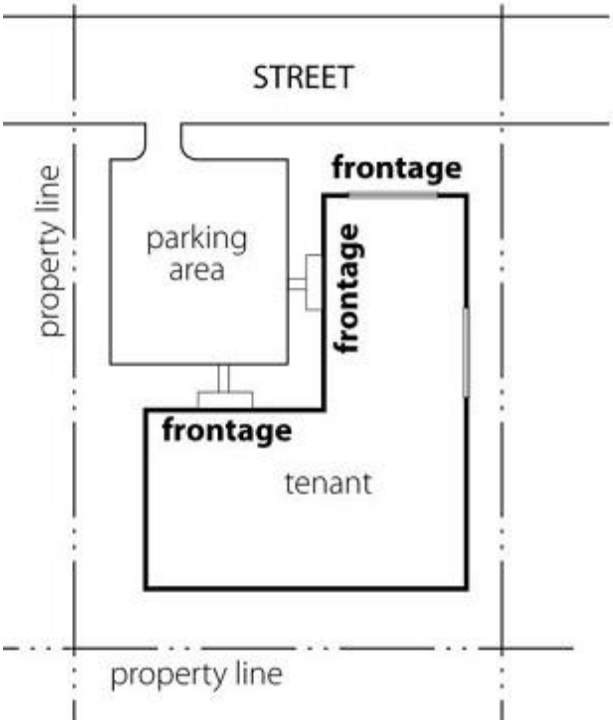


(3) *Multi-sided signs.* Unless otherwise expressly stated, when the sign faces of a multi-sided sign are parallel or within 30 degrees of parallel, only one side is counted. If the sign faces are not parallel or within 30 degrees of parallel, all sign faces are counted.



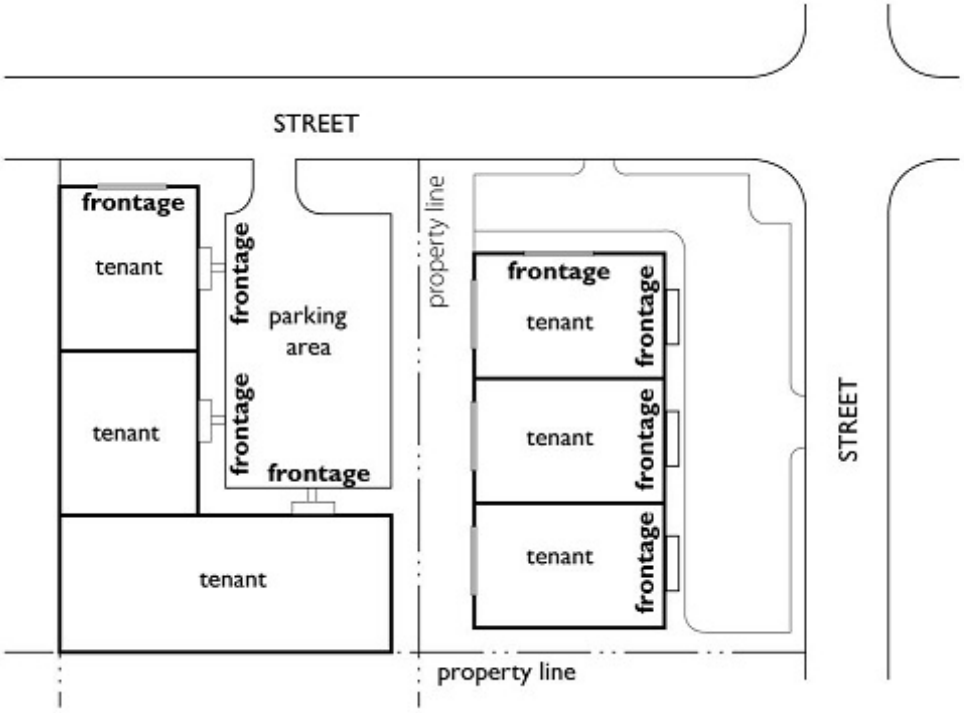
(B) *Building frontage.* Many of the wall sign regulations of this ordinance are based on "building frontage." The following rules govern the measurement of building frontage.

(1) For buildings occupied by a single tenant or multiple tenants that access the building via a common entrance, building frontage is the exterior building wall (or walls) that: (1) is adjacent to a street or a parking area or other vehicle circulation area that is accessory to and serves the subject building and (2) contains either windows or a public building entrance. Allowed wall sign area for a building that has two or more building frontages must be calculated on the basis of each individual building frontage.



(2) On buildings housing more than one tenant where each tenant has their own outside entrance, a tenant's building frontage is the exterior building wall (or walls) that directly abut the tenant's interior floor space and that: (1) abuts, parallels, or is the nearest to parallel with a street or a parking area or other vehicle circulation area that is accessory to and serves the subject building and (2) contains either windows or a public building entrance. A

tenant that has two or more building frontages must calculate the permitted sign area on the basis of each individual building frontage.

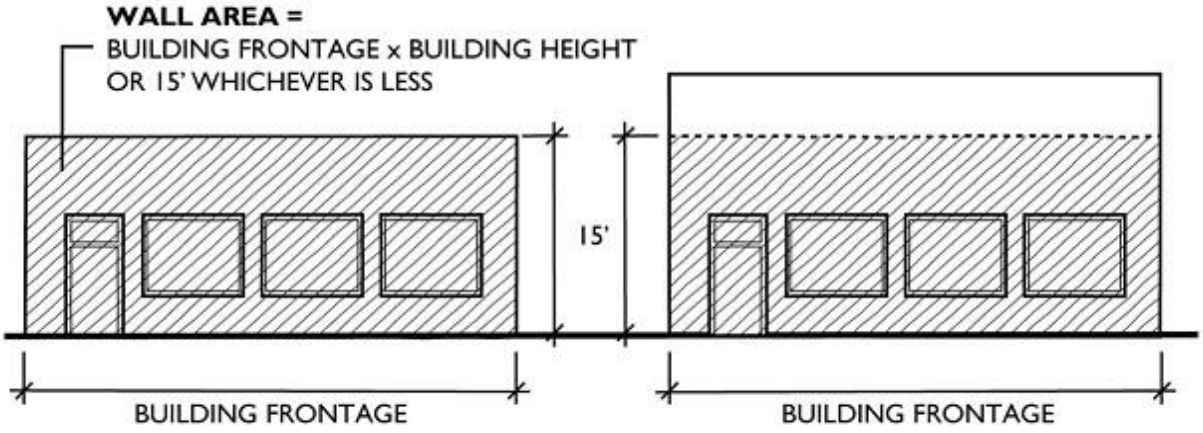


(3) Regardless of the height, number of stories, or number of tenants in a building, building frontage will be determined by one measurement of the horizontal length of the wall at finished grade. Building walls must be measured along a flat, unbroken plane, regardless of the presence of recesses or projections along the building wall.

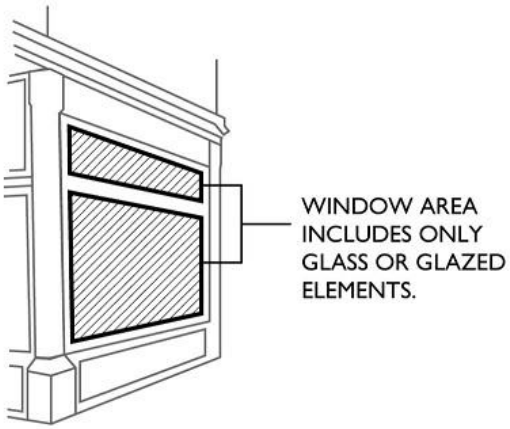
(4) As an alternative to the allocation of permitted sign area on the basis of individual building frontages, a differing allotment of sign area may be assigned to the various tenants upon receipt and approval by the Zoning Administrator of written authorization from the owner or authorized management firm of the building or development. Such written authorization must be in the form of a master sign plan that complies with the provisions of § 155-13.80.

(5) In no instance may the total combined sign area for all signs exceed the maximum allowed sign area for the individual building frontages.

(C) *Wall area.* The area of a wall is calculated by multiplying the building frontage by the building's height or 15 feet, whichever is less.

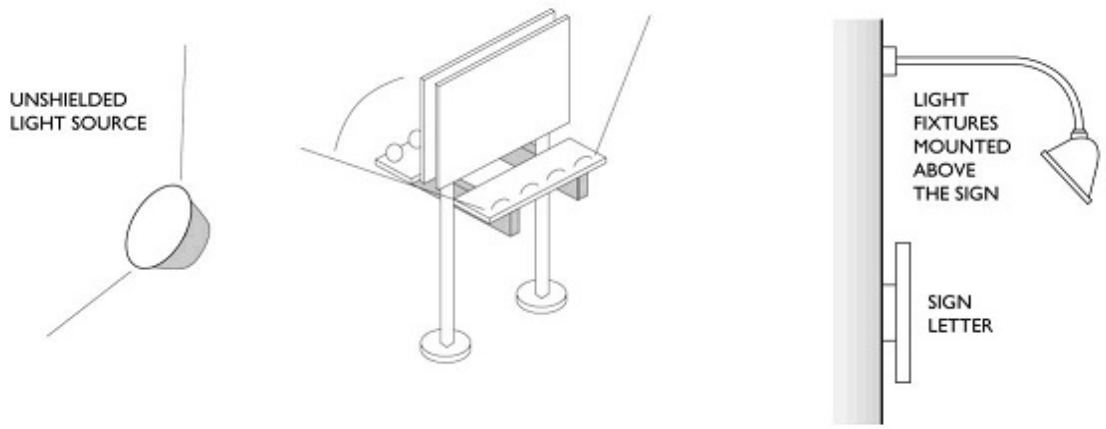


(D) *Window area.* The area of a window includes only the glass or glazed elements of the window. Frames, mullions and similar features are not counted as part of the window area.



§ 155-13.140 EXTERNAL ILLUMINATION.

(A) Externally illuminated signs may be illuminated only with stationary, downward-cast, shielded light sources that direct light solely onto the face of the sign. Light bulbs or light tubes, excluding neon, used for illuminating such signs must be shielded or positioned so that they are not visible from public rights-of-way or residential zoning districts.



Poorly designed upward-cast lighting wastes light/energy and contributes to unwanted light pollution. All external lighting of signs must be mounted on the top of the sign and aimed downward toward the sign face. Light sources must be shielded to prevent glare on nearby road-ways and residential property.

(2) Light trespass from any sign may not cause the light level along any residential zoning district, as measured at a height of 60 inches above grade in a plane at any angle of inclination, to exceed 0.1 footcandles above ambient light levels at the residential property line.

(Ord. effective 10-1-2012)

155-14 MISCELLANEOUS REGULATIONS

§ 155-14.10 RESERVED

(Ord. effective 10-1-2012)

§ 155-14.20 STREET FRONTAGE AND ACCESS.

Every lot must have frontage on a public street and must be provided with facilities for ingress and/or egress to and from that public street conforming to all applicable requirements of the Superintendent of Highways and approved by the road authority onto whose road or street such ingress and/or egress is to be made.

(Ord. effective 10-1-2012)

§ 155-14.30 TRAFFIC STUDIES.

(A) The Zoning Administrator may require the submittal of trip generation data for proposed developments using data from the Institute of Transportation Engineers' publication Trip Generation.

(B) The Zoning Administrator or any review and decision-making body involved in the review of a development or permit application may require a traffic study for any proposed development that generates 250 or more average daily (week-day) trips or 100 or more peak-hour trips.

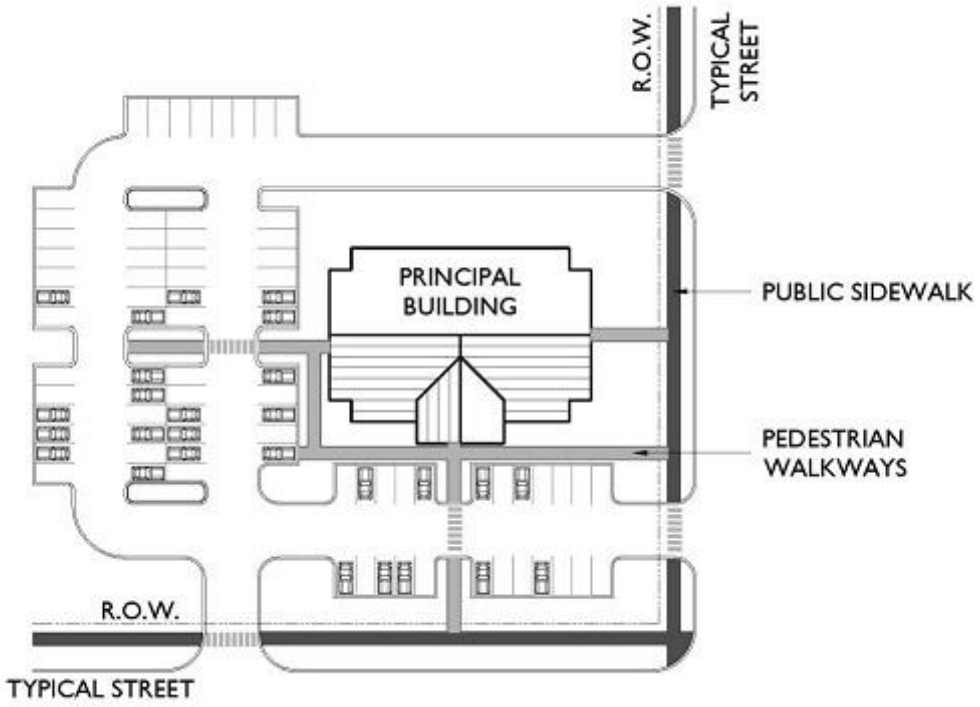
(C) Required traffic studies must provide adequate information to allow the county engineer to assess the impact of the proposed development on nearby roads and intersections, including its impacts on pedestrians and bicyclists.

(D) Decision-making bodies may require traffic control improvements, including off-site access and traffic control and require the applicant to finance and construct those traffic improvements that are directly attributable to the proposed development.

(Ord. effective 10-1-2012)

§ 155-14.40 PEDESTRIAN WALKWAYS.

A system of pedestrian walkways must be provided to connect each principal building on a site with the following: adjacent public sidewalks, on-site parking lots or parking structures, other on-site primary use buildings, bicycle storage areas, and common outdoor use areas. The pedestrian walk-way system must comply with all applicable county requirements.



(Ord. effective 10-1- 2012)

§ 155-14.50 WATER SUPPLY AND SEWAGE DISPOSAL.

Every new and existing use must provide water supply and sewage disposal facilities conforming to standards of design and location approved by the Will County Health Department and Illinois Department of Public Health. These regulations may, in some cases, impose larger minimum lot area requirements than this zoning ordinance and/or require connection to central water and sanitary sewer facilities when such infrastructure is located nearby. Compliance with applicable health regulations will be confirmed prior to issuance of building permits.

(Ord. effective 10-1-2012)

§ 155-14.60 ACCESS ACROSS PROPERTY.

No lot may be used for vehicle access to any other lot unless the proposed accessway ensures perpetual access to the subject property.

(Ord. effective 10-1-2012)

§ 155-14.70 DIVISION OF LOTS.

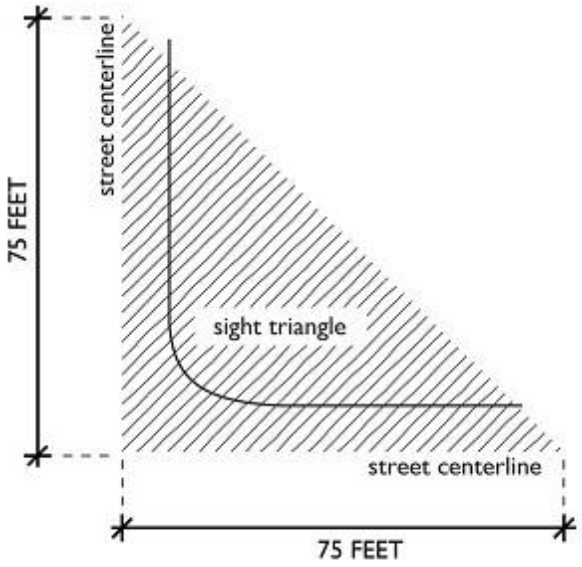
No lot may be divided into two or more lots for the purpose of transfer of ownership, unless the division complies with all applicable regulations of this zoning ordinance and the subdivision ordinance.

(Ord. effective 10-1-2012)

§ 155-14.80 VISION CLEARANCE.

At the intersection of roads or at the point of ingress and egress onto roads, no structure, parked vehicle, or plant material may obstruct a clear path of motor vehicle drivers' vision of approaching vehicles within a triangular square determined by a diagonal line connecting two points measured 75 feet equidistant from the point of

intersection with the center lines of the roads and the points of ingress and egress. These "vision clearance" provisions prohibit structures that obstruct a clear path of motor vehicle drivers' vision within the sight triangle area illustrated below.



(Ord. effective 10-1- 2012)

§ 155-14.90 FENCES AND WALLS.

(A) Fences and walls up to seven feet in height are permitted in side and rear yard areas in residential and agricultural districts.

(B) Fences and walls up to eight feet in height are permitted in side and rear yard areas in commercial and industrial districts.

(C) Fences and walls up to four feet in height above natural grade level are permitted in street yard areas of all zoning districts. Street yard fences in agricultural zoning districts may be up to five feet in height.

(D) For double-frontage lots (in a yard from which street access is not allowed), fences may be up to six feet in height in the rear yards.

(E) No permits are required for fences.

(F) Erecting fences in drainage easements is not recommended.

(G) Barbed wire, razor concertina, or concertina wire fences are prohibited in residential zoning districts. Electric wire fences are prohibited in residential zoning districts and on lots abutting residential zoning districts, except in the E-1 and E-2 districts when used for the containment of horses, farm animals and micro-livestock, as may authorized by Section 155-10.10.

§ 155-14.100 OUTDOOR DISPLAY AND STORAGE.

(A) Outdoor (sales) display.

(1) *Applicability.* The standards of this section apply to all outdoor display areas in commercial and industrial districts except the following:

(a) The sale of food, flowers, newspapers, periodicals and similar materials that are not left outdoors overnight; and

(b) Temporary sales events, such as weekend sidewalk sales (on private sidewalks), seasonal vegetable sales, Christmas tree sales and sales of customary holiday items. See § 155-10.20 for temporary use regulations.

(2) *Type 1 outdoor display.* Type 1 outdoor displays are areas where the majority of items for sale to the general public are displayed outdoors, such as garden nurseries, vehicle and equipment sales lots, mobile home sales, play equipment sales and other similar uses. Type 1 outdoor displays are permitted as of right in C-3, C-4 and industrial districts and may be approved by special use permit in the C-2 district. All Type 1 outdoor displays are subject to the following regulations:

(a) Location. Type 1 outdoor display areas are prohibited in drive aisles, fire lanes, required parking spaces and required landscape areas.

(b) Height Limitations.

Individual items attached to a building wall surface may not exceed eight feet in height. Stacked items may not exceed eight feet in height, provided that this height limit does not apply to items stored on racks or shelves.

(3) *Type 2 outdoor display.* Type 2 outdoor displays are areas outside of a completely enclosed building or structure used to display goods for sale to the general public that are subordinate to the retail establishment, such as garden supplies, building supplies and plants. Type 2 outdoor displays are permitted in any C or I district that permits retail sales uses, subject to the following regulations:

(a) Location. Type 2 outdoor display areas are prohibited in drive aisles, fire lanes, required parking spaces, required landscape areas, required setbacks and within three feet of a building entrance.

(b) Area and height.

1. Outdoor display areas may not exceed 15% of the indoor floor area of the principal use.

2. Individual items attached to a building wall surface may not exceed eight feet in height. Stacked items may not exceed eight feet in height, provided that this height limit does not apply to items stored on racks or shelves.

(B) *Outdoor storage.* The outdoor storage regulations apply to items stored outside of an enclosed building or structure in a commercial or industrial district when the items are not accessible to the general public. Outdoor storage is subject to the following regulations:

(1) *Where allowed.* Outdoor storage, unless otherwise specified, is allowed as of right in C-4, I-1, I-2 and I-3 districts and may be approved by special use permit in C-2 and C-3 districts.

(2) *Location.* Outdoor storage areas are prohibited in drive aisles, fire lanes, and required parking spaces.

(3) *Screening.* Outdoor storage areas in commercial and industrial districts must be screened in accordance with § 155-12.80.

(Ord. effective 10-1-2012)

§ 155-14.110 OUTDOOR LIGHTING.

(A) *Applicability and exemptions.* The provisions of this section apply to all outdoor lighting except the following, which are expressly exempt:

(1) Public street lights;

(2) Agricultural zoning districts, residential zoning districts and agricultural uses identified as exempt under § 155-1.50(A);

(3) Lighting in swimming pools and other water features governed by the building ordinance;

(4) Exit signs and other exit illumination required by the building ordinance;

(5) Lighting for stairs and ramps required by the building ordinance;

(6) Temporary holiday lighting, used fewer than 30 days in one calendar year;

(7) Low-voltage landscape lighting; and

(8) Active outdoor recreational facilities within a public park and schools, subject to the following requirements:

(a) The mounted height of outdoor lighting associated with such uses may not exceed 60 feet.

