VILLAGE OF
TINLEY PARK, ILLINOIS

ZONING ORDINANCE

As Amended Through
July 5, 2016

VILLAGE OF TINLEY PARK, ILLINOIS

David G. Seaman, Mayor
Patrick E. Rea, Clerk

VILLAGE BOARD

Brian S. Maher
T.J. Grady
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Jacob C. Vandenberg
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Kevin L. Suggs

VILLAGE MANAGER

David J. Niemeyer

TINLEY PARK, ILLINOIS ZONING ORDINANCE:
A COMPREHENSIVE AMENDMENT TO THE 1956 ZONING ORDINANCE
ORDINANCE NO. 78-0-002
JANUARY 23, 1978

Amended 08-25-1987	Ordinance No. 87-O-043 (Lot Yard & Bulk Regulations)
Amended 02-02-1988	Ordinance No. 88-O-003 (New Automobile & Custom Van Sales)
Amended 04-04-1989	Ordinance No. 89-O-013 (Mail Order Business in B-3 District)
Amended 11-27-1990	Ordinance No. 90-O-087 (Group Homes)
Amended 05-28-1991	Ordinance No. 91-O-025 (Amending TP Zoning Ordinance)
Amended 11-19-1991	Ordinance No. 91-O-069 (Golf Course as Special Use)
Amended 03-16-1993	Ordinance No. 93-O-020 (Amending Section V.E.2)
Amended 12-28-1993	Ordinance No. 93-O-090 (Final Decision Makers for Variances)
Amended 07-23-1996	Ordinance No. 96-O-040 (Day Care Center as B-2 Special Use)
Amended 08-06-1996	Ordinance No. 96-O-042 (Maximum Floor Area & Height)
Amended 09-24-1996	Ordinance No. 96-O-054 (Movie Theater)
Amended 12-17-1996	Ordinance No. 96-O-086 (Wedding Chapels Special Use in B-3)
Amended 02-25-1997	Ordinance No. 97-O-012 (Brementowne Signage)
Amended 10-07-1997	Ordinance No. 97-O-066 (Hotels/Motels Minimum 5 Acre Lots)
Amended 02-17-1998	Ordinance No. 98-O-008 (Amending TP Zoning Ordinance)
Amended 02-24-1998	Ordinance No. 98-O-015 (Sign Regulations)
Amended 04-21-1998	Ordinance No. 98-O-021 (Personal Wireless Communication)
Amended 11-17-1998	Ordinance No. 98-O-083(Congregate Elderly Housing)
Amended 05-16-2000	Ordinance No. 2000-O-036 (Amending Section IX)
Amended 08-02-2001	Ordinance No. 2001-O-076 (H-1 Historic Business District)
Amended 09-02-2003	Ordinance No. 2003-O-087 (Indoor Skate Park as M-1 Special Use)
Amended 05-05-2004	Ordinance No. 2004-O-025 (Amending Sections II.B,V.C.2,V.C.3,VIII)
Amended 08-24-2004	Ordinance No. 2004-O-057 (Schedule of Permitted & Special Uses)
Amended 08-23-2005	Ordinance No. 2005-O-055 (H-1 District)
Amended 03-07-2006	Ordinance No. 2006-O-055 (Residential Standards)
Amended 07-18-2006	Ordinance No. 2006-O-033 (MU-1 District, Duvan Drive)
Amended 04-17-2007	Ordinance No. 2007-O-024 (Omnibus Amendments)
Amended 12-04-2007	Ordinance No. 2007-O-084 (Plan Commission Consideration: Variances)
Amended 03-24-2009	Ordinance No. 2009-O-010 (2009 Text Amendments)
Amended 08-22-2009	Ordinance No. 2009-O-045 (Special Uses)

Amended 10-27-2009	Ordinance No. 2009-O-053 (Building Disposition)
Amended 10-27-2009	Ordinance No. 2009-O-054 (Section III – Encroachments)
Amended 12-01-2009	Ordinance No. 2009-O-063 (Permitted Uses)
Amended 08-24-2010	Ordinance No. 2010-O-033 (Wireless Facility Location)
Amended 02-22-2011	Ordinance No. 2011-O-009 (Open Storage)
Amended 07-19-2011	Ordinance No. 2011-O-031 (Adoption of Legacy Code)
Amended 08-06-2013	Ordinance No. 2013-O-028 (Definitions, Use Tables, UD-1 Overlay District)
Amended 04-29-2014	Ordinance No. 2014-O-007 (MU-1 District, Duvan Drive, Use Table)
Amended 07-15-2014	Ordinance No. 2014-O-022 (Restrictions for Medical Cannabis)
Amended 10-06-2015	Ordinance No. 2015-O-045 (Legacy Code Text Amendments/Rezoning)
Amended 05-17-2016	Ordinance No. 2016-O-025 (Rescinding Ordinance No. 2015-O-045)
Amended 06-21-2016	Ordinance No. 2016-O-035 (Sign Regulations)
Amended 07-05-2016	Ordinance No. 2016-O-041 (Rich Township Entertainment/Tourism Overlay District)