(b) Lights may not be illuminated after 11:00 p.m.

(c) All light sources must be shielded to prevent light and glare spillover to adjacent property and abutting rights-of-way.

(B) *Standards.* Non-exempt outdoor lighting must comply with the following standards:

(1) Outdoor lighting may not exceed 0.50 footcandles at any point on the abutting property if the subject property abuts a residential zoning district or a lot containing a residential use.

(2) Outdoor lighting may not exceed 1.00 footcandles at the right-of-way line or at any point on the abutting property if the subject property abuts a non-residential zoning district or lot containing a nonresidential use.

(3) All light sources must be shielded to prevent light and glare spillover to adjacent property and abutting rights-of-way.

(4) Flickering lights, flashing lights, search lights and laser source lights are prohibited.

(5) If a complaint is received by the county regarding any nonconforming outdoor lighting, said nonconforming outdoor lighting shall be brought into compliance with this ordinance no later than January 1, 2016.

(C) Measurements.

(1) *Metering equipment.* Lighting levels must be measured in footcandles with a direct-reading, light meter. The meter must be read within an accuracy of plus or minus 5%.

(2) *Method of measurement.* The meter sensor must be mounted or maintained not more than six inches above ground level in a horizontal position at the property line. Readings may be taken only after the cell has been exposed long enough to provide a constant reading. Measurements must be made after dark with the light sources in question on, then with the same sources off. The difference between the two readings must be compared to the maximum permitted illumination. This procedure eliminates the effects of moonlight and other ambient light.

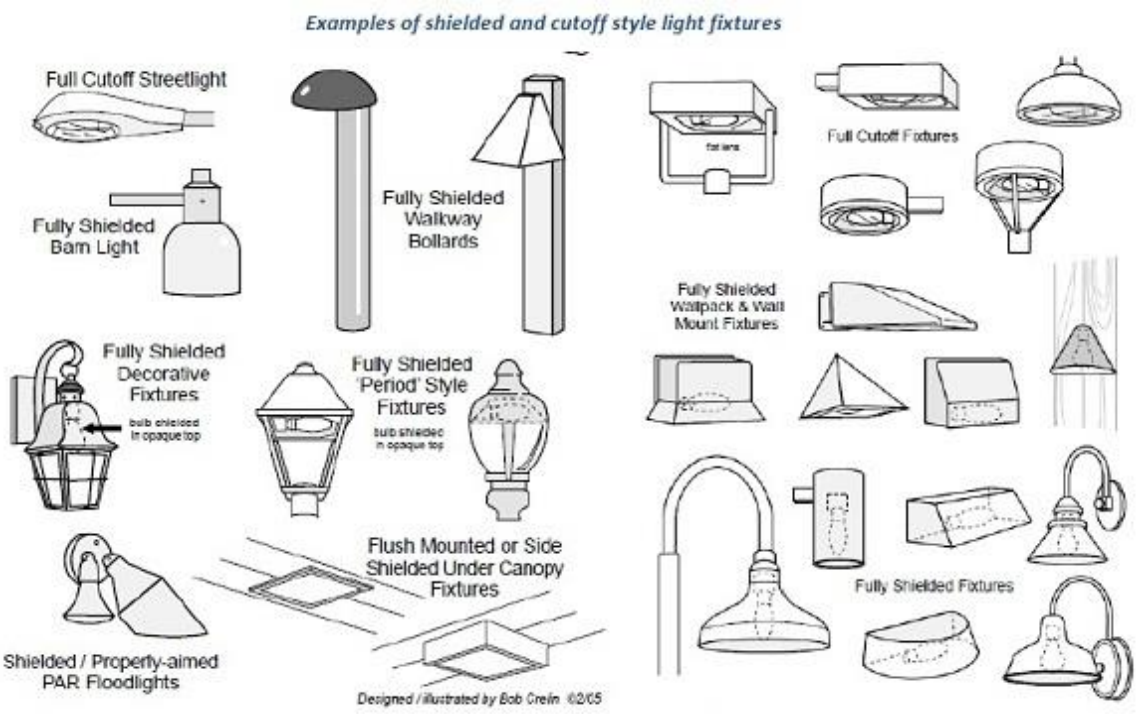
(D) *Photometric plan.* To ensure compliance with this section, as part of the submission of building permit applications to install outdoor lighting fixtures, except for those associated with detached houses, townhouses and two-unit residential buildings, the applicant must submit a lighting plan including a photometric study and data on the types of lighting fixtures to be used which is stamped and certified by a licensed professional. The photometric plan must include all of the following unless the Zoning Administrator determines that a competent and thorough review is possible without such information:

(1) Scale drawing of the site with all outdoor lighting fixture locations identified;

(2) Fixture specifications indicating the type of fixture, height, shielding, lighting type and wattage;

(3) Lamp type and size; and

(4) A point-by-point illumination array along the property lines of the subject site. The point-by-point array must identify illumination levels at (minimum) ten-foot intervals along the property line.



(Ord. effective 10-1- 2012; Am. Ord. 15-168, passed 6- 18-2015)

§ 155-14.120 FLOODPLAIN DEVELOPMENT.

See the Water Resource Ordinance.

(Ord. effective 10-1-2012)

§ 155-14.130 MUNICIPAL PROVISIONS.

For the purpose of this zoning ordinance, boundary lines of incorporated villages, cities, and municipalities are those that have been determined upon adoption by due process of law and made a matter of record in the office of the Will County Recorder.

(Ord. effective 10-1-2012)

§ 155-14.140 JUNK CARS.

Inoperable automobiles, trucks, or other vehicles may not be stored for a period exceeding seven days unless located in a zoning district that allows auto salvage.

(Ord. effective 10-1-2012)

155-15 NONCONFORMITIES

§ 155-15.10 GENERAL.

(A) *Scope.* The regulations of this article govern nonconformities, which are lots, uses and structures that were lawfully established but—because of the adoption of new or amended regulations—no longer comply with one or more requirements of this zoning ordinance.

(B) *Intent.* Occasionally, lots, uses, and structures that were lawfully established (i.e., in compliance with all regulations in effect at the time of their establishment) have been made nonconforming because of changes in the zoning regulations that apply to the subject property (e.g., through zoning map amendments or amendments to the text of this zoning ordinance). The regulations of this article are intended to clarify the effect of such nonconforming status and avoid confusion with "illegal" buildings and uses (those established in violation of applicable zoning regulations). The regulations of this article are also intended to:

(1) Recognize the interests of landowners in continuing to use their property for uses and activities that were lawfully established;

(2) Promote maintenance, reuse and rehabilitation of existing buildings; and

(3) Place reasonable limits on nonconformities that have the potential to adversely affect surrounding properties.

(C) *Authority to continue.* Any nonconformity that existed on the effective date specified in § 155-1.20 or any situation that becomes nonconforming upon adoption of any amendment to this zoning ordinance may be continued in accordance with the regulations of this article unless otherwise expressly stated.

(D) Determination of nonconformity status.

(1) The burden of proving that a nonconformity exists (as opposed to a violation of this zoning ordinance) rests entirely with the subject owner.

(2) The Zoning Administrator is authorized to determine whether adequate proof of nonconforming status has been provided by the subject owner.

(3) Building permits, zoning certificates, lawfully recorded plats, aerial photography owned by the county and other official government records that indicate lawful establishment of the use, lot or structure constitute conclusive evidence of nonconforming status. If such forms of conclusive evidence are not available, the Zoning Administrator is authorized to consider whether other forms of evidence provided by the applicant are reliable and adequate to document nonconforming status. Common examples of evidence that may be determined to be reliable and adequate include:

(a) Professional registrations or business licenses;

(b) Utility billing records;

(c) Rent records;

(d) Advertisements in dated publications;

(e) Listings in telephone or business directories; and

(f) Notarized affidavits affirming the date of lawful establishment of the use, lot or structure.

(4) The Zoning Administrator's determination of nonconforming status must be supported by written findings. Appeals of the Zoning Administrator's determination may be appealed in accordance with § 155-16.100.

(E) Repairs and maintenance.

(1) Nonconformities must be maintained to be safe and in good repair.

(2) Repairs and normal maintenance necessary to keep a nonconformity in sound condition are permitted unless the work increases the extent of the nonconformity or is otherwise expressly prohibited by this zoning ordinance.

(3) Nothing in this article is intended to prevent nonconformities from being structurally strengthened or restored to a safe condition in accordance with an order from a duly authorized order of a public official.

(F) Replacement values.

(1) Except as otherwise expressly stated, replacement value for all structures is deemed to be three times the equalized assessed valuation of the improvement (based upon information obtained from the Will County Supervisor of Assessments or Township Assessor) for the tax year in which the loss occurred, unless the applicant provides replacement valuation data prepared by a certified appraiser.

(2) For structures eligible for agricultural exempt status under § 155-1.50(A)(1) and in instances in which valuation data is not available from the Will County Supervisor of Assessments or Township Assessor, the Zoning Administrator is authorized to use building permit records, contractor estimates, or other information deemed by the Zoning Administrator to be reliable and reflective of actual replacement costs.

(G) *Change of tenancy or ownership.* Nonconforming status runs with the land and is not affected by changes of tenancy, ownership, or management.

(Ord. effective 10-1-2012)

§ 155-15.20 NONCONFORMING LOTS.

(A) *Description.* A nonconforming lot is a lot that was lawfully created in accordance with lot area and lot frontage regulations in effect at the time of the lot's establishment but that does not comply with currently applicable lot area or lot frontage regulations.

(B) *Use of and building on nonconforming lots.* Zoning certificates and building permits may be issued for any principal or accessory uses and structures allowed in the subject zoning district without bringing the nonconforming lot into compliance with the lot area or lot frontage standards of the subject zoning district.

(C) Lot and building standards.

(1) Development on all nonconforming lots must comply with the lot and building standards of the subject zoning district except as expressly stated in division (B) of this section.

(2) Nonconforming lots may not be adjusted in size or shape to increase the extent of nonconformity for lot area lot frontage, setback or other applicable lot and building standards. Lot area or shape adjustments that decrease the extent of nonconformity are allowed.

(D) *Merger of contiguous lots.* When two or more contiguous nonconforming lots are held in common ownership and one or more of the lots is not occupied by a principal use, the lots will be deemed a single zoning lot and must be used as a single lot in order to meet or come closer to meeting applicable lot area and lot frontage requirements.

(E) *Effect of public acquisition.* If a portion of a lawfully established lot is acquired by a public agency, the remainder of the lot is deemed to be a conforming lot.

(Ord. effective 10-1-2012)

§ 155-15.30 NONCONFORMING USES.

(A) *Description.* A nonconforming use is a land use that was lawfully established in accordance with all zoning regulations in effect at the time of its establishment but that is no longer allowed by the use regulations of the zoning district in which the use is now located. Lawfully established uses that do not comply with any applicable separation (or spacing) distance requirements (e.g., those that require one land use to be located a certain minimum distance from another land use) are also deemed nonconforming uses.

(B) *Change of use.* A nonconforming use may be changed to any other use that is allowed in the subject zoning district. Once changed to a conforming use, a nonconforming use may not be re-established.

(C) Expansion of use.

(1) Except as otherwise expressly stated, a nonconforming use may be expanded into another part of the same building as that building existed on the date that the use became nonconforming, provided that the Zoning Administrator determines such expansion:

(a) Will not result in a violation of off-street parking or loading requirements; and

(b) That no floor area is being added to the building to accommodate the use expansion.

(2) Nonconforming open-air uses may not be expanded beyond the area occupied by the use at the time it became nonconforming.

(3) Expansion for the sole purpose of complying with off-street parking standards of this zoning ordinance is not considered expansion of a nonconforming use.

(D) *Remodeling and improvements.* A building in which a nonconforming use is located may be remodeled or otherwise improved as long as the remodeling or improvements do not violate the other regulations of this article.

(E) *Moving.* A nonconforming use may be moved in whole or in part to another location on the same lot only if the movement or relocation does not increase the extent of the nonconformity. A nonconforming use may be moved to another lot only if the use is allowed under the zoning regulations that apply to that (relocation) lot.

(F) Loss of nonconforming status.

(1) Abandonment.

(a) Once a nonconforming use is abandoned, its nonconforming status is lost and any new, replacement use must comply with the regulations of the zoning district in which it is located.

(b) A nonconforming use is presumed abandoned when the use is discontinued or ceases for a continuous period of one year or more.

(c) The presumption of abandonment may be rebutted upon showing, to the satisfaction of the Zoning Administrator, that during such period the owner of the land or structure has been:

1. Maintaining the land and structure in accordance with all applicable county requirements and did not intend to discontinue the use;

2. Actively and continuously marketing the land or structure for sale or lease for that particular nonconforming use; or

3. Engaged in other activities that affirmatively prove there was not intent to abandon.

(d) Any period of discontinued use caused by government action, unintended fire or natural disaster will not be counted in calculating the length of discontinuance.

(e) No court decreed land use will be considered to have been abandoned due to discontinuance.

(2) *Change to conforming use.* If a nonconforming use is changed to a conforming use, no matter how short the period of time, all nonconforming use rights are lost and re-establishment of the nonconforming use is prohibited.

(3) *Accidental damage or destruction.* When a building containing a nonconforming use is accidentally destroyed or damaged by causes that are not within the control of the property owner or tenant, the building may be restored or repaired, provided that no new nonconformities are created and that the existing extent of nonconformity is not increased. A building permit to reconstruct a destroyed or damaged structure must be obtained within 18 months of the date of occurrence of such damage.

(4) *Intentional destruction.* When a building containing a nonconforming use is intentionally damaged or destroyed by causes within the control of the owner and the extent of damage or destruction is more than 50% of the replacement cost of the structure, the use may not be reestablished except in compliance with all regulations applicable to the zoning district in which it is located.

(G) *Continued farming of rezoned land.* The nonconforming use provisions of this section are not intended and will not be interpreted to prohibit continued agricultural use on vacant land that has been rezoned for residential, commercial, industrial or other purposes. This provision is intended to clarify that previously established

agricultural uses may continue on property that has been rezoned prior to the time that the property is actually developed.

(H) *Accessory uses.* No use that is accessory to a principal nonconforming use may continue after the principal nonconforming use has ceased.

(I) *Conversion to special use.* A nonconforming use may be converted to a special use by the granting of a special use permit, in accordance with the special use permit procedures of § 155-16.40. This conversion may occur only when it is shown that the nonconforming use is providing a particular service to the residents of Will County and that the use is not detrimental to the county as a whole or to surrounding properties.

(Ord. effective 10-1-2012)

§ 155-15.40 NONCONFORMING STRUCTURES.

(A) *Description.* A nonconforming structure is any building or structure that was lawfully established but no longer complies with the lot and building standards of the zoning district in which it is located. Signs that do not comply with the sign regulations of Article 155-13 are also subject to the nonconforming structure regulations of this zoning ordinance. Structures that comply with building or setback lines indicated on recorded final subdivision plats rather than the minimum setbacks of the subject zoning district are considered conforming structures. Permits may be issued for new buildings and building additions that comply with building or setback lines indicated on recorded final subdivision plats, subject to compliance with all other applicable regulations of this ordinance.

(B) *Use.* A nonconforming structure may be used for any use that is permitted by right in the zoning district in which the structure is located. A nonconforming structure may be used for any use classified as a special use if such use is approved in accordance with the special use procedures of § 155-16.40.

(C) *Swimming pools.* Any swimming pool constructed on or before April 10, 2009, and not located in floodplain, wetland or any recorded easement, that does not comply with setback and separation requirements of § 155-10.10(E) is considered a nonconforming structure.

(D) *Alterations and expansions.* Alterations, including enlargements and expansions, are permitted if the proposed alteration or expansion complies with all applicable lot and building standards and does not increase the extent of the nonconformity. A building with a nonconforming street setback, for example, may be expanded to the rear as long as the rear expansion complies with applicable rear setback standards and all other applicable lot and building standards. On the other hand, a multi-dwelling building that is nonconforming with regard to density (i.e., contains more dwelling units than allowed by the underlying zoning) may not be expanded to add additional dwelling units.

(E) *Moving.* A nonconforming structure may be moved in whole or in part to another location only if the movement or relocation does not increase the extent of the nonconformity. This provision is not intended to prohibit elevation of a nonconforming structure for the purpose of floodproofing or repair.

(F) Loss of nonconforming status.

(1) *Accidental damage or destruction.* If a nonconforming structure is accidentally destroyed or damaged to the extent of more than 50% of the replacement cost of the structure, it may not be reestablished except in compliance with all regulations applicable to the zoning district in which it is located. When a nonconforming structure is accidentally destroyed or damaged by causes that are not within the control of the owner, the structure may be restored or repaired, provided that no new nonconformities are created and that the existing extent of nonconformity is not increased. A building permit to reconstruct a destroyed or damaged structure must be obtained within 18 months of the date of occurrence of such damage.

(2) *Intentional damage or destruction.* When a nonconforming structure is intentionally destroyed or damaged by causes within the control of the owner and the extent of damage or destruction is more than 50% of the replacement cost of the structure, the use may not be reestablished except in compliance with all regulations applicable to the zoning district in which it is located. This provision does not apply to agriculturally exempt structures, as identified in § 155-1.50(A).

(3) *Damage or destruction after right-of-way acquisition.* If a structure is rendered nonconforming or made more nonconforming by a public agency's acquisition of right-of-way and the structure is subsequently damaged or destroyed by any means, the structure may be reestablished, provided that no new nonconformities are created and that the existing extent of nonconformity is not increased. A building permit to reconstruct a destroyed or damaged structure must be obtained within 18 months of the date of occurrence of such damage.

(4) *Water resource ordinance.* Compliance with the Water Resource Ordinance is required for all structures, including structures that are identified as agriculturally exempt.

(G) *Conversion to special use.* A nonconforming structure may be converted to a special use by the granting of a special use permit, in accordance with the special use permit procedures of § 155-16.40. This conversion may occur only when it is shown that the nonconforming structure is providing a particular service to the residents of Will County and that the use is not detrimental to the county as a whole or to surrounding properties.

(H) *Conversion of nonconforming advertising signs to dynamic displays.* Alterations, modifications or conversions of a nonconforming advertising sign to incorporate a dynamic display are prohibited unless the advertising sign is brought into full compliance with all applicable regulations of this zoning ordinance.

(Ord. effective 10-1-2012; Ord. 16-227, passed 12-15-2016)

§ 155-15.50 NONCONFORMING DEVELOPMENT FEATURES.

(A) *Description.* A nonconforming development feature is any aspect of a development—other than a nonconforming lot, nonconforming use, nonconforming structure or nonconforming sign—that was lawfully established, in accordance with zoning regulations in effect at the time of its establishment but that no longer complies with one or more standards of this zoning ordinance. Common examples of nonconforming development features are off-street parking or loading areas that contain fewer spaces than required by current standards or otherwise do not comply with applicable regulations, and sites that do not comply with current landscaping and screening requirements.

(B) *General.* Nonconforming development features may remain except as otherwise expressly stated in this zoning ordinance, but the nature and extent of nonconforming site features may not be increased except as otherwise expressly stated in this zoning ordinance.

(Ord. effective 10-1-2012)

§ 155-15.60 NONCONFORMING SIGNS.

(A) *Description.* A nonconforming sign is a sign that was lawfully established but that no longer complies with applicable zoning ordinance regulations because of the adoption or amendment of regulations after the sign was established.

(B) *Advertising Signs.* Nonconforming advertising signs may continue subject to the following provisions:

(1) If an advertising sign is nonconforming by reason of restrictions on its brightness or illumination or its use of dynamic displays, strobe or beacon lights, the sign must be immediately removed or made to conform.

(2) If a nonconforming advertising sign is damaged or partially destroyed to the extent of more than 50% of its replacement cost at the time of damage, the sign must be removed or made to conform to all applicable regulations within 90 days of the date of the date of damage or destruction.

(3) If a nonconforming advertising sign is not used for advertising purposes for a period of 180 consecutive days, the nonconforming advertising sign is deemed to have been abandoned and must be re-moved. A sign that directs attention to the sign owner's outdoor advertising business, commodity, or service is not considered “advertising” for purposes administering and enforcing the provisions of this paragraph.

(C) *Other Signs*. The regulations of this subsection apply to all signs except advertising signs. Such signs may continue subject to the following provisions:

(1) If sign is nonconforming by reason of restrictions on its brightness or illumination or its use of dynamic displays, strobe or beacon lights, the sign must be immediately removed or made to conform.

(2) A window sign that is nonconforming by reason of restrictions on its sign area must be immediately removed or made to conform.

(3) If a nonconforming sign is damaged or partially destroyed to the extent of more than 50% of its replacement cost at the time of damage, the sign must be removed or made to conform to all applicable regulations within 90 days of the date of the date of damage or destruction.

(4) If the on-premise sign is not used for advertising purposes for a period of 180 consecutive days, the sign is deemed abandoned and must be removed.

155-16 DEVELOPMENT REVIEW AND APPROVAL PROCEDURES

§ 155-16.10 COMMON PROVISIONS.

(A) *Applicability.* The "common provisions" of this section apply to all of the procedures in this article unless otherwise expressly stated.

(B) *Review and decision-making authority (summary table).* The following table provides a summary of the review and approval procedures of this article. In the event of conflict between this summary table and the detailed procedures contained elsewhere in this article, the detailed procedures govern.

Procedure	Zoning Administrator	Planning & Zoning Commission	County Board	Notice Requirement (N)ewspaper (D)elivered (P)osted
Text Amendments	R	<R>	DM	N
Zoning Map Amendments	R	<R>	DM	N,D,P
Special Use Permits	R	<R>	DM	N,D,P
Administrative Adjustments	DM			D
Variances	R	<DM>	DM[1]	N,D,P
Zoning Certificates	DM			
Appeals of Administrative Decisions		<DM>		N
R = Review Body (responsible for review and recommendation)				
DM = Decision-Making Body (responsible for final decision to approve or deny)				
< > = Public Hearing Required				
[1] The County Board acts as the final decision-making body on all variances denied by the Planning and Zoning Commission and appealed by the applicant, and all wireless telecommunications facility variances are decided by County Board after review by Planning and Zoning Commission.				

(C) Applications and fees.

(1) Form of application.

(a) Applications required under this zoning ordinance must be submitted in a form and in such numbers as required by the Zoning Administrator.

(b) The Zoning Administrator must develop checklists of application submittal requirements and make those checklists available to the public.

(2) *Application filing fees.* Applications must be accompanied by the fee amount that has been established by the County Board.

(3) Application completeness, accuracy and sufficiency.

(a) An application will be considered complete and ready for processing only if it is submitted in the required number and form, includes all required information and is accompanied by the required filing fee.

(b) The Zoning Administrator must make a determination of application completeness within seven business days of application filing.

(c) If an application is determined to be incomplete, the Zoning Administrator must provide written notice to the applicant along with an explanation of the application's deficiencies. No further processing of the application will occur until the deficiencies are corrected. If the deficiencies are not corrected by the applicant within 60 days, the application will be considered withdrawn.

(d) No further processing of incomplete applications will occur and incomplete applications will be pulled from the processing cycle. When the deficiencies are corrected, the application will be placed in the next processing cycle.

(e) Applications deemed complete will be considered to be in the processing cycle and will be reviewed by staff and other review and decision-making bodies in accordance with applicable review and approval procedures of this zoning ordinance.

(f) The Zoning Administrator may require that applications or plans be revised before being placed on an agenda for possible action if the Zoning Administrator determines that:

1. The application or plan contains one or more significant inaccuracies or omissions that hinder timely or competent evaluation of the plan's/application's compliance with zoning ordinance requirements or other regulations;

2. The application contains multiple minor inaccuracies or omissions that hinder timely or competent evaluation of the plan's/ application's compliance with zoning ordinance requirements or other regulations; or

3. The decision-making body does not have legal authority to approve the application or plan.

(D) Public hearings (process and notices).

GENERAL REVIEW PROCESS

(1) *Application processing cycles.* The Zoning Administrator, after consulting with review and decision-making bodies, is authorized to promulgate reasonable cycles and timelines for processing applications. Processing cycles may establish:

(a) Deadlines for receipt of complete applications;

(b) Dates of regular meetings;

(c) The scheduling of staff reviews and reports; and

(d) Time-frames for review and decision-making.

(2) Public hearings.

(a) Interested parties and citizens must be given an opportunity to appear and be heard at required public hearings, subject to reasonable rules of procedure.

(b) Subject to § 155-16.10(D)(2)(d), a public hearing for which proper notice was given may be continued to a later date without providing additional notice as long as the continuance is set for a specified date and time and that date and time is announced at the time of the continuance.

(c) If a public hearing is continued or postponed for an indefinite period of time from the date of the originally scheduled public hearing, new public notice must be given before the rescheduled public hearing. If the applicant requests a postponement, the applicant must pay any costs of renotification.

(d) In furtherance of the intent of § 155-16.10(D)(2)(a). in the sole discretion of the zoning administrator, with costs to be borne by the applicant, new public hearing notice shall again be provided by the applicant pursuant to the provisions of 155-16.10(D)(3), when the original public hearing has been continued.

(3) Public hearing notices.

(a) Newspaper notice. Whenever the provisions of this zoning ordinance require that newspaper notice be provided, the notice must be published in a newspaper of general circulation in Will County at least 15 days before and no more than 30 days before the public hearing.

(b) Delivered notice.

1. Unless otherwise expressly stated, whenever the provisions of this zoning ordinance require that notices be delivered to property owners, the notices must be sent by the applicant via United States Postal Service Certified mail (return receipt requested) or by personal service or hand delivery. Notices must be deposited in the mail or delivered at least 15 days before and no more than 30 days before the public hearing.

2. Addresses must be based on the latest property ownership information available. Delivered notice is required to be provided as a courtesy. Alleged failure of parties to receive such notice does not constitute grounds to invalidate any action taken.

3. Prior to the public hearing, the applicant must provide certified mail receipts, courier service receipts, property owner signatures or other verification that notice was delivered in accordance with the requirements of this section.

(c) Posted notice (signs). When the procedures of this zoning ordinance require that posted notice be provided, the applicant is responsible for posting signs provided by Zoning Administrator in accordance with the following requirements. Failure to post signs in accordance with these requirements constitutes grounds for deferral or denial of the application.

1. At least one sign must be posted per 500 linear feet of street frontage with a minimum of one sign on each street abutting the subject property.

2. Signs must be posted at least 15 days before and no more than 30 days before the public hearing.

3. Prior to the public hearing, the applicant must provide a sworn certification to the Planning and Zoning Commission secretary that notice was posted upon the subject property in accordance with the requirements of this section.

4. The applicant is responsible for removing notice signs within five days of the conclusion of the public hearing. If the applicant fails to remove signs in accordance with these requirements, the Zoning Administrator is authorized to have the signs removed and to bill the applicant for the cost of removal.

5. The Zoning Administrator may modify the sign posting requirements of this section when the requirements are found to be inappropriate or ineffective in providing the intended notice to passersby. This authority rests solely with the Zoning Administrator and not with the applicant. Modifications may include sign content, format, size, material, quantity, and location.

(d) Content of notices. All required public hearing notices must:

1. Indicate the date, time and place of the public hearing or date of action that is the subject of the notice;
2. Describe any property involved in the application by address or by general description of the location;
3. Describe the general nature, scope and purpose of the application or proposal; and
4. Indicate where additional information on the matter can be obtained.

(E) Action by review bodies and decision-making bodies.

(1) Review and decision-making bodies may take any action that is consistent with:

(a) The regulations of this zoning ordinance;

(b) Any rules or by-laws that apply to the review or decision-making body; and

(c) The notice that was given.

(2) Review and decision-making bodies are authorized to defer action or continue a public hearing in order to receive additional information or further deliberate.

(3) Review and decision-making bodies are authorized to defer action, continue the public hearing or deny an application whenever the applicant fails to appear for a scheduled and advertised public hearing or whenever the applicant fails, at more than one meeting, to provide the documentation necessary to demonstrate compliance with the notice requirements of this zoning ordinance.

(F) *Conditions of approval.* When decision-making bodies approve applications with conditions, the conditions must relate to a situation created or aggravated by the proposed use or development and must be roughly proportional to the impacts of the use or development.

(G) *Decision-making criteria; burden of proof or persuasion.* Applications must address relevant review and decision-making criteria. In all cases, the bur-den is on the applicant to show that an application complies with all applicable review or approval criteria.

(Ord. effective 10-1-2012)

§ 155-16.20 ZONING ORDINANCE TEXT AMENDMENTS.

(A) *Authority to file.* Amendments to the text of this zoning ordinance may be initiated only by the County Board or the Planning and Zoning Commission.

(B) *Review and report—Zoning Administrator.* The Zoning Administrator must prepare a report and recommendation that evaluates the proposed zoning ordinance text amendment in light of the review criteria of § 155-16.30(G). The report must be transmitted to the Planning and Zoning Commission before their public hearing on the proposed text amendment.

(C) *Notice of hearing.* Notice of the Planning and Zoning Commission's required public hearing on a zoning ordinance text amendment must be published in the newspaper in accordance with § 155-16.10(D)(3).

(D) *Hearing and recommendation—Planning and Zoning Commission.* The Planning and Zoning Commission must hold a public hearing on the proposed text amendment. Following the close of the hearing, the Planning and Zoning Commission must act by simple majority vote to recommend that the proposed text amendment be approved, approved with modifications, or denied and transmit its findings and recommendations to the County Board.

(E) *Review criteria.* The Planning and Zoning Commission may not recommend approval of a zoning ordinance text amendment unless it finds that the proposed amendment is in the public interest. The Planning and Zoning Commission must make findings based on the evidence presented to it in each specific case with respect to the following matters:

(1) Whether the proposed zoning ordinance text amendment corrects an error or inconsistency in the zoning ordinance or meets the challenge of a changing condition; and

(2) Whether the proposed zoning ordinance text amendment is consistent with adopted plans and policies of the county.

(F) Final action—County Board.

(1) Upon receipt of the Planning and Zoning Commission's findings and recommendation, the County Board may act to approve the proposed zoning ordinance text amendment, approve the proposed text amendment with modifications or deny the proposed text amendment. The County Board may also return the application to the Planning and Zoning Commission for further consideration, together with a written explanation of the reasons for doing so.

(2) Zoning ordinance text amendments may be approved by a simple majority vote of the entire County Board, except that in the following cases approval of a zoning ordinance text amendment requires at least a three-fourths majority vote of the entire County Board:

(a) If a written protest petition (See also division (G) of this section) against the proposed zoning ordinance text amendment is signed and acknowledged by at least 5% of the land owners of the county; or

(b) An objection to the zoning ordinance text amendment is passed by the governing body of a zoned municipality within the county and filed in writing with the County Clerk prior to the County Board meeting at which action is taken on the proposed text amendment.

(3) If no action is taken by the County Board within six months after receipt of the report of the Planning and Zoning Commission, the proposed text amendment is deemed to have been denied.

(G) Protest petitions.

(1) A written protest petition opposing a zoning ordinance text amendment must be submitted to the County Clerk or on the public record before the County Board's vote, allowing sufficient time for the County Clerk to determine the validity of the petition.

(2) When a written protest petition has been submitted, the protest must be served by the protestors upon the applicant and upon the applicant's attorney, if any, by certified mail at the applicant's and attorney's addresses shown on the application.

(Ord. effective 10-1-2012)

§ 155-16.30 ZONING MAP AMENDMENTS (REZONINGS).

(A) *Authority to file.* Amendments to the zoning map may be initiated only by the County Board, the Planning and Zoning Commission or by any other person, firm, or corporation having a freehold interest, a possessory interest entitled to exclusive possession, or any exclusive possessory interest that is specifically enforceable on the property that is the subject of the proposed zoning map amendment. Rezoning petitions may be filed by the property owner (described above) or by the owner's authorized agent.

ZONING MAP AMENDMENT

(B) *Application filing.* Complete applications for zoning map amendments must be filed with the Zoning Administrator. A separate application must be made for each noncontiguous parcel of land.

(C) *Notice to Soil and Water Conservation District.* Applicants requesting a proposed zoning map amendment must furnish a copy of the application to the Will/South Cook Soil and Water Conservation District. No hearing may proceed on the zoning map amendment until the Soil and Water Conservation District has submitted a written opinion on the application to the Planning and Zoning Commission or until at least 30 days have passed from the date of receipt of the application by the Soil and Water Conservation District, whichever occurs first.

(D) *Review and report—Zoning Administrator.* The Zoning Administrator must prepare a report and recommendation that evaluates the proposed zoning map amendment in light of the review criteria of division (G) of this section. The report must be transmitted to the Planning and Zoning Commission before their public hearing on the proposed rezoning.

(E) Notice of hearing.

(1) *Newspaper notice.* Notice of the Planning and Zoning Commission's required public hearing on a zoning map amendment must be published in the newspaper in accordance with § 155-16.10(D)(3).

(2) *Delivered notice.* Notice of the Planning and Zoning Commission's required public hearing on a zoning map amendment must be delivered to the subject property owner and all owners of property abutting the subject parcel, in accordance with § 155-16.10(D)(3). Notice must also be delivered to the clerk of each municipality whose corporate limits are within one and one-half miles of the land proposed to be rezoned.

(3) *Posted notice.* Notice of the Planning and Zoning Commission's required public hearing on a zoning map amendment must be posted on the subject property in accordance with § 155-16.10(D)(3).

(F) *Hearing and recommendation—Planning and Zoning Commission.* The Planning and Zoning Commission must hold a public hearing on the proposed zoning map amendment. Following the close of the hearing, the Planning and Zoning Commission must act by simple majority vote to recommend that the proposed map amendment be approved, approved with modifications, or denied and transmit its findings and recommendations to the County Board.

(G) *Review criteria.* The Planning and Zoning Commission may not recommend approval of a zoning map amendment unless it finds that the proposed amendment is in the public interest and is not solely for the interest of the applicant. The Planning and Zoning Commission must make findings based on the evidence presented to it in each specific case with respect to the following matters:

(1) Existing uses of property within the general vicinity of the subject property.

(2) The zoning classification of property within the general vicinity of the subject property.

(3) The suitability of the subject property for the uses allowed under the existing zoning classification.

(4) The trend of development, if any, in the general vicinity of the subject property, including changes, if any, that may have taken place since the time the subject property was placed in its present zoning classification.

(5) Consistency (or inconsistency) with officially adopted plans of the county.

(6) The Land Evaluation and Site Assessment (LESA) findings, computed by the USDA Natural Resources Conservation Service and the land use department, based on soil conditions, soil groupings, existing and proposed land use, surrounding zoning, availability of urban services, compatibility and impact of the proposed use, and consistency with adopted county and municipal plans.

(H) Final action—County Board.

(1) Upon receipt of the Planning and Zoning Commission's findings and recommendation, the County Board may act to approve the proposed zoning map amendment, approve the proposed zoning map amendment with modifications (e.g., reducing the land area or recommending another zoning classification) or deny the proposed zoning map amendment. The County Board may also return the application to the Planning and Zoning Commission for further consideration, together with a written explanation of the reasons for doing so.

(2) Zoning map amendments may be approved by a simple majority vote of the entire County Board, except that in the following cases approval of a zoning map amendment requires at least a three-fourths majority vote of the entire County Board:

(a) If a written protest petition (see also division (I) of this section) against the proposed zoning map amendment is signed and acknowledged by:

1. The owners of 20% or more of the land area proposed to be rezoned; or

2. The owners of land immediately touching or immediately across a street, alley, or public right-of-way from at least 20% of the perimeter of the land proposed to be rezoned.

(b) If the land that is the subject of the zoning map amendment lies within one and one-half miles of the limits of a zoned municipality and an objection to the zoning map amendment is passed by the governing body of the zoned municipality and filed in writing with the County Clerk prior to the County Board meeting at which action is taken on the proposed amendment.

(3) If no action is taken by the County Board within six months after receipt of the report of the Planning and Zoning Commission, the application is deemed to have been denied.

(4) Notwithstanding any other provisions to the contrary, if a zoning map amendment is proposed solely to correct an error made by the county as a result of a comprehensive rezoning, the map amendments may be passed at a County Board meeting by a simple majority of the entire County Board.

(I) Protest petitions.

(1) A written protest petition opposing a zoning map amendment must be submitted to the County Clerk or on the public record before the County Board's vote, allowing sufficient time for the County Clerk to determine the validity of the petition.

(2) When a written protest petition has been submitted, the protest must be served by the protestors upon the applicant and upon the applicant's attorney, if any, by certified mail at the applicant's and attorney's addresses shown on the application.

(J) *Successive applications.* In the event that a rezoning application is denied, no application may be accepted that proposes reclassification of any of the same property for the same zoning district for 12 months from the date of the previous Planning and Zoning Commission public hearing.

(Ord. effective 10-1-2012)

§ 155-16.40 SPECIAL USE PERMITS.

(A) *Intent.* The special use permit approval procedure of this section is intended to provide a transparent, public review process for land uses that, because of their widely varying design and operational characteristics, require case-by-case review in order to determine whether they will be compatible with surrounding uses and development patterns.

(B) *Authority to file.* Special use permit applications may be filed by any person, firm, or corporation having a freehold interest, a possessory interest entitled to exclusive possession, or any exclusive possessory interest that is specifically enforceable on the property that is the subject of the proposed special use permit. Applications may be filed by the property owner (described above) or by the owner's authorized agent.

(C) *Application filing.* Complete applications for special use permits must be filed with the Zoning Administrator. A separate application must be made for each noncontiguous parcel of land.

(D) *Notice to Soil and Water Conservation District.* Applicants requesting approval of a special use permit must furnish a copy of the application to the Will/South Cook Soil and Water Conservation District. No hearing may proceed on the special use permit application until the Soil and Water Conservation District has submitted a written opinion on the application to the Planning and Zoning Commission or until at least 30 days have passed from the date of receipt of the application by the Soil and Water Conservation District, whichever occurs first.

(E) *Review and report—Zoning Administrator.* The Zoning Administrator must prepare a report and recommendation that evaluates the proposed special use in light of the standards of division (I) of this section. The report must be transmitted to the Planning and Zoning Commission before their public hearing on the proposed special use permit.

(F) Notice of hearing.

(1) *Newspaper notice.* Notice of the Planning and Zoning Commission's required public hearing on a special use permit application must be published in the newspaper in accordance with § 155-16.10(D)(3).

(2) *Delivered notice.* Notice of the Planning and Zoning Commission's required public hearing on a special use permit application must be delivered to the subject property owner and all owners of property abutting the subject parcel, in accordance with § 155-16.10(D)(3). Notice must also be delivered to the clerk of each municipality whose corporate limits are within one and one-half miles of the land that is the subject of the special use permit application.

(3) *Posted notice.* Notice of the Planning and Zoning Commission's required public hearing on a special use permit application must be posted on the subject property in accordance with § 155-16.10(D)(3).

(G) Hearing and recommendation—Planning and Zoning Commission.

(1) The Planning and Zoning Commission must hold a public hearing on the special use permit application.

(2) Following the close of the hearing, the Planning and Zoning Commission must act by simple majority vote to recommend that the proposed special use permit be approved, approved with modifications and/or conditions, or denied and transmit its findings and recommendations to the County Board.

(H) Final action—County Board.

(1) Upon receipt of the Planning and Zoning Commission's findings and recommendation, the County Board may act to approve the proposed special use permit application, approve the special use permit with conditions and/or modifications or deny the special use permit. The County Board may also return the application to the Planning and Zoning Commission for further consideration, together with a written explanation of the reasons for doing so.

(2) The County Board is authorized to impose such conditions and restrictions upon the premises benefitted by a special use permit as the Board determines to be necessary to ensure compliance with the standards of division (I) of this section, to reduce or minimize the effect of the special use upon other properties in the area, and to better carry out the general public and intent of this zoning ordinance.

(3) The County Board may act by a simple majority vote of the entire County Board.

(4) If no action is taken by the County Board within six months after receipt of the report of the Planning and Zoning Commission, the application is deemed to have been denied.

(I) *Review criteria and standards.* No special use permit may be recommended for approval or approved unless:

(1) The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public's health, safety, morals, comfort, or general welfare.

(2) The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood.

(3) Establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

(4) Adequate utilities, access roads, drainage, and/or other necessary facilities have been or will be provided to serve the proposed use.

(5) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

(6) The special use in all other respects conforms to the applicable regulation of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Planning and Zoning Commission.

(J) Lapse of approval.

(1) An approved special use permit will lapse and have no further effect one year after it is approved by the County Board, unless:

(a) A building permit or site development permit has been issued (if required);

(b) A certificate of occupancy has been issued; or

(c) The special use has been lawfully established.

(2) The County Board is authorized to extend the expiration period for good cause on up to two separate occasions, by up to 180 days each. Requests for extensions must be submitted to the Zoning Administrator before the special use permit expires. No hearings, notices or fees are required for extensions.

(3) A special use permit also lapses upon revocation of a building permit for violations of conditions of approval or upon expiration of a building permit to carry out the work authorized by the special use permit.

(4) If any special use is abandoned, or is discontinued for a continuous period of one year or more, the special use permit for such use is void, and such use may not be reestablished unless and until a new special use permit is obtained in accordance with the procedures of this section.

(K) *Successive applications.* In the event that a special use permit application is denied, no application may be approved for substantially the same use on substantially the same site for 12 months from the date of denial by the County Board, unless the County Board determines that conditions in the area have substantially changed.

(Ord. effective 10-1-2012)

§ 155-16.50 PLANNED UNIT DEVELOPMENTS.

PLANNED UNIT DEVELOPMENT

(A) *Overview.* There are two types of planned unit developments: one that requires concurrent approval of a special use permit and subdivision plat (because the property is being subdivided and is subject to county subdivision regulations) and one that requires concurrent approval of a special use permit and a development plan (because the property is not being subdivided and is subject to county subdivision regulations).