VILLAGE OF TINLEY PARK, ILLINOIS

ZONING ORDINANCE

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SECTION I

TITLE, INTENT AND PURPOSE

A. TITLE

This Ordinance, including the Zoning District Map made a part hereof, shall be known, cited, and referred to as the Tinley Park Zoning Ordinance.

B. INTENT AND PURPOSE

This Comprehensive Amendment to the Tinley Park Zoning Ordinance is adopted for the following purposes:

1. To promote and protect the public health, safety, morals, convenience, and general welfare of the people;

2. To secure adequate natural light, pure air, and safety from fire and other dangers;

3. To divide the Village of Tinley Park into zones or districts, prescribing and regulating therein the location, erection, reconstruction, alteration, and use of buildings, structures, and land for residential, business, manufacturing, and other specified uses;

4. To fix reasonable standards to which buildings and structures shall conform and to provide that alterations or remodeling of existing buildings or structures be conducted in accordance with current standards as set forth herein;

5. To protect the character and maintain the stability of residential, business, and industrial areas within the Village of Tinley Park and to promote the orderly development of such areas;

6. To lessen or avoid the hazards to persons and damage to property resulting from the accumulation or runoff of storm or flood waters;

7. To limit congestion in the public streets and highways;

8. To regulate and limit the intensity of use of land;

9. To establish building setback lines along streets and trafficways and to regulate the location of structures designed for residential, business, and manufacturing, or other uses within such areas;

10. To prohibit uses or structures which are incompatible with the character of other appropriate existing or intended uses within specified zoning districts;

11. To provide for the gradual elimination of those existing uses of land, buildings, and structures that do not conform to the standards of the zoning district in which they are located;

12. To conserve and enhance the taxable value of land and buildings throughout the Village of Tinley Park; and

13. To define and limit the powers and duties of the administrative officers and bodies as provided herein.

SECTION II

RULES AND DEFINITIONS

In the construction of this Ordinance, the rules and definitions contained in this Section shall be observed and applied, except when the context clearly indicates otherwise.

A. RULES

1. Words used in the present tense shall include the future; and words used in the singular number shall include the plural number, and the plural the singular, where the context requires.

2. The word "shall" is mandatory and not discretionary.

3. The word "may" is permissive.

4. The term "person" shall mean an individual, partnership, corporation, or other association or their agents.

5. Any words not defined as follows, shall be construed in their generally accepted meanings as defined in the most recent publication of the Merriam-Webster Dictionary.

B. DEFINITIONS

ACCESSORY BUILDING: An Accessory Building is a subordinate building or structure (e.g. garage) on the same lot, not a part of the main building, occupied by or devoted exclusively to an accessory use. A garage or utility area attached to a residence or connected to it by a common roof or covered breezeway is not considered to be an Accessory Building.

ACCESSORY USE: An Accessory Use is a use naturally and normally incidental to, subordinate to, and auxiliary to the permitted use of the premises.

ADULT DAY CARE: An Adult Day Care establishment structures programs with stimulating social activities and health-related and rehabilitation services for the elderly who are physically or emotionally disabled and in need of a protective environment. The participant is usually brought to the care facility in the morning and leaves in the evening.

ADULT REGULATED USES: For the purposes of this Ordinance, Adult Regulated Uses shall be defined as follows:

> **ADULT BOOKSTORE:** An Adult Bookstore is an establishment having a substantial or significant portion of its stock in trade, books, magazines, and other periodicals, which are distinguished or characterized by their emphasis on matter

depicting, describing, or relating to "Specified Sexual Activities" or "Specified Anatomical Areas", or an establishment with a segment or section devoted to the sale or display of such material.

ADULT ENTERTAINMENT CABARET: An Adult Entertainment Cabaret is a public or private establishment which is licensed to serve food and/or alcoholic beverages which features topless dancers, go-go dancers, exotic dancers, strippers, male or female impersonators, or similar entertainers.