(B) *Approvals required.* Approval of special use permits and preliminary and final plats or development plans must occur before any building permit is issued and before any development takes place in a PUD. Permits may be

issued for a development phase if a PUD preliminary plat or development plan has been approved for the entire PUD and a PUD final plat or development plan has been approved for the subject phase.

(C) *Preapplication meeting.* A preapplication meeting is required before filing of a PUD preliminary plat or development plan application. See Article 42 of the subdivision ordinance for information on preapplication meetings.

(D) Preliminary plats and development plans.

(1) Preliminary plats must be processed in accordance with the preliminary plat procedures of the subdivision ordinance (See Article 43).

(2) Preliminary plans (for single lot PUDs and developments that are not required to be subdivided) must be processed in a similar manner as preliminary plats, except that the Zoning Administrator assumes the role of the chief subdivision engineer (for administrative purposes) and the County Board assumes the role of the plat committee. The chief subdivision engineer continues to have authority over all engineering issues.

(3) Final approval of the preliminary plat or preliminary development plan is contingent on approval of a special use permit for the PUD.

(4) The following information must be submitted with the preliminary plat, unless waived by the Zoning Administrator based on a determination that specific item of information are irrelevant to the subject application or that a thorough and competent review of the application can be conducted without receiving the specific information:

(a) Architectural plan. Preliminary architectural plans for all principal buildings in sufficient detail to permit an understanding of the style of the development, the design of the buildings, and the number, size, type of dwelling units, location, and height, except for single-family structures proposed to be constructed in compliance with the applicable zoning district structural requirements.

(b) Plan compliance. Demonstration that the PUD will conform with the intent and spirit of the county comprehensive plan and the comprehensive plans of municipalities within one and one-half miles.

(c) School impact analysis. Information on the student count and financial impact on local school districts.

(d) Tax impact analysis. Information on the taxes to be generated by the proposed project and the cost for the various taxing bodies to provide the necessary services.

(e) Traffic study. A traffic study, in accordance with § 155-14.30.

(f) Economic feasibility. An economic feasibility study of the proposed development, including information on land utilization and marketing potential.

(g) Objectives. A statement of objectives to be achieved by the PUD. This statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices of the developer.

(h) Character. Explanation of the character of the PUD and the manner in which it has been planned to take advantage of the flexibility of these regulations and referencing the specific public benefits that will be provided if the PUD is approved.

(i) Ownership. Statement of present and proposed ownership of all land within the project, including present tract designation according to official records in offices of the County Recorder of Deeds. The site must be under single ownership and/or unified control at the time of final plat approval.

(j) Schedule. A development schedule indicating:

1. Stages in which the project will be built with emphasis on area, density, use, and public facilities such as open space to be developed with each stage. Overall design of each stage must be shown on the plat/plan and through supporting graphic material.

2. Approximate dates for beginning and completion of each stage.

3. If different land use types are to be included within the PUD, the schedule must include the mix of uses to be built in each stage.

(k) Covenants. Proposed agreements, provisions, or covenants that will govern the use, maintenance, and continued protection of the PUD.

(l) Density. Data on the density (including density bonuses) of residential uses, including the number of dwelling units per acre, the number of dwelling units by type, the number of buildings by type, and the number of bedrooms in each building and dwelling unit type. The base number of units allowed must be calculated by yield plan or yield formula in accordance with Article 31 of the subdivision ordinance.

(m) Nonresidential and common open space. Information on the type and amount of ancillary and nonresidential use, including the amount of common open space, if applicable.

(n) Service facilities. Information on all service facilities and off-street parking facilities.

(E) *Special use permit.* Special use approval for the PUD is required, in accordance with the procedures of § 155-16.40. A (tentatively) approved preliminary plat or preliminary development plan must be submitted as evidence before the Planning and Zoning Commission at the required public hearing. Proposed aspects of the project that do not comply with county regulations must also be identified at or before the hearing. Departure from any requirement specified in this zoning ordinance may be granted only upon recommendation of the Planning and Zoning Commission and final approval by the County Board. Special use permits for PUDs may be approved only if proposed development is found to comply with PUD regulations of § 155-9.200.

(F) *Improvement plans.* Improvement plans for PUDs involving the subdivision of land must be approved in accordance with Article 44 of the subdivision ordinance. A site development permit must be obtained prior to any construction.

(G) Final plat and development plan.

(1) Final plats must be processed in accordance with the final plat procedures of the subdivision ordinance (see Article 45).

(2) Final plans (for single lot PUDS and developments that are not required to be subdivided) must be processed in a similar manner as final plats, except that the Zoning Administrator assumes the role of the chief subdivision engineer (for administrative purposes) and the County Board assumes the role of the plat committee. The chief subdivision engineer continues to have authority over all engineering issues.

(3) All common open space must be conveyed to a municipal or public corporation, or conveyed to a not-for-profit corporation or entity established for the purpose of benefiting the owners and residents of the PUD, or retained by the developer with legally binding guarantees, in a form approved by the State's Attorney, verifying that the common open space will be permanently preserved as open area. All land conveyed to a not-for-profit corporation or like entity is subject to the right of the entity to impose a legally enforceable lien for maintenance and improvements of the common open space.

(H) Amendments.

(1) *Major amendments.* Major amendments may be approved only through the procedure required for approval of the PUD. Major amendments are those that materially alter the approved PUD, including increases in density, increases in overall building coverage, substantial change of use or traffic circulation pattern, reductions in off-street parking and loading spaces, increases in the height of buildings (other than changes in roof design), reduction of proposed open space, changes in total bedroom count, substantial changes in the development schedule, changes in road standards, or changes in the final governing agreements, provisions, or covenants.

(2) *Minor amendments.* The Zoning Administrator is authorized to approve minor amendments that do not involve engineering issues. The chief subdivision engineer has authority to approve minor amendments that involve engineering issues. Minor amendments are those that are not classified as major amendments and that do not, in the determination of the Zoning Administrator or chief subdivision engineer, materially alter the approved PUD in a way that is likely to result in significant impacts on surrounding property.

(Ord. effective 10-1-2012)

§ 155-16.60 ADMINISTRATIVE ADJUSTMENTS.

(A) *Intent.* Administrative adjustments (sometimes referred to as "administrative variances") are intended to provide a streamlined approval procedure for minor modifications of zoning ordinance regulations. Administrative adjustments are further intended to:

(1) Allow development that is in keeping with the general purpose and intent of zoning ordinance regulations and the established character of the area in which it is located; and

(2) Provide flexibility that will help promote property owner investment and economic development when such flexibility will not adversely affect nearby properties or neighborhood character.

(B) Applicability; authorized administrative adjustments.

(1) Through the administrative adjustment procedures of this section, the Zoning Administrator is authorized to grant relief from any numerical or quantitative standard in this zoning ordinance by up to 10%, except the administrative adjustment procedure may not be used to:

(a) Vary or modify any definition or use classification;

(b) Vary or modify any of the review and approval procedures;

(c) Vary, modify or otherwise override a condition of approval or requirement imposed by an authorized county decision-making body or the state or federal government; or

(d) Vary or modify applicable "minimum lot area per unit" (density) standards (Note: this provision is not intended to prohibit administrative adjustments of minimum lot area requirements for individual lots).

(2) The Zoning Administrator is also authorized to approve an administrative adjustment reducing the number of bicycle spaces required and to modify the bicycle parking design and location requirements of § 155-11.90.

(C) *Authority to file.* Administrative adjustment applications may be filed by any person, firm, or corporation having a freehold interest, a possessory interest entitled to exclusive possession, or any exclusive possessory interest that is specifically enforceable on the property that is the subject of the proposed administrative adjustment. Applications may be filed by the property owner (described above) or by the owner's authorized agent.

(D) *Application filing.* Complete applications for administrative adjustments must be filed with the Zoning Administrator. A separate application must be made for each noncontiguous parcel of land.

(E) *Notice of filing/intent to approve.* At least 15 days before taking action on an administrative adjustment request, notice of application filing and of the Zoning Administrator's authority or intent to approve the administrative adjustment must be delivered to all owners of property abutting the subject parcel. The notice must be provided in accordance with § 155-16.10(D)(3), except that in the case of an administrative adjustment, the mailed notice must be provided by certified mail, return receipt requested.

(F) Action by Zoning Administrator.

(1) The Zoning Administrator must review each application for an administrative adjustment and act to approve the application, approve the application with conditions, deny the application or refer the application to the Planning and Zoning Commission for consideration as a variance.

(2) The Zoning Administrator may not take final action to approve or deny an administrative adjustment application until at least 15 days after the date that required notices were received. If an adjoining landowner files a written objection with the Zoning Administrator during the 15-day period, then the administrative adjustment may not be approved by the Zoning Administrator. Instead, it must be heard and decided as a variance, in accordance with the variance procedures of § 155-16.70.

(3) The Zoning Administrator's decision to approve or deny an administrative adjustment must be based on the approval criteria and standards of division (G) of this section and accompanied by written findings of fact.

(G) *Review criteria and standards.* The administrative adjustment may not be approved unless the Zoning Administrator makes all of the following findings:

(1) That strict compliance with the applicable requirement poses a hardship in which there are particular difficulties; and

(2) Using aerial photographs, plot plans, visual inspection or other reliable means, that the requested administrative adjustment:

(a) Will not have significant adverse impacts on the health, safety, or general welfare of surrounding property owners or the general public; and

(b) That any adverse impacts resulting from the administrative adjustment will be mitigated to the maximum extent feasible.

(H) *Conditions of approval.* In granting an administrative adjustment, the Zoning Administrator may impose conditions upon the subject property that are necessary to reduce or minimize any potentially adverse impacts on other property in the surrounding area, and to carry out the stated purpose and intent of this zoning ordinance.

(I) *Transferability.* Administrative adjustment approval runs with the land and is not affected by changes of tenancy, ownership, or management.

(J) *Amendments.* A request for changes in conditions of approval of an administrative adjustment must be processed as a new administrative adjustment application, including the requirements for fees and notices.

(K) Lapse of approval.

(1) An approved administrative adjustment will lapse and have no further effect one year after it is approved by the Zoning Administrator, unless:

(a) A building permit has been issued (if required); or

(b) Or the use or structure has been lawfully established.

(2) The Zoning Administrator is authorized to extend the expiration period for good cause on up to two separate occasions, by up to 180 days each. Requests for extensions must be submitted to the Zoning Administrator before the administrative adjustment expires. No hearings, notices or fees are required for extensions.

(3) An administrative adjustment also lapses upon revocation of a building permit for violations of conditions of approval or upon expiration of a building permit to carry out the work authorized by the administrative adjustment.

(L) *Appeals.* If an administrative adjustment request is denied, the applicant may file an application for a zoning variance, in accordance with the variance procedures of § 155-16.70.

(Ord. effective 10-1-2012)

§ 155-16.70 VARIANCES.

(A) *Intent.* Zoning variances (sometimes referred to as variations) are intended as a way to provide relief from practical difficulties or unnecessary hardships resulting from strict application of zoning ordinance requirements.

(B) *Applicability; authorized variances.* The Planning and Zoning Commission is authorized to grant a variance to any regulation in this zoning ordinance in accordance with the variance procedures of this section, except that the variance procedures may not be used to:

(1) Permit a principal use in a zoning district that is not otherwise allowed in that zoning district (i.e., "use variances" are prohibited);

(2) Waive, modify or amend any definition or use classification;

(3) Waive, modify or otherwise vary any of the review and approval procedures;

(4) Waive, vary, modify or otherwise override a condition of approval or requirement imposed by an authorized decision-making body or the state or federal government; or

(5) Waive, vary or modify applicable "minimum lot area per unit" (density) standards (Note: this provision is not intended to prohibit variances of minimum lot area requirements for individual lots).

(C) *Authority to file.* Variance applications may be filed by any person, firm, or corporation having a freehold interest, a possessory interest entitled to exclusive possession, or any exclusive possessory interest that is specifically enforceable on the property that is the subject of the proposed variance. Applications may be filed by the property owner (described above) or by the owner's authorized agent.

(D) *Application filing.* Complete applications for variances must be filed with the Zoning Administrator. A separate application must be made for each noncontiguous parcel of land.

(E) *Notice to Soil and Water Conservation District.* Applicants requesting a proposed zoning variance must furnish a copy of the application to the Will/South Cook Soil and Water Conservation District. No hearing may proceed on the variance until the Soil and Water Conservation District has submitted a written opinion on the application to the Planning and Zoning Commission or until at least 30 days have passed from the date of receipt of the application by the Soil and Water Conservation District, whichever occurs first.

(F) Notice of hearing.

(1) *Newspaper notice.* Notice of the Planning and Zoning Commission's required public hearing on a variance must be published in the newspaper in accordance with § 155-16.10(D)(3).

(2) *Delivered notice.* Notice of the Planning and Zoning Commission's required public hearing must be delivered to the subject property owner and all owners of property abutting the subject parcel, in accordance with § 155-16.10(D)(3). Notice must also be delivered to the clerk of each municipality whose corporate limits are within one and one-half miles of the land that is the subject of the special use permit application.

(3) *Posted notice.* Notice of the Planning and Zoning Commission's required public hearing must be posted on the subject property in accordance with § 155-16.10(D)(3).

(G) Hearing and final decision—Planning and Zoning Commission.

(1) The Planning and Zoning Commission must hold a public hearing to consider the variance request.

(2) Following the close of the hearing, the Planning and Zoning Commission must make its findings of fact and act to approve the requested variance, approve the variance with modifications and/or conditions, or deny the variance request based on the standards and review criteria of division (I) of this section.

(3) Approval of a variance requires an affirmative vote of at least four members of the Planning and Zoning Commission.

(H) Appeals.

(1) If a variance is not approved by the Planning and Zoning Commission, the applicant may appeal the decision to the County Board by filing a written appeal with the Zoning Administrator. The appeal must be filed within 15 days of the Planning and Zoning Commission decision.

(2) Upon receipt of a complete appeal application, the Zoning Administrator must forward the appeal to the County Board.

(3) The County Board may overturn the decision of the Planning and Zoning Commission (i.e., approve the variance) only if approved by at least a three-fourths majority vote of the entire County Board.

(4) Every variance decision must be based on the standards and review criteria of division (I) of this section and be accompanied by written findings of fact.

(5) Any decisions of the Planning and Zoning Commission not appealed to the County Board within 15 days of the date of the Planning and Zoning Commission decision will be considered a final administrative determination and will be subject to judicial review only in accordance with applicable Illinois Statutes.

(I) Standards and review criteria.

(1) No variance may be approved unless the Planning and Zoning Commission makes both of the following findings based upon the evidence presented:

(a) That the plight of the owner is due to unique circumstances; and

(b) That the variance, if granted, will not alter the essential character of the locality.

(2) For the purpose of supplementing the two preceding standards for approval, the Planning and Zoning Commission, must also weigh and consider the extent to which the following facts, favorable to the applicant, have been established by the evidence presented:

(a) That the particular physical surroundings, shape, or topographical conditions of the subject property results in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out;

(b) That the conditions upon which the variance application is based would not be applicable generally to other property within the same zoning classification;

(c) That the purpose of the variance is not based exclusively upon a desire to make more money out of the property;

(d) That the alleged difficulty or hardship was not created by any person presently having an interest in the property;

(e) That the granting of the variance will not be detrimental to the public welfare or unduly injurious to other property or improvements in the neighborhood in which the property is located; and

(f) That the proposed variance will not impair an adequate supply of air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.

(J) *Transferability.* Approved variances run with the land and are not affected by changes of tenancy, ownership, or management.

(K) *Amendments.* A request for changes in conditions of approval of variance must be processed as a variance application, including the requirements for fees and notices.

(L) Lapse of approval.

(1) An approved variance will lapse and have no further effect one year after it is approved by the Planning and Zoning Commission, unless:

(a) A building permit has been issued (if required); or

(b) The use or structure has been lawfully established.

(2) The Planning and Zoning Commission is authorized to extend the expiration period for good cause on up to two separate occasions, by up to 180 days each. Requests for extensions must be submitted to the Zoning Administrator before the variance expires. No hearings, notices or fees are required for extensions.

(3) A variance also lapses upon revocation of a building permit for violations of conditions of approval or upon expiration of a building permit to carry out the work authorized by the variance.

(M) *Wireless telecommunications facilities.* Variances involving wireless telecommunications facilities must be processed in accordance with the variance procedures, as set forth in divisions (A) through (L) of this section, except as expressly stated in this section.

(1) *Application contents.* Applications must include or be accompanied by at least the following information:

(a) The legal description and address (if available) of the premises;

(b) The variance sought;

(c) The present and proposed land use;

(d) The present zoning classification;

(e) The surrounding zoning classifications;

(f) The names and addresses of owners of petitioned property;

(g) An explanation of the need for the variance;

(h) A site plan of one inch = 20 feet, which shows all existing and proposed buildings and structures on the site;

(i) A copy of such site plan at reproducible size not to exceed 11 x 17 inches; and

(j) The location of and distance to surrounding communication towers and antennas within 0.25 miles of the proposed tower or within the carrier's search ring.

(2) *Public hearing notice.* Regardless of any other provision in these regulations to the contrary, notice of the hearing is only required to be published in the newspaper, in accordance with § 155-16.10(D)(3).

(3) Action by the Planning and Zoning Commission.

(a) The Planning and Zoning Commission may conduct no more than one public hearing to consider the application.

(b) The Planning and Zoning Commission must review the application, the report of the Zoning Administrator and the public hearing testimony, and send its findings of fact and recommendation to the County Board recommending approval or denial of the wireless telecommunications facility variance. The Planning and Zoning Commission's action must occur within a time-frame that allows the County Board to make its final decision within 75 days after submission of a complete application, as required by statute.

(4) Action of the County Board.

(a) The County Board must review the record before the Planning and Zoning Commission and the Planning and Zoning Commission's recommendation and findings and grant or deny the variance by a simple majority vote of the County Board members present at the meeting.

(b) The County Board must make its final decision no later than 75 days after submission of a complete application. If the County Board fails to act on the application within 75 days after submission of a complete application, the applicant is deemed approved.

(c) All decisions by the County Board must be supported by written findings of fact.

(5) *Standards and review criteria.* In making their required findings and making recommendations and decisions, the Planning and Zoning Commission and the County Board must consider the following factors and no other matters:

(a) Whether, but for the granting of a variance the service that the telecommunications carrier seeks to enhance or provide with the proposed facility will be less available, impaired or diminished in quality, quantity, or scope of coverage;

(b) Whether the conditions upon which the application for variances is based are unique in some respect or, if not, whether the strict application of the regulations would result in a hardship on the telecommunications carrier;

(c) Whether a substantial adverse effect on public safety will result from some aspect of the facility's design or proposed construction, but only if that aspect of the design or construction is modifiable by the applicant;

(d) Whether there are benefits to be derived by the users of the services to be provided or enhanced by the facility and whether public safety and emergency response capabilities would benefit by the establishment of the facility; and

(e) The extent to which the design of the proposed facility reflects compliance with these regulations.

(Ord. effective 10-1-2012)

§ 155-16.80 ZONING CERTIFICATES.

(A) Applicability.

(1) No building or structure may be erected, constructed, reconstructed, enlarged, moved, or structurally altered, nor may any excavation or grading commence without a building permit, site development permit, or other required permit.

(2) No building permit or other permit pertaining to the use of land, buildings or structures may be issued until a zoning certificate is issued by the Zoning Administrator certifying that the activities proposed on the permit are in compliance with the provisions of this zoning ordinance. No zoning certificate is required for routine maintenance or repair of buildings, structures, or equipment.

(3) Any permit or zoning certificate issued in conflict with the provisions of this zoning ordinance is void.

(B) *Application.* Every application for a building permit must also be accompanied by an application for a zoning certificate. Zoning certificate applications must include at least the following information:

(1) Plans in duplicate, drawn to scale, showing:

(a) The actual shape and dimensions of the lot to be built upon;

(b) The sizes and locations on the lot of buildings and structures already existing, if any;

(c) The location and dimensions of all proposed off-street parking and loading spaces and access drives; and

(d) Such other matters as the Zoning Administrator may deem necessary to determine conformance with this zoning ordinance.

(2) Information describing:

(a) The existing and proposed use of each building and land area on the lot;

(b) The number of dwelling units proposed to be accommodated; and

(c) Such other matters as the Zoning Administrator may deem necessary to determine conformance with this ordinance.

(3) The certification and seal, when applicable, of a registered professional architect or project engineer when any building or structure is below the established flood protection elevation plus 0.5 feet, to show compliance to provisions in the Water Resource Ordinance.

(4) Certification by the project engineer, when applicable, that the proposed construction or development is in accordance with the site development plan as required in the Water Resource Ordinance and that the required permit has been filed.

(5) Certification by the project engineer, when applicable, that the plans for the building permit are in compliance with compensatory storage and detention requirements of the Water Resource Ordinance.

(C) *Action by Zoning Administrator.* Within 15 days of receipt of a complete application for a zoning certificate, the Zoning Administrator must act on the application. If the proposal complies with all applicable provisions of this zoning ordinance, the zoning certificate must be issued. If the Zoning Administrator determines that the proposal does not comply with one or more provisions, the zoning certificate must be denied, and the Zoning Administrator must advise the applicant in writing of the reasons for denial. If the Zoning Administrator fails to act within the required 15 days, the zoning certificate will be considered denied.

(D) *Appeals.* If the Zoning Administrator denies a zoning certificate, the applicant may appeal the action in accordance with the appeal procedures of § 155-16.100.

(Ord. effective 10-1-2012)

§ 155-16.90 TEMPORARY USE PERMITS.

See § 155-10.20.

(Ord. effective 10-1-2012)

§ 155-16.100 APPEALS OF ADMINISTRATIVE DECISIONS.

APPEALS OF ADMINISTRATIVE DECISIONS

(A) *Authority.* The Planning and Zoning Commission is authorized to hear and decide appeals where it is alleged there has been an error in any order, requirement, decision or determination made by the Zoning Administrator or any other administrative official in the administration, interpretation or enforcement of this zoning ordinance.

(B) *Right to appeal.* Appeals of administrative decisions may be filed by any person aggrieved by the Zoning Administrator or other administrative official's decision or action. The Planning and Zoning Commission is authorized to make determinations about whether individuals filing appeals are "aggrieved" by the decision or action.

(C) Application filing.

(1) Complete applications for appeals of administrative decisions must be filed with the Zoning Administrator.

(2) Appeals of administrative decisions must be filed within 30 days of the date of the decision being appealed.

(D) *Effect of filing.* The filing of a complete notice of appeal stays all proceedings in furtherance of the action appealed, unless the Zoning Administrator certifies to the Planning and Zoning Commission, after the appeal is filed, that, because of facts stated in the certification, a stay would cause immediate peril to life or property, in which case the proceedings will not be stayed unless by a restraining order, which may be granted by the Planning and Zoning Commission or by a court of record based on due cause shown.

(E) *Record of decision.* Upon receipt of a complete application of appeal, the Zoning Administrator or other administrative official whose decision is being appealed must transmit to the Planning and Zoning Commission all papers constituting the record upon which the action appealed is taken.

(F) *Notice of hearing.* Notice of the Planning and Zoning Commission's required public hearing must be published in the newspaper in accordance with § 155-16.10(D)(3).

(G) Hearing and final decision.

(1) The Planning and Zoning Commission must hold a public hearing on the appeal.

(2) Following the close of the hearing, the Planning and Zoning Commission must take action on the appeal. Their decision must be supported by written findings of fact.

(3) In exercising the appeal power, the Planning and Zoning Commission has all the powers of the administrative official from whom the appeal is taken. The Planning and Zoning Commission may affirm or may, upon the concurring vote of at least four members, reverse, wholly or in part, or modify the decision being appealed.

(4) In acting on the appeal the Planning and Zoning Commission must grant to the official's decision a presumption of correctness, placing the burden of persuasion of error on the appellant.

(H) *Review criteria.* An appeal may be sustained only if the Planning and Zoning Commission finds that the Zoning Administrator or other administrative official erred.

(I) Appeals.

(1) Appeals of the Planning and Zoning Commission's decisions may be filed by any person aggrieved by their action. The appeal must be filed with the Zoning Administrator within 15 days of the Planning and Zoning Commission decision.

(2) Upon receipt of a complete appeal application, the Zoning Administrator must forward the appeal to the County Board.

(3) The County Board may overturn the decision of the Planning and Zoning Commission only if approved by at least a three-fourths majority vote of the entire County Board.

(4) Any decisions of the Planning and Zoning Commission not appealed to the County Board within 15 days of the date of the Planning and Zoning Commission decision will be considered a final administrative determination and will be subject to judicial review only in accordance with applicable Illinois Statutes.

(Ord. effective 10-1-2012)

155-17 ADMINISTRATION AND ENFORCEMENT

§ 155-17.10 REVIEW AND DECISION-MAKING BODIES.

(A) *County Board.* The County Board is responsible for establishing the regulations and procedures of this zoning ordinance, for confirming appointments to the Planning and Zoning Commission and carrying out those specific decision-making duties assigned by this zoning ordinance.

(B) Planning and Zoning Commission.

(1) Creation and membership.

(a) The Planning and Zoning Commission must consist of seven members appointed by the County Executive and confirmed by the members of the County Board. Members receive allowances for expenses and compensation, as provided by the County Board.

(b) Planning and Zoning Commission members serve, respectively, for five years, or until their respective successors are appointed. The terms must be staggered in accordance with state statutes.

(c) One of the members of the Planning and Zoning Commission must be designated by the County Executive as chairperson of the Planning and Zoning Commission and another member must be designated as secretary, and each must hold office until their successor is appointed. The County Executive, subject to the approval by the County Board, has the power to remove any members of the Planning and Zoning Commission for cause. Vacancies on the Planning and Zoning Commission must be filled by the County Executive and confirmed by the County Board, for the unexpired term of the member whose place has become vacant, in the same manner provided for the original appointment of members.

(2) *Powers and duties.* The Planning and Zoning Commission is responsible for carrying out those specific review and decision-making duties assigned by this zoning ordinance.

(3) *Operation.* The Planning and Zoning Commission must conduct meetings, take action and operate in accordance with its adopted by-laws, the county code of ordinances and state law.

(C) *Zoning Administrator.* The Zoning Administrator is responsible for carrying out those specific duties and responsibilities assigned by this zoning ordinance and for:

(1) Conducting inspections of buildings, structures, and land to determine compliance with this zoning ordinance, and notifying in writing the person responsible for any violation found;

(2) Ordering the discontinuance of illegal uses of land, buildings, or structures; removal of illegal buildings or structures or of illegal additions, or structural changes; or taking any other action authorized by statute or by this zoning ordinance to ensure compliance with or to prevent violation of zoning ordinance provisions;

(3) Maintaining permanent and current records of this zoning ordinance, including, all maps, amendments, special use permits, planned unit developments, variances, appeals, applications, and text;

(4) Advising all persons seeking zoning information of the existence of officially adopted plans;

(5) Providing and maintaining a source of public information relative to all matters arising out of this zoning ordinance;

(6) Receiving, filing, and forwarding to the Planning and Zoning Commission and County Board all applications for matters on which the Planning and Zoning Commission and County Board is required to review or take action;

(7) Providing public information relative to matters arising out of a comprehensive amendment;

(8) Reviewing all property that has been the subject of legal action, invalidating the zoning ordinance as applied to a particular use on a specific parcel of land and submitting information to the County Board on such matters;

(9) Reviewing all property that has been disconnected from a municipality or that has come within the jurisdiction of the county as the result of the dissolution of a municipality and submitting an amendment for reclassification of said property to the County Board or otherwise recommending that the property be zoned E-1;

(10) Initiating, directing, and reviewing, from time-to-time, a study of the provisions of this zoning ordinance and making recommendations as such study requires; and

(11) Keeping the County Board advised of zoning activities.

(D) *County Clerk.* The County Clerk is responsible for:

(1) Maintaining copies of this zoning ordinance and signed ordinances for reference by the public; and

(2) For receiving protest petitions filed in the County Clerk's office and forwarding them to the state's attorney for legal review and appropriate action.

(Ord. effective 10-1-2012)

§ 155-17.20 VIOLATIONS, PENALTIES AND ENFORCEMENT.

(A) *Responsibility for enforcement.* The Zoning Administrator is responsible for enforcing this zoning ordinance, except as otherwise expressly stated.

(B) *Violations.* Unless otherwise expressly allowed by this zoning ordinance or state law, any violation of a provision of this zoning ordinance—including but not limited to all of the following—may be subject to the remedies and penalties provided for in this zoning ordinance.

(1) To use land or buildings in any way not consistent with the requirements of this zoning ordinance;

(2) To erect a building or other structure in any way not consistent with the requirements of this zoning ordinance;

(3) To install or use a sign in any way not consistent with the requirements of this zoning ordinance;

(4) To engage in the use of a building or land, the use or installation of a sign, or any other activity requiring one or more permits or approvals under this zoning ordinance without obtaining such required permits or approvals;

(5) To engage in the use of a building or land, the use or installation of a sign, or any other activity requiring one or more permits or approvals under this zoning ordinance in any way inconsistent with any such permit or approval or any conditions imposed on the permit or approval;

(6) To violate the terms of any permit or approval granted under this zoning ordinance or any condition imposed on the permit or approval;

(7) To obscure, obstruct or destroy any notice required to be posted or otherwise given under this zoning ordinance;

(8) To violate any lawful order issued by any person or entity under this zoning ordinance; or

(9) To continue any violation after receipt of notice of a violation.

(C) *Continuing violations.* Each week that a violation remains uncorrected after receiving notice of the violation from the county constitutes a separate violation of this zoning ordinance.

(D) *Remedies and enforcement powers.* The county has all remedies and enforcement powers allowed by law, including the following:

(1) *Administrative adjudication.* In lieu of the remedies, enforcement powers and procedures provided in this section, the county's administrative adjudication process may be used in enforcement of this zoning ordinance. See Chapter 43 of the county Code of Ordinances.

(2) Withhold permit.

(a) The Zoning Administrator may deny or withhold permits, certificates or other forms of authorization on any land or structure or improvements upon which there is an uncorrected violation of a provision of this zoning ordinance or of a condition or qualification of a permit, certificate, approval or other authorization previously granted by the county. This enforcement provision may be used regardless of whether the current owner or applicant is responsible for the violation in question.

(b) The Zoning Administrator may deny or withhold all permits, certificates or other forms of authorization on any land or structure or improvements owned by or being developed by a person who owns, developed or otherwise caused an uncorrected violation of a provision of this zoning ordinance or of a condition or qualification of a permit, certificate, approval or other authorization previously granted by the county. This enforcement provision may be used regardless of whether the property for which the permit or other approval is sought is the property in violation.

(c) The Zoning Administrator may deny or withhold temporary use permits on any land or structure or improvements owned or being developed by a person who owns, developed or otherwise caused a violation of a previous temporary use permit. Enforcement provision may be used regardless of whether the property for which the temporary use permit sought is for the property on which the previous violation occurred.

(3) *Permits approved with conditions.* Instead of withholding or denying a permit or other authorization, the Zoning Administrator may grant such authorization subject to the condition that the violation be corrected.

(4) Revoke permits.

(a) Any permit, certificate or other form of authorization required under this zoning ordinance may be revoked by the Zoning Administrator when the Zoning Administrator determines:

1. That there is departure from the plans, specifications, or conditions as required under terms of the permit,
2. That the development permit was procured by false representation or was issued by mistake, or
3. That any of the provisions of this zoning ordinance are being violated.

(b) Written notice of revocation must be served upon the owner, the owner's agent or contractor, or upon any person employed on the building or structure for which such permit was issued. If no persons can reasonably be served with notice, the notice must be posted in a prominent location. After delivery or posting of notice, no construction or development may proceed.

(5) *Stop work.* With or without revoking permits, the Zoning Administrator may stop work on any building or structure on any land on which there is an uncorrected violation of a provision of this zoning ordinance or of a permit or other form of authorization issued under the zoning ordinance.

(6) *Revoke plan or other approval.* Where a violation of this zoning ordinance involves a failure to comply with approved plans or conditions to which the approval of such plans was made subject, the Zoning Administrator may, upon notice to the applicant and other known interested parties (including any holders of building permits affected) (a) revoke the plan or other approval or (b) condition its continuance on strict compliance with this zoning ordinance or the provision of security to ensure that construction is completed in compliance with approved plans, or such other conditions as the Zoning Administrator may reasonably impose.

(7) *Injunctive relief.* The county may seek an injunction or other equitable relief in court to stop any violation of this zoning ordinance or of a permit, certificate or other form of authorization granted under the zoning ordinance.

(8) *Forfeiture and confiscation of signs on public property.* Any sign installed or placed on public property, except in compliance with the regulations of this zoning ordinance, may be forfeited to the public and subject to confiscation. In addition to other remedies and penalties of this section, the county has the right to recover from the sign owner or person who placed the sign, the full costs of sign removal and disposal.

(9) *Abatement.* The county may seek a court order in the nature of mandamus, abatement, injunction or other action or proceeding to abate or remove a violation or to otherwise restore the premises in question to the condition in which they existed prior to the violation.

(10) *Other penalties, remedies and powers.* The county may seek such other penalties as are provided by Illinois law.

(E) *Continuation of previous enforcement actions.* Nothing in this zoning ordinance prohibits the continuation of previous enforcement actions, undertaken by the county pursuant to previous valid ordinances and laws.

(F) *Remedies cumulative.* The remedies and enforcement powers established in this zoning ordinance are cumulative, and the county may exercise them in any combination or order.

(G) *Persons subject to penalties.* The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, or agent, or other person who commits, participates in, assists in, or maintains such violations may each be found guilty of a separate offense and be subject to penalties, remedies and enforcement actions.

(H) Enforcement procedures.

(1) *Non-emergency matters.* In the case of violations of this zoning ordinance that do not constitute an emergency or require immediate attention, the Zoning Administrator must give notice of the nature of the violation to the property owner or to any other person who is party to the agreement or to any applicant for any relevant permit in the manner stated in this section, after which the persons receiving notice have ten days to correct the violation before further enforcement action may be taken. Notice must be given in person, by U.S. Mail, or by posting notice on the premises. Notices of violation must state the nature of the violation and the time period for compliance and may state the corrective steps necessary and the nature of subsequent penalties and enforcement actions should the situation not be corrected.

(2) *Emergency matters.* In the case of violations of this zoning ordinance that constitute an emergency situation as a result of public health or safety concerns or violations that will create increased problems or costs if not remedied immediately, the county may use the enforcement powers available under this zoning ordinance without prior notice, but the Zoning Administrator must attempt to give notice simultaneously with beginning enforcement action. Notice may be provided to the property owner, to any other person who is party to the agreement and to applicants for any relevant permit.

(3) *Appeals.* Enforcement actions taken by the Zoning Administrator may be appealed by the affected party to the Planning and Zoning Commission in accordance with § 155-16.100.

(Ord. effective 10-1-2012)

155-18 MEASUREMENTS AND DEFINITIONS

§ 155-18.10 MEASUREMENTS AND EXCEPTIONS (LOT AND BUILDING REGULATIONS).

(A) *Lot area.* Lot area includes the total land area contained within the property lines of a lot.

(B) *Lot area per unit.* Lot area per unit refers to the amount of lot area required for each dwelling unit on the subject parcel. For example, if a minimum parcel-area-per-unit standard of 1,000 square feet is applied to an 8,750 square foot parcel, a maximum of eight dwelling units would be allowed on that parcel.

(C) *Lot frontage.* Lot frontage is measured along the right-of-way line between opposite-side boundaries of the lot. Lot frontage on cul-de-sac bulbs is measured at the actual building line. The street frontage of a lot or parcel that is legally created or described as extending to the center line of a street must be measured along the line that denotes the edge or boundary of the easement established for the street.

(D) *Building coverage.* Building coverage is the area of a lot covered by principal and accessory buildings, as measured along the building line. Only building areas beneath a roof are counted for purposes of measuring building coverage. A porch with a roof, for example, is counted, but an uncovered deck structure is not considered building coverage.

(E) Setbacks.

(1) Street setbacks.

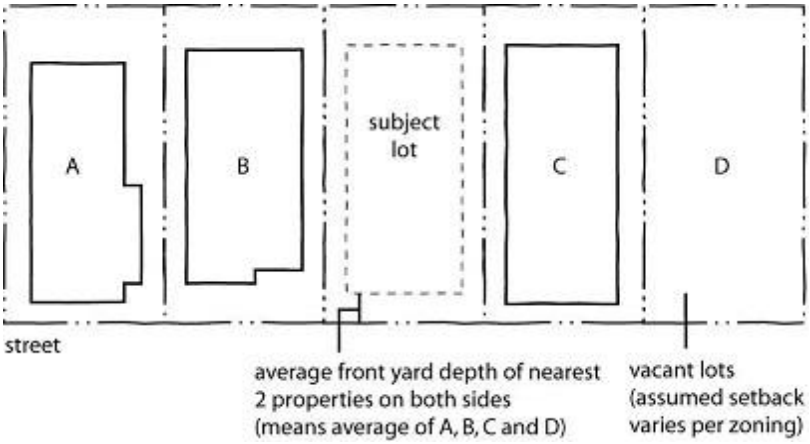
(a) Measurement. Street setbacks are measured from the right-of-way line or the centerline of the abutting street (as indicated by the subject district provisions) to the closest point of the building or structure.

(b) Permitted obstructions/ encroachments. Street setbacks must be unobstructed and unoccupied from the ground to the sky except as expressly allowed in division (F) of this section.

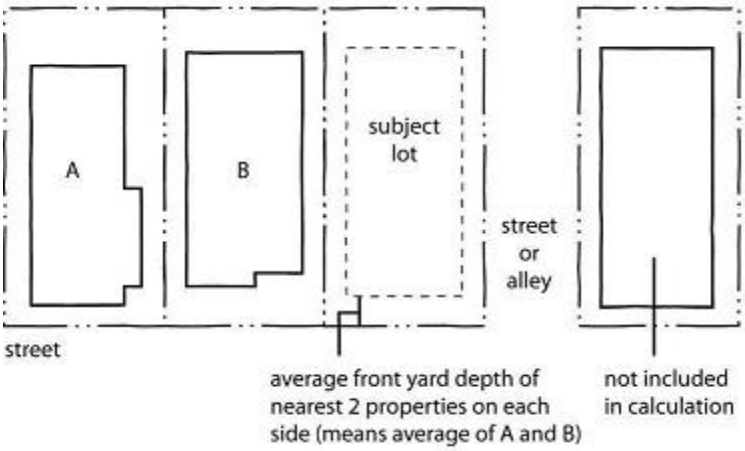
(c) Double frontage lots. On double-frontage lots, the Zoning Administrator is authorized to establish which of the frontages constitutes the front lot line (and is thereby subject to street setback regulations) based on factors such as the pattern of front and rear yards on the subject blockface, existing limitations on street access, where the building's "front" door is located or other reasonable considerations. Only such obstructions permitted in street setback may be located in that part of a rear setback adjoining a street that is equivalent in depth to a required front setback, except for lots backing to thoroughfares in subdivisions where no-access strips have been provided on the recorded plat.

(d) Exceptions for established setbacks. When existing buildings on one or more abutting lots are closer to the street property line than the otherwise required street setback, additions to existing residential buildings or construction of new residential buildings on the subject lot may comply with the average street yard depth that exists on the nearest two lots on either side of the subject lot instead of complying with the zoning district's minimum street setback requirement.

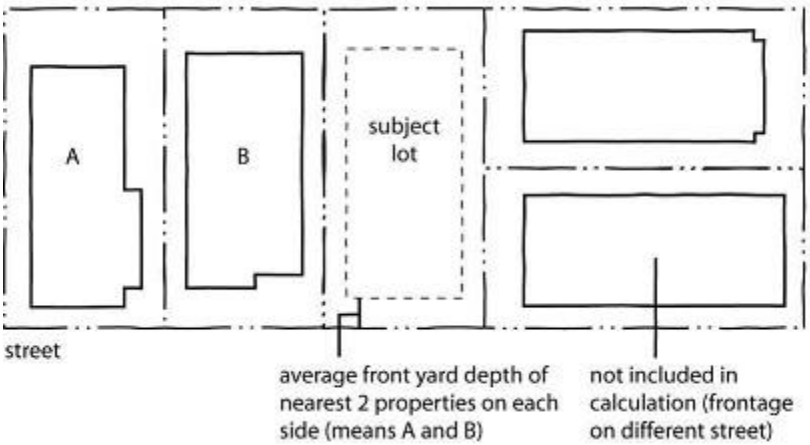
1. If one or more of the lots required to be included in the averaging calculation is vacant, the vacant lot will be deemed to have a street yard depth equal to the minimum street setback requirement of the subject zoning district.



2. Lots with frontage on a different street than the subject lot or that are separated from the subject lot by a street or alley may not be used in computing the average.



3. When the subject lot is a corner lot, the average street yard depth will be computed on the basis of the nearest two lots with frontage on the same street as the subject lot.



4. When the subject lot abuts a corner lot with frontage on the same street, the average street yard depth will be computed on the basis of the abutting corner lot and the nearest two lots with frontage on the same street as the subject lot.

(2) Rear setbacks.

(a) Measurement. Rear setbacks are measured from the rear property line to the closest point of the building.

(b) Permitted obstructions/ encroachments. Rear setbacks must be unobstructed and unoccupied from the ground to the sky except as expressly allowed in division (F) of this section.

(c) Corner lots. No rear setback is required on corner lots.

(3) Side setbacks.

(a) Measurement. Side setbacks are measured from the interior (non-street) side property line to the closest point of the building.

(b) Permitted obstructions/ encroachments. Side setbacks must be unobstructed and unoccupied from the ground to the sky except as expressly allowed in division (F) of this section.

(F) *Features allowed to encroach in required setbacks.* Required setbacks must be unobstructed and unoccupied from the ground to the sky except that features are allowed to encroach into required setbacks to the extent indicated in the following table. These structures and building features are not subject to minimum lot area or lot frontage regulations.