ADULT MINI MOTION PICTURE THEATERS: An Adult Mini Motion Picture Theater is an enclosed building with a capacity for less than fifty (50) persons used for presenting materials distinguished or characterized by an emphasis on matter depicting, describing, or relating to "Specified Sexual Activities" or "Specified Anatomical Areas" for observation by patrons therein.

ADULT MOTION PICTURE THEATER: An Adult Motion Picture Theater is an enclosed building with a capacity of fifty (50) or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to "Specified Sexual Activities" or "Specified Anatomical Areas" for observation by patrons therein.

AGRICULTURAL USE: An Agricultural Use is any land or building used for a purpose of producing grain, fruit, nursery stock, dairy products, vegetables, livestock or fowl, or other crops, and animal husbandry.

ALLEY: An Alley is a dedicated public way providing a secondary means of ingress to or egress from land or structures abutting thereon.

ALTERATION: The term Alteration means any change, addition, or modification in construction or type of occupancy; any change in structural members of a building such as walls, partitions, columns, beams, girders, or any change which may be referred to herein as "altered" or "reconstructed".

AMUSEMENT ARCADE: An Amusement Arcade is a building or part of a building containing five (5) or more video, pinball, or other similar player-operated amusement devices, in any combination, for commercial use. This does not include bingo, machines for vending food or drink, or jukeboxes.

ANIMAL HOSPITAL: An Animal Hospital is any building, or portion thereof, designed or used for the care, observation, or treatment of domestic animals.

ANTENNA: An Antenna is any exterior apparatuses at a fixed location designed for telephonic, radio, data, internet, or other communications through the sending and/or receiving of electro-magnetic waves, including equipment attached to a tower or building for the purpose of providing personal wireless services as defined herein.

ANTENNA HEIGHT: Antenna Height is the vertical distance measured from the lowest grade level within five (5) feet of the base of an antenna support structure to the highest point of the structure even if said highest point is an antenna.

ANTIQUE STORES: An Antique Store engages exclusively in the business of selling, bartering, or exchanging items which are by their style, design, or use commonly considered to be of another era or age, and not simply because the same is not a new product, including but not limited to works of art, pieces of furniture, decorative objects, clocks, lamps, clothing, rugs, toys, and the like. This definition excludes firearms, family heirlooms made principally or exclusively of gold or silver, and vehicles and vehicle parts, both restorable and in working condition. Per the Tinley Park Municipal Code, Antique Stores are excluded from the definition of Secondhand Stores.

APARTMENT: An Apartment is a room or suite of rooms used as a dwelling for one family which does its cooking therein.

ASSISTED LIVING: An Assisted Living establishment provides a special combination of housing, personalized supportive services, and healthcare designed to meet the needs–both scheduled and unscheduled–of those who need help with the activities of daily living. Services provided in Assisted Living residences usually include:

1. three meals a day served in a common dining area;
2. housekeeping services;
3. transportation;
4. assistance with eating, bathing, dressing, toileting, and walking;
5. access to health and medical services;
6. 24-hour security and staff availability;
7. emergency call systems for each resident's unit;
8. health promotion and exercise programs;
9. medication management;
10. personal laundry services; and
11. social and recreational activities.

ATHLETIC COURT: An Athletic Court is a solid playing surface constructed for recreational purposes. Driveways that conform to all other Village regulations shall not be considered Athletic Courts.

AUTOMOBILE PARTS AND ACCESSORIES, INCLUDING SERVICES WITHOUT FEES: The use of any building, structure, or lot utilized for the sale of new parts for automobiles and the provision of no fee services to be performed in conjunction with the sale of a new automobile part, accessory, supply, and/or maintenance item. See Section V–Schedule I (end note j) for additional limitations and conditions.

AUTOMOBILE REPAIR: Automobile Repair is the general repair, engine rebuilding, rebuilding or reconditioning of motor vehicles; collision service such as body, frame, or fender straightening and repair, overall painting, and vehicle rustproofing.

AUTOMOBILE SERVICE STATIONS: An Automobile Service Station is any building or premise used for the dispensing, sale, or offering for sale, at retail, of any automobile fuels, lubricants, tires, batteries and other minor accessories for motor vehicles, and including the customary space for minor repair or servicing, but not including major repairs, overhauling, or body work.

AWNING: An Awning is a roof-like cover, retractable in operation, which projects from the wall of a building.

BALCONY: A Balcony is a projecting platform that is open and which is suspended or cantilevered from, or supported solely by, the principal structure.

BANKS AND FINANCIAL INSTITUTIONS: Banks and Financial Institutions shall mean commercial banks, currency exchanges, savings and loan associations, brokerage offices, and other similar Financial Institutions.

BANK, DRIVE-IN: A Drive-In Bank is an accessory part of a bank structure which is designed to permit customers to transact business while in their automobiles via closed-circuit television or drive-in teller windows.

BASEMENT: A Basement is a portion of a building partly or wholly below the finished grade level and so located that the vertical distance from said grade level to its floor is greater than the vertical distance from said grade level to its ceiling. (See graphic)

BED AND BREAKFAST: A Bed and Breakfast facility is a transient lodging establishment, generally in a single-family dwelling or detached guesthouses, primarily engaged in providing overnight or otherwise temporary lodging for the general public and may provide meals for compensation.

BILLBOARD: A Billboard is any construction, or portion thereof, upon which a sign or advertisement used as an outdoor display for the purpose of making anything known to the general public, but not including bulletin boards used to display official court or public office notices.

BLOCK: A Block is the property abutting one (1) side of a street and lying between the two (2) nearest intersecting streets, or between the nearest such street and un-subdivided acreage, lake, or between any of the foregoing and any other barrier to the continuity of development.

BOARDING HOUSE: A Boarding House is a dwelling where meals, or lodging and meals, are provided for compensation to three (3) or more persons by pre-arrangement for definite periods of not less than one (1) week. A Boarding House is to be distinguished from a Hotel, Motel, or a Convalescent or Nursing Home.

BOOK AND STATIONERY STORE: A Book and Stationery Store is an establishment dealing in books, printed material, and stationery supplies which is not an Adult Book Store.

BUILDABLE AREA: The Buildable Area of a lot is the space remaining after the minimum open space requirements of this Ordinance have been complied with.

BUILDING: A Building is a structure, either temporary or permanent, having a roof supported by columns or walls for the shelter, support, or enclosure of persons, animals, or chattels. This shall include tents, awnings, or vehicles situated on private property and used for purposes of a building. When any portion thereof is completely separated from every other part thereof by division walls from the ground up, and without openings, each portion of such building shall be deemed a separate building.

BUILDING, PRINCIPAL: A Principal Building is a building in which is conducted the principal use of the lot on which it is located.

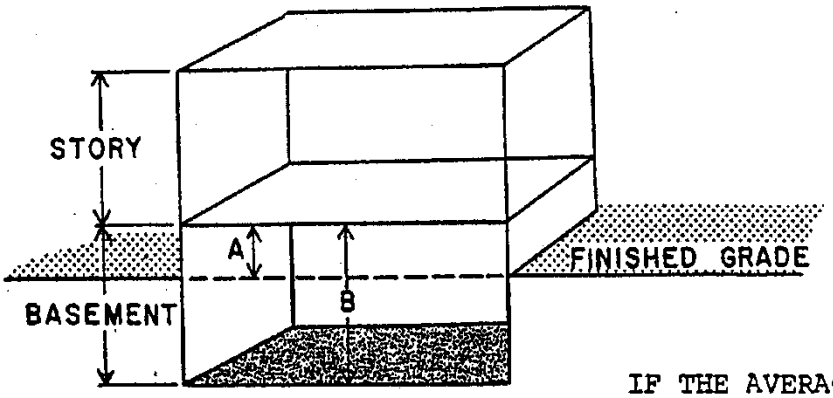
BUILDING, COMPLETELY ENCLOSED: A Completely Enclosed Building is separated on all sides from the adjacent open space, or from other buildings or structures, by a permanent roof and by exterior or party walls, pierced only by windows and normal entrance and exit doors.

BUILDING, DETACHED: A Detached Building is surrounded by open space on the same lot.

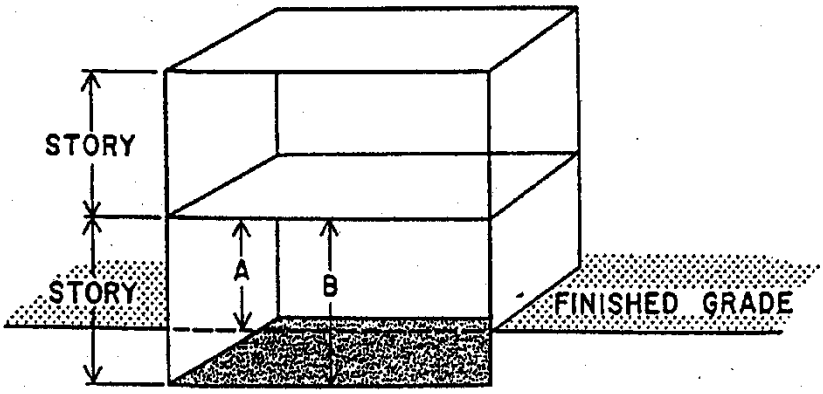
BUILDING, TEMPORARY: A Temporary Building is any building not designed to be permanently located at the place where it is, or where it is intended to be temporarily placed or affixed.