Obstruction/Projection into Required Setback	Street	Side	Rear
Arbors, trellises and pergolas	Yes	Yes	Yes
Awnings, canopies and light shelves and architecturally integrated solar shading devices projecting no more than 10 feet and with at least 7 feet of clear height above the ground below	Yes	Yes	Yes
Balconies	No	No	Yes
Bay windows that project no more than 3 feet and are no more one story in height	Yes	No	Yes
Breezeways	No	No	Yes
Chimneys and flues that project no more than 18 inches into the required setback	Yes	Yes	Yes
Decks, porches, patios, terraces (open) and similar features up to 4 feet in height above average grade and without roofs	Yes	Yes	Yes
Geothermal pumps and associated equipment up to 4 feet in height	Yes	Yes	Yes
Satellite dish antennas, not exceeding 1 meter (39.37 inches) in diameter	Yes	Yes	Yes
Satellite dish antennas, over 1 meter but not exceeding 2.4 meters (94.49 inches) in diameter	No	No	Yes
Eaves, gutters and roof overhangs projecting no more than 3 feet	Yes	No	Yes
Eaves, gutters and roof overhangs projecting no more than 2 feet or 40% of required setback depth, whichever is less	Yes	Yes	Yes
Fences, walls and hedges, subject to § 155-14.90	Yes	Yes	Yes
Flagpoles, mailboxes and other typical street yard features	Yes	Yes	Yes
Fountains, sculptures, landscape planters and similar landscape and ornamental objects	Yes	Yes	Yes
Insulation added to the outside of the exterior wall of an existing building	Yes	Yes	Yes

Obstruction/Projection into Required Setback	Street	Side	Rear
Parking, enclosed (attached or detached)	No	No	Yes
Rain barrels up to 5 feet in height	Yes	Yes	Yes
Rain gardens	Yes	Yes	Yes
Sills, belt courses, cornices, buttresses and other architectural features	Yes	Yes	Yes
Solar energy systems, building-mounted	Yes	Yes	Yes
Solar energy systems, ground-mounted	No	Yes	Yes
Swimming pools and decks providing access to pools (see also § 155-10.10(E))	No	Yes	Yes
Steps and stairs (providing necessary access to an allowed building) up to 4 feet in height above grade	Yes	Yes	Yes
Wheelchair lifts and ramps that meet federal, state and local accessibility standards	Yes	Yes	Yes

(G) Building height.

(1) *Measurement.* Building height is measured as vertical distance from grade to the highest point of coping of a flat roof or to the deck line of a mansard roof or to the highest point of the highest gable of a pitch or hip roof.

(2) Exceptions.

(a) General. The following features are not counted in the measurement of building height and may exceed otherwise stated maximum height limits:

1. Chimneys,
2. Parapet walls,
3. Skylights,
4. Steeples,
5. Flag poles,
6. Smokestacks,
7. Cooling towers,
8. Elevator bulkheads,
9. Fore towers,
10. Monuments,
11. Water towers,
12. Stage towers or scenery lofts,
13. Tanks,
14. Ornamental towers and spires,
15. Mechanical appurtenances or penthouses to house mechanical appurtenances,
16. Cracking towers of refineries,
17. Power plants and electric substations.
18. Portions of a building elevated solely to comply with flood-proofing requirements.

(b) Solar energy systems. Building- mounted solar energy systems may extend up to three feet above the applicable maximum zoning district height limit, provided they do not extend more than five feet above the roof line. See also § 155-10.10(F)(2).

(c) Public and civic buildings. Public buildings, semi-public hospitals, institutions, schools, or public utility and service buildings may be erected to a height not exceeding 60 feet, provided that the building is set back from the street, rear, and side lot lines in addition to otherwise required district setbacks at least two additional feet for every one foot of building height above 40 feet.

(3) Federal Aviation Administration rules.

(a) No building or structure may be constructed that is subject to notice under Federal Aviation Regulations Par. 77, until it is determined by the Federal Aviation Administration not to be a hazard to aerial navigation.

(b) All petitions for zoning map amendments, special uses, variances, compensatory development rights, or planned unit developments, dealing with property located within two miles of any airport in Will County that is available for public use, must be forwarded to the Federal Aviation Administration for their review and comment. In addition, plans to construct any structure or building to a height exceeding 200 feet, regardless of location, must be forwarded to the Federal Aviation Administration for their review and comment.

(c) The Zoning Administrator must make available to the Federal Aviation Administrator any data relating to a petitioner's request to construct a building or structure within two miles of any airport in the county.

(4) *Wireless telecommunication facilities.* Wireless telecommunications facilities are subject to the applicable height restrictions in § 155-9.270.

(5) *Electric-generating wind devices.* Electric-generating wind devices are subject to the applicable height restrictions in § 155-9.260.

(Ord. effective 10-1-2012; Ord. 16-227, passed 12-15-2016)

§ 155-18.20 DEFINITIONS.

(A) *Use definitions.* See Article 155-8 for use-related definitions.

(B) *General rules of language.* See § 155-1.100 for information about general use of language and ordinance construction.

(C) *General definitions.* The words and terms expressly defined in this section have the specific meanings assigned, unless the context expressly indicates another meaning. Words that are not expressly defined have their common dictionary meaning.

ABUT or ***ABUTTING.*** To touch or to share a contiguous boundary or border.

ACCESSORY BUILDING OR USE. An "accessory building" or "accessory use" is one that:

(1) Is subordinate to the principal building or principal use served in terms of area and function;

(2) Contributes to the comfort, convenience, or necessity of occupants of the principal building or principal use served; and

(3) Is customarily found in association with the subject principal use or principal building.

An attached garage is expressly included in the definition of “accessory building.”

ADJACENT. Lying near or in the immediate vicinity.

ADJOIN or ***ADJOINING.*** Touching or contiguous, as distinguished from lying near.

ADULT MATERIAL.

(1) Books, magazines, periodicals, or other reprinted matter, or digitally-stored materials that are distinguished or characterized by an emphasis on the exposures, depiction, or description of specified anatomical areas, or the conduct or simulation of specified sexual activities.

(2) Films, motion pictures, video or audio cassettes, slides, computer displays other visual representations or recordings of any kind, that are distinguished or characterized by an emphasis on the exposures, depiction, or description of specified anatomical areas, or the conduct or simulation of specified sexual activities.

(3) Instruments, novelties, devices, or paraphernalia that are designed for use in connection with specified sexual activities, or that depict or describe specified anatomical areas.

AGENT. A person duly authorized to act on behalf of the subject property owner.

AGRICULTURAL BUILDING OR STRUCTURE. Any building or structure existing or erected on land used principally for agricultural purposes, with the exception of dwelling units.

AGRICULTURAL DISTRICT. The A-1 and A-2 districts, plus any other zoning district expressly identified as an agricultural district in Article 155-2.

ALLEY. A public or private way, at the rear or side of property, permanently reserved as a means of secondary vehicular access to abutting property. Frontage on an alley may not be counted toward satisfying the requirements of this zoning ordinance related to frontage on a dedicated street.

ANIMAL, COMPANION. Animals that are commonly kept by persons as a pet or for companionship. Companion animals have the following characteristics: have a special and close relationship with humans; are partially or totally dependent on people; commonly live inside a residence in close proximity with humans; form bonds with people; and interact with their human companions. Dogs and cats are common companion animals.

ANIMAL, DOMESTIC. Any animal that is livestock, a companion animal or both.

ANIMAL, EXOTIC. Any animal that is not normally domesticated in the United States or is wild by nature. Exotic animals include all of the following orders and families, whether bred in the wild or captivity and also their hybrids with domestic species. The animals listed are intended to act as examples and are not to be construed as an exhaustive list or limit the generality of each group of animals, unless otherwise expressly stated:

(1) Non-human primates and prosimians (monkeys, chimpanzees, baboons);

(2) Felidae (lions, tigers, bobcats, lynx, cougars, leopards, jaguars, not domesticated cats);

(3) Canidae (wolves, coyotes, foxes, jackals, not domesticated dogs);

(4) Ursidae (all bears);

(5) Reptilia (all venomous snakes, all constricting snakes);

(6) Crocodilia (alligators, crocodiles);

(7) Proboscidae (elephants);

(8) Hyanenidae (hyenas);

(9) Artiodatyla (hippotamuses, giraffes, camels, not cattle or swine or sheep or goats);

(10) Procyonidae (raccoons, coatis);

(11) Marsupialia (kangaroos, oppossums);

(12) Perissodactylea (rhinoceroses, tapirs, not horses or donkeys or mules);

(13) Edentara (anteaters, sloths, armadillos); and

(14) Viverridae (mongooses, civets, and genets).

ANIMAL, FARM (LIVESTOCK). Breeds of animals primarily raised for commercial purposes on agricultural property, in out-buildings or open spaces separate from residences. Typical examples include cattle, swine, poultry, sheep, goats, donkeys, horses.

ANTENNA. An antenna device by which radio signals are transmitted, received or both.

APPLICANT. Any authorized person, firm, corporation or agency who submits an application.

AUTOMOBILE. A two-axle motor vehicle designed and used primarily for the conveyance of not more than nine persons that weighs less than 8,000 pounds.

AWNING. A roof-like structure typically made of cloth, metal or other material attached to a frame that extends from and is supported by a building. Awnings are typically erected over a window, doorway or building front and they may be raised or retracted to a position adjacent to the building.

BASE (ZONING) DISTRICT. Any zoning district that is not an overlay district.

BASEMENT. A story having part but not more than one-half of its height below grade. A basement is counted as a story for the purpose of height regulation if subdivided and used for dwelling purposes other than by a janitor employed on the premises.

BERM. An earthen mound designed to provide visual interest, screen undesirable views, and/or decrease noise. (See also § 155-12.90(M))

BILLBOARD. See SIGN, ADVERTISING.

BIOMASS ENERGY. Energy produced from the biological breakdown of organic matter.

BLOCKFACE. Property abutting one side of a street between the two nearest intersecting streets, railroad rights-of-way or natural barriers.

BUFFER. A combination of physical space and vertical elements, such as plants, berms, fences or walls, the purpose of which is to separate and screen incompatible land uses from each other.

BUILDABLE AREA. The space remaining on a zoning lot after the minimum setback, landscaping and open space requirements of this zoning ordinance have been met.

BUILDING. A structure having a roof, supported by columns or walls for the shelter, support or enclosure of persons, animals or chattel; and when separated by division walls from the ground up and without openings, each portion of such building is deemed a separate building.

BUILDING, ACCESSORY. See ACCESSORY BUILDING OR USE.

BUILDING, DETACHED. A building surrounded on all sides by open space located on the same lot.

BUILDING COVERAGE. See § 155-18.10(D).

BUILDING FRONTAGE. See § 155-13.130(B).

BUILDING HEIGHT. See § 155-18.10(G).

BUILDING, NONCONFORMING. See NONCONFORMING STRUCTURE in § 155-15.40.

BUILDING PERMIT. A permit issued by the county for the construction, erection or alteration of a structure or building.

BUILDING, PRINCIPAL. A non-accessory building in which a principal use on the zoning lot on which it is located is conducted.

CALIPER. A measurement of the size of a tree equal to the diameter of its trunk measured six inches above natural ground for trees having calipers less than or equal to six inches diameter and measured 12 inches above grade for tree calipers greater than six inches diameter.

CANOPY. A roof-like structure typically permanent in construction that covers a doorway or entryway that extends from and is supported by the building. A canopy may include a freestanding or projecting cover above an outdoor service area, such as a gasoline service station.

CARGO CONTAINER. An industrial, standardized reusable vessel that is specifically designed for the packing, shipping, movement or transportation of freight, articles, goods or commodities and that is designed for mounting on or movement by a rail car or truck trailer.

CARPORT. A roofed automobile shelter with one or more open sides.

CELLULAR SERVICE. A telecommunications service that permits customers to use wireless, mobile telephones to connect, via low-power radio transmission sites called cell sites, either to the public switch network or to other mobile cellular phones.

CELLULAR TELECOMMUNICATIONS. A commercial low power mobile radio service licensed by the Federal Communications Commission (FCC) to providers in a specific geographical area in which the radio frequency

spectrum is divided into discrete channels which are assigned in groups to geographic cells within a service area and which are capable of being reused in different cells within the service area.

CENTRAL WATER OR CENTRAL WATER SYSTEMS. All mains, pipes, and structures through which water is obtained and distributed to the public, including wells and well structures, intakes and cribs, pumping stations, treatment plants, reservoirs, storage tanks, and appurtenances, collectively or separately, actually used or intended for use for the purpose of furnishing water for drinking or general domestic use. ***CENTRAL WATER OR CENTRAL WATER SYSTEMS*** must comply fully with all rules and regulations promulgated or required by the Office of the State Fire Marshal concerning fire prevention and safety.

CERTIFY or ***CERTIFICATION.*** Formally attesting that the specific inspections and tests where required have been performed and that such tests comply with the applicable requirements of this zoning ordinance.

CHANNEL LETTER. A fabricated or formed three-dimensional letter, number or symbol.

Figure 18-1: Channel Letter

CLEARING. Any activity, which removes vegetative ground cover.

COLD FRAME. An unheated structure no more than four feet in height used for protecting seedlings and plants from the cold.

CO-LOCATION. Locating wireless communications equipment from more than one provider on a single site, or the siting of two or more separate companies' wireless antennas on the same support structure.

COMMERCIAL MESSAGE. Any sign, wording, logo, or other representation that directly or indirectly, names, advertises, or calls attention to a business, product, service or other commercial activity.

COMMERCIAL MOTOR VEHICLE. A vehicle that is used or intended to be used primarily for commercial purposes.

COMMON OPEN SPACE. Land unoccupied by structures, buildings, streets, right-of-ways, and automobile parking lots designed and intended for the use or enjoyment of residents of a planned development. Common open space may include structures for recreational use.

CONCENTRATED SOLAR POWER SYSTEM. Solar energy generation systems that use mirrors to reflect and concentrate sunlight onto receivers that collect solar energy and convert it to heat. The thermal energy is then used to produce electricity via a steam turbine or heat engine that drives a generator.

CONSERVATION DESIGN SUBDIVISION. A subdivision that complies with Part 3 of the subdivision ordinance.

CONSTRUCTION OR DEMOLITION DEBRIS, CLEAN. Uncontaminated broken concrete without protruding metal bars, bricks, rock, stone, reclaimed asphalt pavement, or soil generated from construction or demolition activities. See also ***GENERAL CONSTRUCTION OR DEMOLITION DEBRIS***.

CONSTRUCTION OR DEMOLITION DEBRIS, GENERAL. Non-hazardous, uncontaminated materials resulting from the construction, remodeling, repair, and demolition of utilities, structures, and roads, limited to the following:

bricks, concrete, and other masonry materials; soil; rock; wood, including non-hazardous painted, treated, and coated wood and wood products; wall coverings; plaster; drywall; plumbing fixtures; non-asbestos insulation; roofing shingles and other roof coverings; reclaimed or other asphalt pavement; glass; plastics that are not sealed in a manner that conceals waste; electrical wiring and components containing no hazardous substances; and corrugated cardboard, piping or metals incidental to any of those materials or as defined in Section 3.160 (a) of the Illinois Environmental Protection Act, as amended. See also ***CLEAN CONSTRUCTION OR DEMOLITION DEBRIS***.

CORNER LOT. See LOT, CORNER.

CUBIC YARDS. The amount of material in excavation and/or fill measured by the method of "average end areas."

DECIDUOUS. A plant with foliage that is shed annually.

DENSITY. The numerical value obtained by dividing the total dwelling units in a development by the gross area of the tract of land upon which the dwelling units are located. Dedicated streets are counted in the calculation of gross density.

DETACHED HOUSE. A principal building that contains only one principal dwelling unit and that is located on a single lot with private yards on all sides of the building.

DEVELOPMENT. Any human change to real estate, including:

(1) Construction, reconstruction, repair, or placement of a building or any addition to a building.

(2) Installing a mobile home on a site, preparing a site for a mobile home, or installing a travel trailer, camping trailer, truck camper, camper shell, motor home, or tent trailer on a site for more than 180 days. If the travel trailer, camping trailer, truck camper, camper shell, motor home, or tent trailer is on site for less than 180 days, it must be fully licensed and ready for highway use.

(3) Drilling, mining, installing utilities, construction of roads, bridges, or similar projects.

(4) Demolition of a structure or redevelopment of a site.

(5) Clearing of land as an adjunct of construction.

(6) Construction or erection of levees, walls, fences, dams, or culverts; channel modification; filling, dredging, grading, excavating, paving, or other alterations of the ground surface; storage of materials; deposit of solid or liquid waste.

(7) Any other human activity that might change the direction, height, or velocity of flood or surface water, including extensive vegetation removal.

DEVELOPMENT does not include maintenance of existing buildings and facilities such as re-roofing or re-surfacing of roads when there is no increase in elevation, or gardening, plowing, and similar agricultural practices that do not involve filling, grading, or construction of levees.

DIRECTIONAL ANTENNA. An antenna or array of antennas designed to concentrate a radio signal in a particular area.

DISABLED or ***DISABILITY.*** A physical or mental impairment that substantially limits one or more of such person's major life activities so that such person is incapable of living independently, a record of having such an impairment, or being regarded as having such an impairment. The term ***DISABLED*** or ***DISABILITY*** does not include current illegal use of, or addiction to, a controlled substance or alcoholism.

DISPLAY AREA, OUTDOOR. Area used for display of merchandise or goods available for purchase from the business located outside of a building. Such use is allowable only as an accessory to the principal use of the establishment.

DISTRIBUTED ENERGY. Systems that produce and distribute energy at a small area scale, such as a neighborhood or campus.

DOMESTIC ANIMAL. See ANIMAL, DOMESTIC.

DRIP LINE. The outer perimeter of the largest branches or limbs of a tree, as measured on the ground around the base of the tree.

DRIVE-IN OR DRIVE-THROUGH. An establishment that is designed to provide, either wholly or in part, service to customers while in their automobiles parked upon the premises.

DRIVEWAY (CONSTRUCTED). That portion of a lot used to provide access from the street to a place of residence or business and which has been graded and graveled or surfaced with concrete, asphalt, crushed stone, or other hard surface and dustless materials.

DROP BOX, DONATION AND COLLECTION. A receptacle provided for general public to drop-off recyclable paper, cans, glass and plastics as well as charitable donations such as clothing, shoes, books, and toys (See § 155-10.10(L) for applicable regulations).

DWELL TIME. The time that a single message on a dynamic display is held static or constant, without any change in the message or image displayed.

DWELLING. A building or portion thereof, designed or used exclusively for residential occupancy, including detached houses, townhouses, accessory dwelling units, mobile homes, multi-unit buildings and mixed-use buildings, but not including hotels, boarding houses, lodging houses or recreational vehicles.

DWELLING, GROUND FLOOR AREA. The first floor area in square feet measured from the outside of the exterior walls but excluding cellars, basements, open porches, breezeways, garages, and other infrequently used spaces.

DWELLING UNIT. One or more rooms in a dwelling designed for occupancy by a single household for living purposes and having its own permanently installed cooking and sanitary facilities.

DYNAMIC DISPLAY. Any element of a sign or sign structure capable of displaying words, symbols, figures, images or messages that can be electronically or mechanically changed by remote or automatic means. This also includes any display that incorporates rotating panels, LED lights manipulated through digital input, "digital ink" or any other method or technology that allows a sign to present a series of images, messages or displays.

ELECTRIC VEHICLE (EV). Any vehicle that is licensed and registered for operation on public and private highways, roads, and streets; either partially or exclusively, on electrical energy from the grid or an off-board source, that is stored on-board via a battery. "Electric vehicle" includes: battery electric vehicles; and plug-in hybrid electric vehicles.

ELECTRIC VEHICLE, BATTERY. Any electric vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle's batteries and that produces zero tailpipe emissions or pollution when stationary or operating.

ELECTRIC VEHICLE, PLUG-IN HYBRID. An electric vehicle that contains an internal combustion engine and also allows power to be delivered to drive wheels by an electric motor; charges its battery primarily by connecting to the grid or other off-board electrical source; may additionally be able to sustain battery charge using an on-board internal-combustion-driven generator; and has the ability to travel powered by electricity.

ELECTRIC VEHICLE (EV) CHARGING STATION. A public or private parking space that is served by battery charging station equipment.

ELECTRIC VEHICLE CHARGING STATION, LEVEL 1. An EV charging station served only by level 1 battery charging equipment.

ELECTRIC VEHICLE CHARGING STATION, LEVEL 2. An EV charging station served by level 2 battery charging equipment.

ELECTRIC VEHICLE CHARGING STATION, LEVEL 3. An EV charging station served by level 3 (rapid) battery charging equipment.

ELECTRIC VEHICLE CHARGING STATION, ACCESSIBLE. An EV charging station where the battery charging station is located within reach of an accessible parking space and an electric vehicle that is parked in such space.

ELECTRIC VEHICLE CHARGING STATION, PRIVATE (RESTRICTED-ACCESS). An EV charging station that is not available for use by the general public. Examples include electric vehicle charging stations that serve residential homeowners or renters, executive parking areas, designated employee parking areas and fleet parking areas.