BUILDING HEIGHT: The Building Height is the vertical distance measured from the reference level to the highest point of the roof surface if a flat roof; to the deck of mansard roofs; and to the mean height level between eaves and ridge of gable, hip, and gambrel roofs. (See graphic)

BASEMENT & STORY DEFINITION

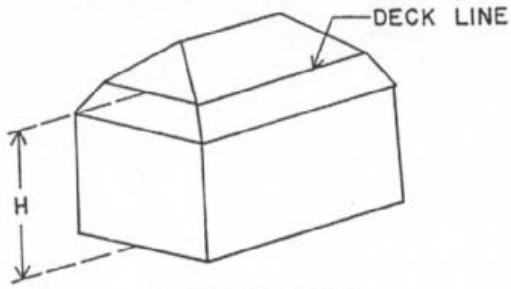


IF THE AVERAGE OF "A" IS EQUAL TO OR LESS THAN 1/2 OF "B", THIS IS A BASEMENT.

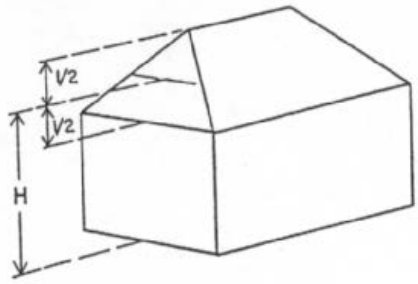


IF THE AVERAGE OF "A" IS GREATER THAN 1/2 OF "B", THIS IS A STORY.

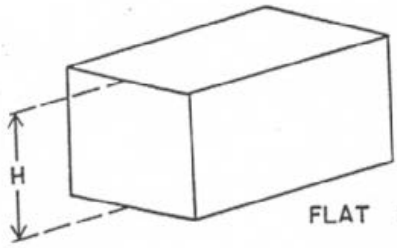
BUILDING HEIGHT REQUIREMENTS



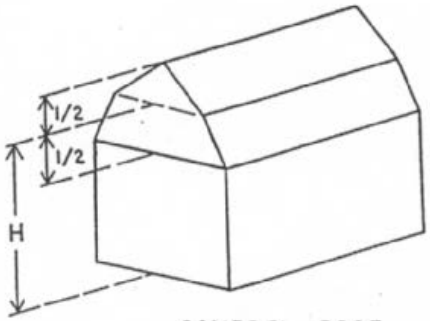
MANSARD ROOF



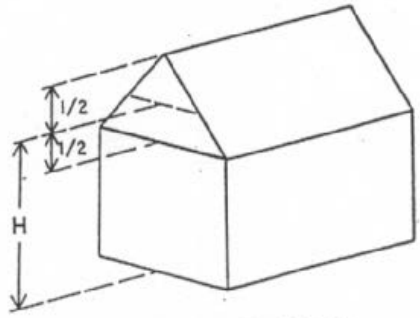
HIP ROOF



FLAT ROOF



GAMBREL ROOF



GABLE ROOF

H = HEIGHT OF BUILDING

BUILDING INSPECTOR: A Building Inspector refers to the Building Commissioner of the Village of Tinley Park or his authorized representative.

BUILDING LINE: The Building Line is a line established in general parallel to the front street right-of-way line, between which line and the front street right-of-way line no part of a building shall project, except as otherwise provided in the Ordinance.

BUILDING PERMIT: A Building Permit is the written authority issued by the Building Commissioner permitting the construction, removal, moving, alteration, or use of a building in conformity with the provisions of this Ordinance.

BULK: Bulk is the term used to indicate the size and setback of structures, and the location of same with respect to one another, and includes the following: (a) size and height of structures; (b) location of exterior walls; (c) gross floor area of buildings in relation to lot area; (d) all open spaces allocated to the building; and (e) lot area and lot width provided per dwelling.

CAMPGROUND: A Campground shall consist of a parcel of land at least thirty (30) acres in size, which is used as a residential facility designed, used, or intended to be used to accommodate the overnight or temporary location, hook-up, or use of its facilities for tents, travel trailers, camp trailers, and recreation vehicles, and providing a variety of outdoor recreational activities.

CAR WASH: A Car Wash is a building, or portion thereof, the primary purpose of which is washing motor vehicles.

CELLAR: A Cellar is a portion of a building having more than one-half (1/2) of its height below grade. (See also **BASEMENT**)

CLINIC, MEDICAL OR DENTAL: A Medical or Dental Clinic is a building or portion thereof in which the principal use of which is for offices of three (3) or more licensed doctors or dentists engaged in the examination and treatment of persons on an outpatient basis.

CLUB: A Club is an organization of persons for special purposes or for the promulgation of agriculture, sports, arts, science, literature, politics or the like, but not for profit.

CLUSTER HOUSING: Cluster Housing is a wholly or principally residential subdivision that permits a reduction in lot area, setback, or other site development regulations, provided there is no increase in the overall density permitted for a conventional subdivision in a given Zoning District, and the remaining land area is used for common space.

COIN DEALER: A Coin Dealer is engaged in the business of buying and selling coins or bullion.

CONDOMINIUM: A Condominium is a single dwelling unit in a multi-unit dwelling or structure, which is separately owned and which may be combined with an undivided interest in the common areas and facilities of the property.

CONGREGATE ELDERLY HOUSING: Congregate Elderly Housing is a building or use housing more than one person or family, with or without separate dwelling units for each, the occupancy of which is limited to persons who are at least fifty-five (55) years of age (or if two (2) or more persons occupy a single unit, one of whom is at least fifty-five (55) years of age) and which provides coordinated social and support services to residents such as some or all meals, housekeeping, laundry, recreation, education, and transportation. Congregate Elderly Housing may include a range of care levels from Independent to Assisted to Skilled Care. However, a Skilled Care institution alone, not adjacent to or associated with one or more other levels of Congregate Elderly Housing, shall be considered a Nursing Home, not Congregate Elderly Housing.

CONGREGATE HOUSING: Congregate Housing is similar to Independent Living except that it usually provides convenience or supportive services like meals, housekeeping, and transportation in addition to rental housing.

CONSIGNMENT STORE: A Consignment Store is any store in which any item of personal property such as clothes, jewelry, or furniture are resold through a broker for the owner at an agreed-upon price. Such stores do not include vehicles, auto parts, or junk.

CONTINUING CARE RETIREMENT COMMUNITY (CCRC): A Continuing Care Retirement Community (CCRC) is a facility or facility/community that offers several levels of assistance, including Independent Living, Assisted Living, and Nursing Home care. It is different from other housing and care facilities for seniors because it usually provides a written agreement of a long-term contract between the resident (frequently lasting the term of the resident's lifetime) and the community which offers a continuum of housing, services, and a healthcare system, commonly all on one campus or site. (See also **LIFE CARE COMMUNITY)**

CONVALESCENT HOME: A Convalescent Home is a home for the care of children or the aged or infirm, or a place of rest for those recuperating from bodily disorders, wherein two (2) or more persons are cared for. Said Convalescent Home shall conform and qualify for license under state laws.

COURT: A Court is an open unoccupied space other than a yard on the same lot with a building or group of buildings, and which is bounded on two (2) or more sides by such building or buildings.

CURRENCY EXCHANGE: A Currency Exchange is a commercial use that exchanges common currencies, sells money orders or cashiers checks, and cashes checks as its principal business activity. Currency Exchanges include check cashing facilities and payday loan agencies, but does not include Banks and Financial Institutions.

DAYCARE: (See also **NURSERY)**

DECK: A Deck is an open and roofless platform, either freestanding or attached to a building that is supported by a means other than the principal structure.

DENSITY: Density is the number of families residing on, or dwelling units developed on, an acre of land. Unless otherwise stated in this Ordinance, all Densities are stated in families per net acre; that is, per acre of land devoted to residential use, exclusive of land in streets, alleys, parks, playgrounds, school yards, or other public lands and open spaces.

DISABILITY: A Disability is a physical, mental, or developmental impairment which substantially limits one or more of such person's major life activities, impairs their ability to live independently, or a record of having such impairment, or being regarded as having such an impairment. Disability does not include the current use of, or addition to, a controlled substance, and which is likely to continue for a significant amount of time, or indefinitely.