ELECTRIC VEHICLE CHARGING STATION, PUBLIC. An EV charging station that is accessible to and available for use by the general public.

ELECTRIC VEHICLE INFRASTRUCTURE (EVI). Conduit/wiring, structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations and rapid charging stations.

ELECTRIC VEHICLE PARKING SPACE. Any parking space that is clearly identified to be used exclusively for the parking of an electric vehicle.

ENDANGERED SPECIES. Species (including animals, plants, fungi, etc.) that are at risk of becoming extinct and identified on the official State of Illinois and/or federal endangered species lists.

EQUIPMENT HOUSING. A combination of one or more equipment buildings or enclosures housing equipment that operates in conjunction with the antennas of a facility and the equipment itself.

EVERGREEN. A plant with foliage that persists and remains green year-round.

EXCAVATION. Any act by which the organic matter, earth, sand, gravel, rock, or any other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated, or bulldozed and include the conditions resulting from excavation activities.

EXISTING GRADE. The vertical location of the existing ground surface prior to excavation or filling.

EXOTIC PLANT. An introduced or non-native species living outside its native range that has arrived there by either deliberate or accidental human activity.

FAA. The Federal Aviation Administration of the United States Department of Transportation.

FARM PRODUCER. Either a person or entity that grows or raises farm products on land that the person or entity farms and owns, rents or leases or a person or entity that creates (by cooking, canning, baking, preserving, roasting, etc.) value-added farm products.

FARM PRODUCTS. Vegetables, fruits, mushrooms, herbs, grains, legumes, nuts, shell eggs, honey or other bee products, flowers, nursery stock, livestock food products (including meat, milk, yogurt, cheese and other dairy products).

FARM PRODUCT, VALUE-ADDED. A product processed by a farm producer from a farm product, such as baked goods, jams and jellies, canned vegetables, dried fruit, syrups, salsas, salad dressings, flours, coffee, smoked or canned meats or fish, sausages, or prepared foods.

FCC. Federal Communications Commission.

FENCE. Any construction of wood, metal, wire mesh, masonry, or other material erected for the purpose of assuring privacy, protection, or restraining animals.

FENCE, CLOSED. A fence, including gates, which conceals from view from adjoining properties, streets, or alleys, activities conducted behind it.

FENCE, OPEN. A fence including gates that has, for each one foot wide segment extending over the entire length and height of the fence, 60% of the surface area in open spaces that afford a direct view through the fence.

FILL. Any act by which earth, sand, gravel, rock or any other material is deposited, placed, replaced, pushed, dumped, pulled, transported, or moved by man to a new location and include the conditions resulting from fill activities.

FINAL GRADE. The vertical location of the ground or pavement surface after the grading work is completed in accordance with the site development plan.

FLASHING. Intermittent or flashing sources of light or lighting that changes intensity in sudden transitory bursts.

FOOTCANDLE. A measure of illumination, the amount of light falling onto a surface. One lumen of light, shining evenly across one square foot of surface, illuminates that surface to one footcandle.

FOUNDATION, PERMANENT. A closed perimeter formation consisting of materials such as concrete or concrete block that extends into the ground below the frost line

FRONTAGE (STREET OR ROAD). A lot line or the length of a lot line that is also the line of any public street right-of-way other than an alley.

GEOTHERMAL ENERGY SYSTEM. Equipment that transfers thermal energy to and/or from the ground for the purposes of heating and/or cooling a building. Geothermal energy systems consists of a closed-loop system of pipes filled with liquid, a heat exchanger and heat pump. This includes vertical closed loop, horizontal closed loop and water body closed loop systems.

GRADE. The average level of the finished surface of the ground adjacent to the exterior walls of the building or structure.

GRADE, STREET. Same as CURB LEVEL.

GREENHOUSE. A temporary or permanent structure that is primarily used for the cultivation of plants.

GREYWATER. Wastewater generated from domestic activities such as laundry and bathing activities, which can be recycled on-site for uses such as landscape irrigation and constructed wetlands. Greywater does not include sewage or any water from toilets.

GROUNDCOVER PLANTS. See § 155-12.90(H)

GUYED TOWER. A communication tower that is supported, in whole or in part, by guy wires and ground anchors.

HEDGE. A landscaped barrier consisting of a continuous, dense planting of shrubs.

HEAVILY WOODED PROPERTY. Land predominantly covered by growing trees and shrubs.

HEIGHT OF ELECTRIC-GENERATING WIND DEVICE. The height above grade of the system including the fixed portion of the tower, generating unit, and the highest vertical extend of any blades or rotors.

HEIGHT OF A (WIRELESS TELE- COMMUNICATIONS) FACILITY. The total height of the facility's supporting structure and any antennas that will extend above the top of the supporting structure; however, if the supporting structure's foundation extends more than three feet above the uppermost ground level along the perimeter of the foundation, then each full foot in excess of three feet is counted as an additional foot of facility height. The height of a facility's supporting structure is to be measured from the highest point of the supporting structure's foundation.

HEIGHT (OF BUILDING). See § 155-18.10(G).

HISTORIC STRUCTURE. Any structure that is:

(1) Listed individually in the National Register of Historic Places or preliminary determination by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(2) Certified or preliminary determination by the Secretary of the Interior as contributing to the historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

(3) Individually listed on the state inventory of historic places by the Illinois Historic Preservation Agency; or

(4) Individually listed on a local inventory of historic places that has been certified by the Illinois Historic Preservation Agency.

HOME OCCUPATION. A business or commercial activity conducted from a dwelling unit. (See the home occupation regulations of § 155-10.10(D).)

HOOP HOUSE. A temporary or permanent structure typically made of flexible pipe or other material covered with translucent plastic, constructed in a "half-round" or "hoop" shape, for the purposes of protecting and cultivating plants. A hoop house is considered more temporary than a greenhouse.

HOUSEHOLD. An individual, or two or more persons related by blood, marriage, or adoption, or a group of not more than three persons (excluding servants), not related by blood, marriage, or adoption, living together as a single, house-keeping unit in a dwelling unit, but not including sororities, fraternities, or other similar group living situations.

IDNR/OWR. Illinois Department of Natural Resources, Office of Water Resources.

INOPERABLE VEHICLE. Any motor vehicle from which, for a period of seven days, the engine, wheels, or other parts have been removed, or in which the engine, wheels, or other parts have been altered, damaged, or otherwise so treated that the vehicle is incapable of being driven under its own motor power. ***INOPERABLE VEHICLE*** does not include a motor vehicle that has been rendered temporarily incapable of being driven under its own motor power in order to perform ordinary service or repair operations.

INTERMODAL CARGO CONTAINER. See CARGO CONTAINER.

KILOWATT (KW). A measure of power for electric current (1,000 watts).

KILOWATT HOUR (KWh). A measure of energy equal to the use of one kilowatt in one hour.

LAND RECLAMATION. The process of gaining land from a submerged or partially submerged area by draining, filling, or a combination of such procedures.

LANDSCAPED AREA, MAINTAINED. Landscaping that requires regular, on-going management and upkeep to maintain the initial or intended appearance.

LANDSCAPING. Any combination of living plants (such as grass, groundcover, shrubs, vines, hedges, or trees) and nonliving landscape material (such as rocks, pebbles, sand, mulch, walls, fences, or decorative paving materials).

LATTICE TOWER. A guyed or self-supporting three or four sided, open, steel frame structure used to support telecommunications equipment.

LAWFULLY ESTABLISHED. A use, structure, lot or sign (as the context indicates) that was established in conformance with all applicable zoning regulations in effect at the time of its establishment.

LEASEHOLD, RESIDENTIAL. A parcel subject to a ground lease and used or intended to be used for occupancy by a single detached house.

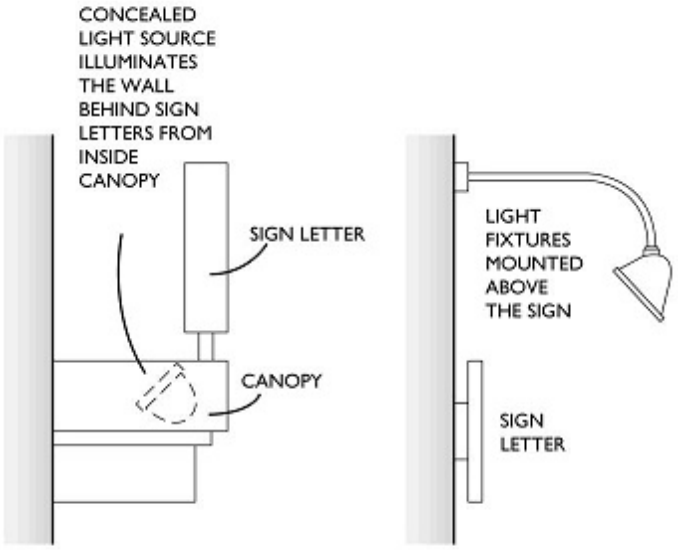
LEED (LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN). A green building and sustainability rating system developed by the U.S. Green Building Council (USGBC). Various LEED rating systems exist for different types of projects: LEED-NC, for example, addresses new building construction and major renovation projects; LEED-CI covers commercial interior projects; LEED-H is for homes; LEED-ND addresses neighborhood development.

LEED-ND. The LEED rating system for assessing the use of green building and development techniques at the neighborhood scale. The LEED-ND rating system is designed to enhance and protect the overall health (physical and economic) and natural environment of communities through well-placed and designed subdivisions and developments.

LICENSED PREMISES. The place or location described in an adult establishment license where an adult entertainment establishment is authorized to operate. No sidewalks, streets, parking areas, public rights-of-way, or grounds adjacent to any such place or location are included within the licensed premises.

LIGHT TRESPASS. Light that is emitted into an unintended area.

LIGHTING, EXTERNAL. Illumination from a light source not contained within a sign or awning or halo or silhouette lighting that is not visible or exposed on the face of the sign.



LIGHTING, INTERNAL. Illumination from a light source that is contained within a sign or awning.

LIMITED ACCESS HIGHWAY. A traffic-way, including expressways and toll roads for through traffic, in respect to which owners or occupants of abutting property or lands and other persons have no legal right of access to or from the same, except at such points and in such manner as may be determined by the public authority having jurisdiction over such traffic-way.

LOT. A legally divided area or portion of land under a single ownership or control that is intended to be occupied by a use or group of uses, and/or a principal building or structure. Note: All lots must be lots of record when less than five acres in size as required by and in conformance with the subdivision ordinance and the Plat Act.

LOT AREA. See § 155-18.10(A).

LOT, CORNER. A lot at the intersection of two streets or a lot bounded on two sides by a curving street and any two chords of which form an angle of 120 degrees or less measured on the lot side.

LOT DEPTH. The distance between the midpoint of the front lot line and the midpoint of the rear lot line.

LOT, DOUBLE FRONTAGE. A lot other than a corner lot having frontage on two or more streets. Note: An alley is not considered a street.

LOT FRONTAGE. See § 155-18.10(C).

LOT, INTERIOR. A lot other than a corner or reversed corner lot.

LOT LINE. An imaginary line at the edge or boundary of a zoning lot or a line at the boundary of a lot of record.

LOT LINE, INTERIOR. A lot line shared with another lot.

LOT LINE, REAR. The lot line most nearly parallel to and most removed from the street lot line.

LOT LINE SET BACK DISTANCE. The distance measured from the center of the base of a wireless telecommunication facility's supporting structure to the nearest point on the common lot line between the facility lot and the nearest residentially zoned lot. If there is no common lot line, the measurement must be made to the nearest point on the lot line of the nearest residentially zoned lot without deducting the width of any intervening right-of-way.

LOT LINE, SIDE. Lot lines other than street or rear lot lines.

LOT LINE, STREET. The property line for a zoning lot, abutting or within a street that is legally accessible for ingress and egress to the property. On a corner lot, lot lines along streets are considered to be street lot lines.

LOT OF RECORD. A lot that is part of a subdivision, the plat of which has been legally recorded or a parcel of land with a legally recorded deed in accordance with the Plat Act.

LOT, REVERSED CORNER. A corner lot at right angles or approximately right angles to the general pattern of the area, the street side lot line of which is substantially a continuation of the front lot line of the front lot to the rear. The rear of the corner lot is adjacent to the side of another lot, whether across an alley or not.

LOT, THROUGH. See LOT, DOUBLE FRONTAGE.

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 district requirements of this zoning ordinance concerning use, coverage, width, area, setbacks, or other district requirements of this zoning 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 single ownership or control. A "zoning lot" may or may not coincide with the definition of a "lot of record."

MARQUEE OR CANOPY. A roof-like structure of a permanent nature, which projects from the wall of a building and overhangs the public way.

MICROWAVE ANTENNA. A dish-like antenna manufactured in many sizes and shapes used to link communication sites together by wireless transmission of voice or data.

MEDICAL CANNABIS CULTIVATION CENTER. A facility operated by an organization or business that is registered by the Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis. A registered cultivation center may not be located within 2,500 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, part day child care facility, or an area zoned for residential use.

MEDICAL CANNABIS DISPENSING ORGANIZATION. A facility operated by an organization or business that is registered by the Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients in accordance with the laws of the State of Illinois. A dispensing organization may not be located within 1,000 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, or part day child care facility. A registered dispensing organization may not be located in a house, apartment condominium, or an area zoned for residential use.

MIXED-USE BUILDING. A building occupied by residential uses in combination with nonresidential uses.

MOBILE HOME. A factory-built, single-household structure that is manufactured under the authority of 42 U.S.C. § 5401, the National Manufactured Home Construction and Safety Standards Act, is built on a permanent chassis, and is used as a place for human habitation, but that is not constructed or equipped with a permanent hitch or other device allowing transport of the unit other than for the purpose of delivery to a permanent site, and that does not have wheels or axles permanently attached to its body or frame. This definition does not include travel trailers, camping trailers, truck campers, camper shells, motor homes, tent trailers or recreational vehicles.

MOBILE STORAGE UNIT. A purpose-built, mobile, fully enclosed unit that is designed and used for the temporary storage of household goods, wares, and materials for the purpose of moving, relocation, or temporary storage during construction. This definition does not include a cargo container, modified or otherwise.

MONOPOLE TOWER. A tower consisting of a single pole, constructed without guy wires and ground anchors. A slender self-supporting tower on which wireless antennas can be placed. See also ***GUYED TOWER***.

MULTI-TENANT DEVELOPMENT. A development typically under unified ownership and control consisting of two or more business establishments. The tenants of multi-tenant development typically share vehicle access and parking facilities.

MULTI-UNIT BUILDING. A residential building containing two or more dwelling units that share common walls and/or common floors/ceilings. Multi-unit buildings are typically served by one or more private or common building entrances.

MURAL. A hand-produced or machine-made graphic applied or affixed to the exterior of a building wall through the application of paint, canvas, tile, metal panels, applied sheet graphic or other medium so that the wall becomes the background surface or platform for the graphic, generally for the purpose of decoration or artistic expression.

NITS. A unit of luminance equal to one candela per square meter.

NONCONFORMING DEVELOPMENT FEATURE. See § 155-15.50.

NONCONFORMING LOT. See § 155-15.20.

NONCONFORMING SIGN. See § 155-15.60.

NONCONFORMING STRUCTURE. See § 155-15.40.

NONCONFORMING USE. See § 155-15.30.

NONCONFORMITY. Any nonconforming lot, nonconforming use, nonconforming structure, nonconforming development feature or nonconforming sign.

NONRESIDENTIAL ZONING DISTRICT. Any agricultural, commercial or industrial zoning district.

NUDE or ***STATE OF NUDITY.*** A state of dress or undress that exposes to view:

(1) Less than completely and opaquely covered human genitals, pubic region, anus, or female breast below a point immediately above the top of the areolas, but not including any portion of the cleavage of the female breast exhibited by a dress, blouse, shirt, leotard, bathing suit, or other wearing apparel, provided the areolas are not exposed; or

(2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered, or any device or covering that, when worn, simulates human male genitals in a discernibly turgid state.

NUISANCE, PUBLIC. A condition that is illegal because it unreasonably interferes with a right that is common to the general public.

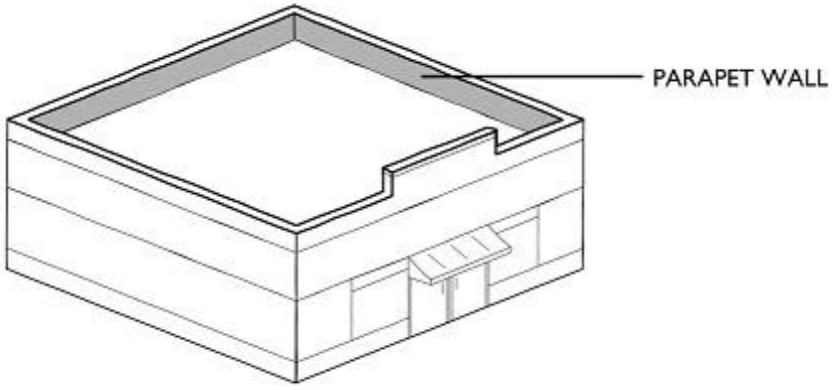
OFF-GRID SYSTEMS. A system is considered an off-grid system only if it supplies electrical power solely for on-site use.

OMNI-DIRECTIONAL ANTENNA. An antenna that is equally effective in all directions and whose size varies with the frequency and gain for which it was designed.

OPEN-AIR USES. Uses of land that do not involve buildings or that involve buildings that are incidental and accessory to the open-air use of the lot. Typical examples include storage yards, vehicle impound yards, auto salvage uses.

OUTPARCEL. A parcel of land, generally located on the perimeter of a larger parcel that is subordinate to the larger parcel for access, parking and drainage purposes.

PARAPET or ***PARAPET WALL.*** A wall-like barrier at the edge of a roof that acts as a vertical extension of an exterior building wall extending above the roof height of the building. Parapets may serve as a safety or architectural feature.



PCS, PERSONAL COMMUNICATIONS SERVICES. Two-way, personal, wireless communications systems.

PERMITEE, WIND FARM FACILITY. The entity or entities, including their respective successors and assigns, who have been granted the ability to operate a wind farm facility. The permitee is responsible for the day-to-day operations and maintenance of the wind farm facility. This includes any third party subcontractors.

PERSON. Any individual, firm, or corporation, public or private, the State of Illinois and its agencies or political subdivisions, and the United States of America, its agencies and instrumentalities, and any agent, servant, officer or employee of any of the foregoing.

PHOTOVOLTAIC CELL. A semiconductor device that converts solar energy into electricity.

PILOT PLANT. A building or group of buildings in which a test, sample, or experimental manufacturing or assembling is operated until such a time as the process is perfected. This use is not to provide for the continuing operation of a manufacturing or assembling use.

PLANNED UNIT DEVELOPMENT. A development approved in accordance with the planned unit development procedures of § 155-16.50 or the planned unit development procedures in effect at the time the development was approved.

PLANT, INVASIVE. A highly aggressive introduced or non-native species living outside its native range that out-competes native plant species for available resources since the insects, diseases and animals that naturally keep the invasive plant's growth in check (within its native range) are not present in the introduced habitat.

PLANT, NATIVE. Species of plants occurring within Will County's boundaries prior to European contact, according to best scientific and historical documentation. More specifically, it includes those species understood as indigenous, occurring in natural associations in habitats that existed prior to significant human impacts and alterations of the landscape.

PLANT, NOXIOUS. A plant that is especially undesirable, troublesome and/or difficult to control and identified on official State of Illinois and/or federal noxious weeds lists.

WOODY PLANT. A plant that uses wood as part of its structural support.

PLANTING SEASON. September 15 to December 15 and March 15 to June 15.

PORCH. A roofed-over structure projecting out from the wall or walls of a main structure and commonly open to the weather in part.

PRINCIPAL BUILDING. A building or combination of buildings of chief importance or function on a lot. In general, the principal use is carried out in a principal building.

PRINCIPAL USE. An activity or combination of activities of chief importance on a lot. One of the main purposes for which the land, buildings or structures are intended, designed, or ordinarily used.

PROPERTY LINE. See LOT LINE.

PUBLIC OPEN SPACE. A publicly owned area including, but not limited to, the following: parks, playgrounds, forest preserves, waterways, parkways, and streets.

PUBLIC UTILITY. Any person, firm, or corporation duly authorized to furnish under regulation to the public, electricity, gas, steam, telephone, telegraph, transportation, water, or sewer systems excluding wireless telecommunication facilities.

PUBLIC WAY. Any sidewalk, street, alley, highway, or other public thoroughfare.

PUTRESCIBLE WASTE. Waste that contains organic matter capable of being decomposed by microorganisms so as to cause a malodor, gases, or other offensive conditions, or which is capable of providing food for birds and vectors. Putrescible wastes may form a contaminated leachate from microbiological degradation, chemical processes, and physical processes. Putrescible waste includes, but is not limited to food, paper, gypsum wallboard and sheetrock, cardboard and wood, fiber, offal, and dead animals.