DISTRICT: A District is a portion of the Village with which, on a uniform basis, certain uses of land and buildings are permitted and within which certain yards, open spaces, lot areas, and other requirements are established.

DRIVE-IN ESTABLISHMENT: A Drive-In Establishment is a business establishment so developed that its principal retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicle (e.g. restaurants, cleaners, banks, theaters, etc.)

DWELLING: A Dwelling is a building, or portion thereof, designed or used exclusively for residential purposes, including single-family, two-family, multiple-family, and group home dwellings, but not including Hotels, Motels, Boarding, or Lodging Houses.

DWELLING, ATTACHED: An Attached Dwelling is a dwelling joined to other dwellings by party walls, or vertical cavity walls, and above ground, physically unifying, horizontal structural elements.

DWELLING, DETACHED: A Detached Dwelling is a dwelling which is surrounded on all sides by open space on the same lot.

DWELLING, GROUP HOME: A Group Home Dwelling is a single dwelling unit occupied on a permanent basis by a group of unrelated persons with disabilities, plus paid, professional support staff, provided by a sponsoring agency, either living with the residents on a twenty-four- (24) hour basis or available in accordance with the particular needs of the residents which has obtained an Administrative Occupancy Permit from the Village of Tinley Park, and which complies with all applicable state and Village Codes, Regulations and Ordinances, and with the zoning regulations for the district in which the site is located.

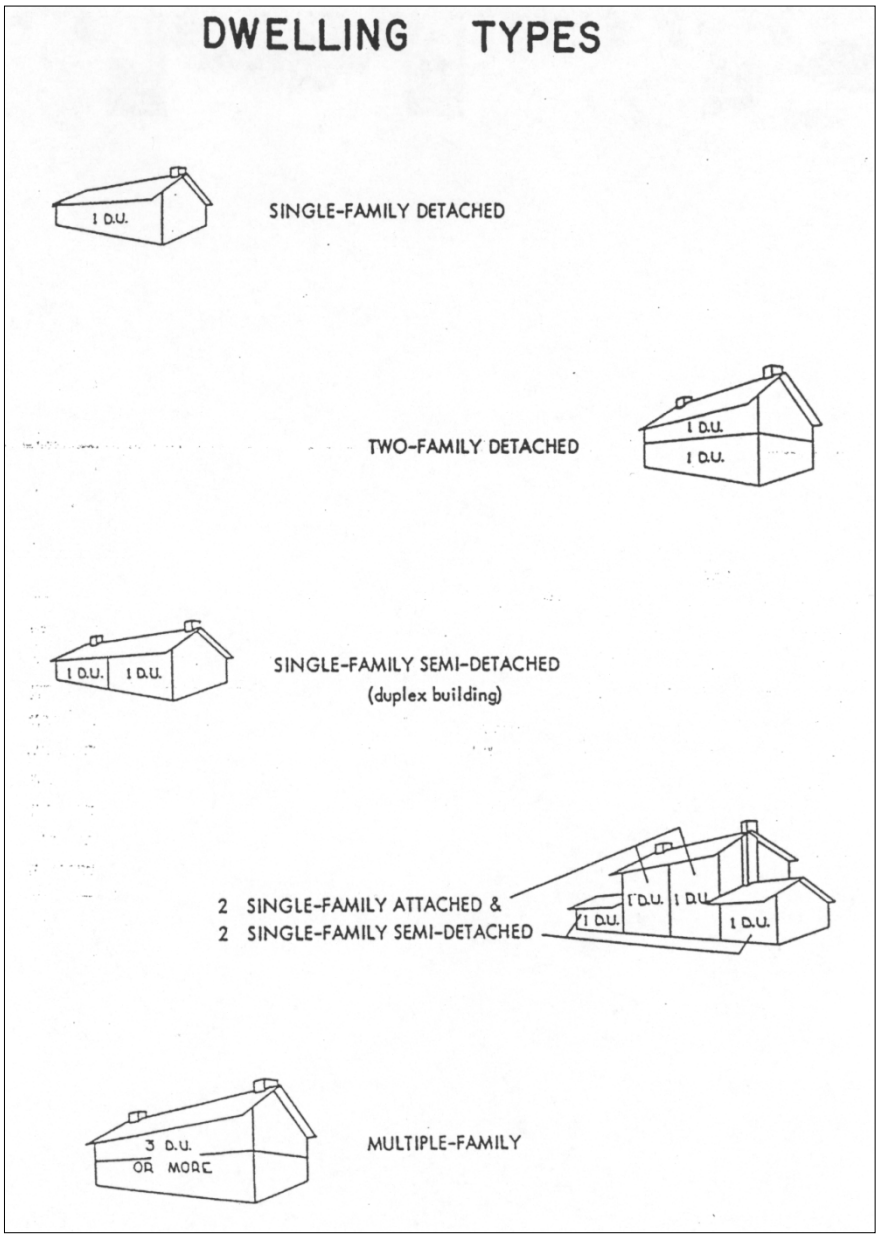
DWELLING, MULTIPLE-FAMILY: A Multiple-Family Dwelling is a building, or a portion thereof, used or designed as a residence for three (3) or more families living independently of each other and doing their own cooking in said building.