QUALIFYING STRUCTURE. A supporting structure that is an existing structure, if the height of the facility, including the structure, is not more than 15 feet higher than the structure just before the facility is installed; or a substantially similar, substantially same-location replacement of an existing structure, if the height of the facility, including the replacement of an existing structure, is not more than 15 feet higher than the height of the existing structure just before the facility is installed. This definition applies to the wireless telecommunication facility regulations of § 155-9.270.

RACEWAY. A mounting bar or similar device that is used to attach channel letters to a building. Raceways often conceal the electrical components of channel letter signs.

RAILROAD RIGHT-OF-WAY. Strip of land with tracks and auxiliary facilities for track operation, but not including freight depots, stations, loading platforms, train sheds, warehouses, car or locomotive shops, or car yards.

RATED NAMEPLATE CAPACITY. The maximum rate output of electric power production equipment. This output is typically specified by the manufacturer with a "nameplate" on the equipment.

RATED WIND SPEED. The lowest wind speed at which the rated output power of an electric-generating wind device is produced.

RECREATIONAL VEHICLE. A travel trailer, camping trailer, truck camper, camper shell, motor home, tent trailer, boat, houseboat, boat trailer, snowmobile, personal watercraft, or similar vehicle. Camper shells that are attached to a pickup truck are not considered a recreational vehicle.

REGISTERED LAND SURVEYOR. A land surveyor registered in the State of Illinois, under the Illinois Land Surveyors Act. (ILCS Ch. 225, Act 330, §§ 1, et seq.)

REGISTERED PROFESSIONAL ENGINEER. An engineer registered in the State of Illinois, under the Illinois Professional Engineering Practice Act. (ILCS Ch. 225, Act 325, §§ 1, et seq.)

REMOVAL. Cutting vegetation to the ground or stumps, complete extraction, or killing by spraying.

RENEWABLE ENERGY. Energy from resources that are quickly replenished, such as sunlight, wind, water, biomass, geothermal resources.

RESERVOIR PARKING. Off-street parking spaces or lot areas allocated to temporary standing motor vehicles awaiting entrance to a particular establishment.

RESIDENTIAL ZONING DISTRICT. Any of the zoning districts identified in Article 155-3.

ROOF- AND/OR BUILDING-MOUNTED FACILITY. A low-power mobile radio service telecommunications facility in which antennas are mounted to an existing structure on the roof (including rooftop appurtenances) or building face.

ROOFTOP-MOUNTED ELECTRIC- GENERATING WIND DEVICE. An electric-generating wind device which has a rated nameplate capacity of up to five kilowatts and which is incidental and subordinate to a permitted use on the same parcel. A system is considered a rooftop mounted wind energy system only if it supplies electrical power solely for on-site use, except that when a parcel on which the system is installed also receives electrical power

supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.

ROTOR. Rotating member of the electric-generating wind device turbine that actually captures the wind. A typical rotor has two or three blades that spin on a horizontal axis.

RUNOFF. The water derived from melting snow or rain falling on the land surface, flowing over the surface of the ground or collected in channels or conduits.

SCREENING. Decorative fencing or evergreen vegetation maintained for the purpose of concealing from view the area behind the fencing or evergreen vegetation.

SEMI-NUDE. A state of dress or undress in which clothing covers no more than the genitals, pubic region, and areola of the female breast, as well as portions of the body covered by supporting straps or devices or by other minor accessory apparel such as hats, gloves, and socks.

SETBACK. Open space areas required between buildings and lot lines. See § 155-18.10(E).

SHADE TREE. Deciduous trees planted primarily for their high crown of foliage or overhead canopy.

SHRUB. A woody plant, smaller than a tree, consisting of several small stems from the ground, or small branches near the ground. May be deciduous or evergreen.

SHOOTING RANGE. A facility, including its component shooting ranges, safety fans, shot fall zones, parking areas, and other associated improvements, designed for the purpose of providing a place for the discharge of various types of firearms. Occasional target practice performed by individuals who own or lease the subject property is considered an accessory use and is not classified as a shooting range.

SIGN. Any identification, description, illustration, or device illuminated or non-illuminated that is visible to the public from adjoining streets or adjoining properties and that directs attention to a product, service, place, activity, person, institution, business, or solicitation, including any permanently installed or situated merchandise; or any emblem, painting, banner, pennant, placard, temporary sign, light, decoration, balloon or other device designed to attract attention, advertise, identify or convey information. Building details that are an integral part of the overall architectural design of a building or works of art accessory to a building are not be considered signs.

SIGN, ADVERTISING (BILLBOARD). A sign that directs attention to a business, commodity service, or entertainment conducted, sold, or offered elsewhere than upon the premises where such sign is located or to which it is affixed.

SIGN AREA. The surface measurement of a sign. See also § 155-13.130(A).

SIGN, BOX (also known as a ***CABINET SIGN***). A sign with text or symbols printed on a plastic or acrylic sheet that is mounted on a cabinet or box that houses the lighting source and associated electrical hardware.

Figure 18-3: Box Sign (aka "Cabinet Sign")

SIGN, CABINET. See SIGN, BOX.

SIGN, CONSTRUCTION. A sign on the site of permitted development/construction activities.

SIGN, DIRECTIONAL. A sign used to convey directions and other information for the convenience of the public. Included are signs designating restrooms, address numbers, hours of operation, entrances to buildings, help wanted, public telephone, etc. Also included are signs on private property designed to direct pedestrians or vehicular traffic, such as "entrance" or "exit."

SIGN, DIRECTORY. A wall or freestanding sign on a multi-tenant development site that is used to convey directions or tenant information to pedestrians and motorists who have entered the site.

Figure 18-4: Directory Sign

SIGN, DISTINCTIVE MATERIALS/DESIGN. Custom-made signs that use only external lighting and do not include a raceway or visible electrical housing and that are constructed primarily of the following materials and methods:

Figure 18-5: Distinctive materials/design signs (above and below)

(1) Ceramic tile-painted or sandblasted;

(2) Wood-carved or sandblasted;

(3) Metal-formed, etched, cast, or engraved;

(4) Brick or stone with recessed or raised lettering; or

(5) Other similar high-quality, exterior- grade materials approved by the Zoning Administrator.

SIGN, FREESTANDING. Any sign on a frame, pole or other support structure that is not attached to any building.

SIGN, IDENTIFICATION. A sign indicating the name and address of a building, or the name of an occupant thereof, and the practice of a permitted occupation therein.

SIGN, MENU BOARD. A sign displaying goods or services available through a drive-up window or available through a drive-in or drive-through establishment.

SIGN, MONUMENT. A freestanding sign where the base of the sign structure is on the ground or no more than 12 inches above the ground adjacent to the sign. Typically constructed of brick, wood, stone, or metal, monument signs have a base that is at least 80% of the width of the sign face.

SIGN, MOVING. Any sign that revolves, rotates, swings, undulates, or otherwise attracts attention by moving parts, whether operated by mechanical equipment or by natural sources, not including flags or banners.

SIGN, MULTI-TENANT DEVELOPMENT. A sign on the site of a multi-tenant development identifying the names of tenants or property owners, the address of the premises, and/or the name of any legal business that owns, controls, or manages a multi-tenant development.

Figure 18-6: Multi-tenant Development Sign

SIGN, PIN-MOUNTED CHANNEL LETTER. A wall sign mounted directly on the face of a building wall as individual letters, numbers, or symbols without a raceway or background other than the background provided by the building to which the sign is affixed. In order to qualify for the sign area ratios established for pin-mounted channel letter signs, pin-mounted channel letter signs must not be illuminated or be illuminated only by external lighting. Pin-mounted channel letter signs with other forms of il-lumination are subject to raceway-mounted channel letter sign area ratios.

Figure 18-7: Pin-mounted Channel Letter Signs (above and below)

SIGN, PORTABLE. Any sign not permanently attached to the ground, a building or other structure that is not readily movable. Any sign attached to a sign structure that has wheels will be considered a portable sign, as well as any sign attached to a frame or other sign structure that is not permanently attached to the ground or a building.

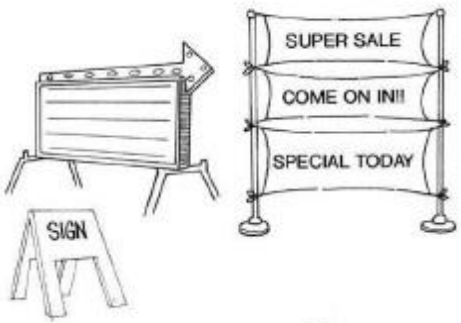


Figure 18-8: Portable Signs

SIGN, PROJECTING. Any sign that is attached to a building and that projects outward from the exterior wall of the building by more than 18 inches. The face of a projecting sign is typically perpendicular to the adjacent building wall.

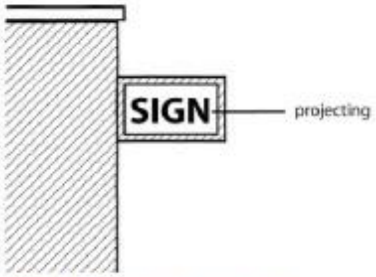


Figure 18-9: Projecting Sign

SIGN, RACEWAY-MOUNTED CHANNEL LETTER. A wall sign mounted on a raceway as individual letters, numbers, or symbols. Also includes channel letter signs mounted on a background other than the building wall. In order to qualify as a raceway-mounted channel letter sign, the raceway must be painted or otherwise designed to match or blend in with the color of the wall to which it is attached.

Figure 18-10: Raceway-mounted Channel Letter Sign

SIGN, ROOF. Any sign erected, constructed, and maintained above the parapet on a building with a flat roof or above the fascia board on a building with a pitched roof.

SIGN, SCREENED BOX WITH RAISED OR RECESSED (PUSH-THROUGH) LETTERS. A box sign with an opaque (screened) background and lighting that highlights only the individual letters, symbols, or logos and on which the letters, symbols, or logos are raised recessed (pushed through) or routed onto a different plane than the sign background, thereby giving a clearly distinguishable "dimensional" effect to the sign.

Figure 18-11: Screened Box Sign with Raised (push-through) Letters

SIGN STRUCTURE. Any structure that supports a sign, including decorative cover.

SIGN, TEMPORARY. Any sign, banner, pennant, valance, or advertising display that by intent is not permanent, constructed of cloth, canvas, lightweight fabric, cardboard, wallboard, or other lightweight materials with or without frames, intended to be displayed for a short period of time only.

SIGN, WALL. A single-faced sign attached generally flush or parallel to the wall of a building. (See also "rules for measuring wall area," § 155-13.130(C).)

Figure 18-12: Wall Sign

SIGN, WINDOW. A sign posted, painted, placed, or affixed in or on a window exposed to public view. A sign that is interior to the building that faces a window exposed to public view that is located within two feet of the window face is a window sign for the purposes of calculating the total area of all window signs. Merchandise used in a window display will not be considered a window sign. (See also "rules for measuring window area," § 155-13.130(D).)

SITE. A lot or parcel of land, or a contiguous combination thereof, where grading work is performed as a single unified operation.

SITE DEVELOPMENT. Altering terrain and/or vegetation and construction improvements.

SOLAR ENERGY SYSTEM. A system intended to convert solar energy into thermal, mechanical or electrical energy.

SOLAR ENERGY SYSTEM, BUILDING- INTEGRATED. A solar energy system that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural part of the building. Building-integrated systems include, but are not limited to, photovoltaic or hot water systems that are contained within roofing materials, windows, skylights, shading devices and similar architectural components.

SOLAR ENERGY SYSTEM, STRUCTURE- MOUNTED. A solar energy system that is mounted on the façade or roof of either a principal or accessory structure.

SOLAR ENERGY SYSTEM, FLUSH- MOUNTED. A solar energy system that is mounted flush with a finished building surface, at no more than six inches in height above that surface.

SOLAR ENERGY SYSTEM, GROUND- MOUNTED. A solar energy system mounted on the ground and not attached to any other structure other than structural supports.

SOLAR PANEL. A group of photovoltaic cells assembled on a panel. Panels are assembled on-site into solar arrays.

SPECIFIED ANATOMICAL AREA. Human genitals or pubic region, buttocks, anus, or the female breast below a point immediately above the top the areola that is less than completely or opaquely covered, or human male genitals in a discernibly turgid state even if completely or opaquely covered.

SPECIFIED SEXUAL ACTIVITIES. Any of the following: (i) human genitals in a state of sexual stimulation or excitement; (ii) acts of human masturbation, sexual intercourse, fellatio, or sodomy; (iii) fondling, kissing, or erotic touching of specified anatomical areas; (iv) flagellation or torture in the context of a sexual relationship; (v) masochism, erotic or sexually oriented torture, beating, or the infliction of pain; (vi) erotic touching, fondling, or other such contact with an animal by a human being; (vii) or human excretion, urination, menstruation, or vaginal or anal irrigation as part of or in connection with any of the activities set forth in items (i) through (vi).

STABLE. See § 155-8.40(B)(4)).

STORAGE, OUTDOOR. The keeping of any inventory, goods, material, or merchandise, including raw, semi-finished, and finished materials for any period of time outside of a building. Storage related to a residential use, required parking or loading areas, nurseries, and the display of automobiles or other vehicles for sale are not included in this definition.

STREET. All property dedicated or intended for public highway, freeway, or roadway purposes or subject to public easements.

STREET LINE (also ***STREET PROPERTY LINE***). The division line between private property and a dedicated street or way, usually uninterrupted from corner to corner in any given block.

STRIPPING. Any activity that removes the vegetative surface cover including tree removal, clearing, and storage or removal of topsoil.

STRUCTURE. The results of a human change to the land constructed on or below the ground, including the construction, reconstruction or placement of a building or any addition to a building; installing a mobile home on a site; preparing a site for a mobile home or installing a travel trailer on a site for more than 180 days unless they are fully licensed and ready for highway use.

STRUCTURAL ALTERATIONS. Any change in the supporting members of a building such as bearing walls or partitions, columns, beams, or girders, excepting such alterations as may be required for the safety of the building.

SUBSTANTIAL OR SIGNIFICANT PORTION OF ITS BUSINESS. For purposes of the definitions of ***ADULT CABARET***, ***ADULT STORE***, or ***ADULT THEATER*** (see § 155-8.40(A)), the phrase "substantial or significant portion of its business" is deemed to apply to any commercial establishment that satisfies one or more of the following criteria:

(1) Gross sales: 30% or more of the retail dollar value of the commercial establishment's annual gross sales derives from the sale, rental, or viewing of adult materials.

(2) Floor area: 30% or more of the floor area of the commercial establishment is devoted to the display, viewing, or presentation of adult materials, not including storerooms, stock areas, bathrooms, basements, or any other portion of the commercial establishment not open to the public.

(3) Merchandise displayed: 30% or more of the retail dollar value of all merchandise displayed at any one time is attributable to adult materials.

(4) Inventory: 30% or more of all inventory of the commercial establishment (whether measured by retail dollar value or number of items) consists at any one time of adult materials.

(5) Stock in trade: 30% or more of the stock in trade at the commercial establishment consists at any one time of adult materials.

(6) Live performances: Live performances by persons appearing semi-nude, or live performances that are otherwise distinguished or characterized by an emphasis on the exposure, depiction, or description of specified anatomical areas or the conduct or simulation of specified sexual activities, and that are taking place 30% or more of the time during which the commercial establishment is open for business.

SUPPORTING STRUCTURE. A structure, whether an antenna tower or another type of structure that supports one or more antennas as part of a facility.

SWIMMING POOL. Any structure, basin, chamber or tank containing an artificial body of water for swimming or wading, having a depth of two feet or more at any point. This definition includes in-ground, above and on-ground swimming pools but does not include hot tubs, spas, or other structures for recreational bathing.

SWIMMING POOL, PRIVATE. Any swimming pool, located on private residential property, the use of which is intended for the owner and guests.

TELECOMMUNICATIONS ACT OF 1996. Signed into law by President Clinton on February 8, 1996. It establishes a pro-competitive, deregulatory framework for telecommunications in the United States.

TELECOMMUNICATIONS CARRIER. A telecommunications carrier as defined in the Public Utilities Act as of January 1, 1997.

TEMPORARY MOBILE SIGN. An advertising device of a non-permanent type, used principally for commercial purposes.

TENANT OPERATOR. The person, including the person's family members, who are hired to operate a farm. Normally not the owner of the farm.

TERRACE, OPEN AND PATIO. A level plane or platform which, for the purpose of this zoning ordinance, is located adjacent to one or more faces of the principal structure and which is constructed not more than four feet in height above the average level of the adjoining ground.

TEST WIND TOWER. Wind towers that are designed solely to collect wind generation data.

THREATENED SPECIES. Species (including animals, plants, fungi, etc.) that are vulnerable to endangerment in the near future and identified on official State of Illinois and/or federal Threatened Species lists.

TOWER. Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like.

TOWER, ELECTRIC-GENERATING WIND DEVICE. The vertical component of an electric-generating wind device or small wind energy conversion system that elevates the wind turbine generator and attached blades above the ground.

TRAILER, COMMERCIAL. A vehicle or structure constructed in such a manner as to permit the conduct of any business, trade or occupation, or use as a selling or advertising device, or used for storage or conveyance of tools, equipment or machinery, and so designed that it is or may be mounted on wheels.

TREE. A large, woody plant having one or several self-supporting stems or trunks and numerous branches. May be classified as deciduous or evergreen.

UNCONTAMINATED SOIL. Soil that does not contain contaminants in concentrations that pose a threat to human health and safety and the environment. (See also Section 3.160 of the Illinois Environmental Protection Act.)

UNDERSTORY. Assemblages of natural low-level woody, herbaceous, and groundcover species, which exist in the area below the canopy of the trees.

UNIFIED CONTROL. The combination of two or more tracts of land wherein each owner has agreed that the subject land will be developed as part of a planned unit development and will be subject to the control applicable to the planned unit development.

USE. The purpose for which land or a building thereon is designed, arranged, or intended, or for which it is occupied, maintained, let or leased.

USE, LAWFUL. The use of any structure or land that conforms with all of the regulations of this zoning ordinance and that conforms with all of the codes, ordinances, and other legal requirements, as existing at the time of the enactment of this zoning ordinance or any amendment thereto, for the structure or land that is being examined.

USE, PERMITTED. A use which may be lawfully established in a particular district or districts, provided it conforms with all requirements, regulations, and performance standards (if any) of such districts.

USE, PRINCIPAL. The main use of land or buildings as distinguished from a subordinate or accessory use. A "principal use" may be either a "permitted use" or a "special use."

UTILITY-SCALE ENERGY PRODUCTION. An energy production facility that produces electric energy for widespread distribution through the electric power grid.

VACANT. Land on which there are no structures or only structures that are secondary to the use or maintenance of the land itself.

VEHICULAR USE AREA. An area that is devoted to a short-term use by or for motor vehicles, including off-street parking areas (accessory or non-accessory); off-street loading areas; gasoline stations; car washes; and drive-through service areas. Enclosed areas and access drives used solely for access between the street and the vehicular use area are not considered part of a vehicular use area. Definition does not include long-term, vehicle storage areas or area that are not accessible to the public, such as truck terminals, bus terminals, and tow yards.

VEHICLE, COMMERCIAL. Any vehicle operated for the transportation of persons or property in the furtherance of any commercial or industrial enterprise, for-hire or not-for-hire, but not including a commuter van or a vehicle used in a ridesharing arrangement when being used for that purpose.

VEHICLE, MOTOR. Any passenger vehicle, truck, tractor, recreational vehicle, tractor-trailer, truck-trailer, trailer or semitrailer propelled or drawn by mechanical power.

VEHICLE FUELS, ALTERNATIVE. Electricity, CNG (compressed natural gas), LNG (liquefied natural gas), LPG (liquefied petroleum gas), and hydrogen.

VEHICLE FUELS, CONVENTIONAL. Gasoline and diesel fuel.

WATER COLLECTION CISTERN. A barrel or similar container that collects and stores rainwater or other water that would otherwise be lost as runoff or diverted into a storm drain.

WETLANDS. Areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, and are subject to the regulations of the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act.

WHIP ANTENNA. An antenna that transmits signals in 360 degrees. Whip antennas are typically cylindrical in shape and are less than six inches in diameter and measure up to 18 inches in height. Also called omni-directional, stick or pipe antennas.

WIND TURBINE GENERATOR. The component of an electric-generating wind device that transforms mechanical energy from the wind into electrical energy.

WIRELESS TELECOMMUNICATIONS FACILITY. That part of the signal distribution system used or operated by a telecommunications carrier under a license from the Federal Communication Commission (FCC) consisting of a combination of improvements and equipment including (i) one or more antennas; (ii) a supporting structure and the hardware by which antennas are attached; (iii) equipment housing; and (iv) ancillary equipment such as signal transmission cables and miscellaneous hardware.

WIRELESS TELECOMMUNICATIONS FACILITY LOT. The lot on which a facility is or will be located.

WOODLANDS, EXISTING. Existing trees and shrubs of a number, size, and species that accomplish the same general function as new plantings.

YARD. The actual (as opposed to "required") horizontal distance that exists between a principal building and a property line. See also ***SETBACK***.