DWELLING, TOWNHOUSE: A Townhouse Dwelling is a row of two (2) or more attached one (1) family dwellings, not more than two-and-one-half (2 1/2) stories in height, in which each Dwelling has its own front entrance and rear entrance.

DWELLING, SEMI-DETACHED: A Semi-Detached Dwelling is a Dwelling joined to one other Dwelling by a party wall, or vertical cavity wall, and above ground, physically unifying, horizontal structural elements.

DWELLING, SINGLE-FAMILY: A Single-Family Dwelling is a detached building, designed for, or occupied exclusively, by one (1) family.

DWELLING, TWO-FAMILY: A Two-Family Dwelling is a detached building, designed for, or occupied exclusively, by two (2) families living independently of each other.



EDUCATIONAL FACILITIES, COLLEGE/UNIVERSITY/JUNIOR COLLEGE–CAMPUS: College/University/Junior College Educational Facilities are institutions of post-secondary education, public or private, offering courses in general, technical, or religious education and authorized by the state to award associate, baccalaureate, or higher degrees. It operates in buildings owned or leased by the institution for administrative and faculty offices in space totaling more than twenty-five thousand (25,000) square feet. These uses include classrooms, laboratories, chapels, auditoriums, lecture halls, libraries, student and faculty centers, athletic facilities, dormitories, fraternities, and sororities.

EDUCATIONAL FACILITIES, COLLEGE/UNIVERSITY/JUNIOR COLLEGE–SATELLITE: College/University/Junior College Satellite Educational Facilities are institutions of post-secondary education, public or private, offering courses in general, technical, or religious education and authorized by the state to award associate, baccalaureate, or higher degrees. It operates in buildings owned or leased by the institution and is not a full campus, but typically classroom space and administrative space totaling less than twenty-five thousand (25,000) square feet. This use does not include or anticipate dormitories, athletic facilities, libraries, and other campus life buildings.

EDUCATIONAL FACILITIES, PRIMARY: Primary Educational Facilities are public, private, or parochial schools offering instruction at the elementary school level in the branches of learning and study required to be taught in schools within the state.

EDUCATIONAL FACILITIES, SECONDARY: Secondary Educational Facilities are public, private, or parochial schools offering instruction at the junior high or high school level in the branches of learning and study required to be taught in the schools within the state.

EDUCATIONAL FACILITIES, TECHNICAL: Technical Educational Facilities are schools established to provide for the teaching of industrial or transportation skills in which machinery is employed as a means of instruction (e.g. truck driving school, trade school). This definition applies to schools that are owned and operated privately for profit and that do not offer a complete educational curriculum. Such a facility has a high impact land use and is similar to a light or heavy industrial use.

EDUCATIONAL FACILITIES, VOCATIONAL: Vocational Educational Facilities are schools established to provide for the teaching of clerical, managerial, computer, or artistic skills. This definition applies to schools that are owned and operated privately for profit and that do not offer a complete educational curriculum (e.g. beauty school, modeling school, educational tutoring, and testing centers). Such a facility has a very low impact land use and is similar to an office use.

EQUIPMENT, HEAVY: Heavy Equipment is defined as specialty vehicles and/or equipment weighing more than eight thousand (8,000) pounds. Examples of heavy equipment may include, but are not limited to dump trucks, cement trucks, portable storage devices, grading equipment, cranes, backhoes, lifts, etc. The weight limit shall apply only to the equipment and not to any associated trailers.

EQUIPMENT, LIGHT: Light Equipment is defined as specialty vehicles and/or equipment weighing less than eight thousand (8,000) pounds. Examples of light equipment may include generators, farm tractors, small trailers, etc. Standard passenger vehicles and trucks weighing eight thousand (8,000) pounds or less are exempt from this definition.

ERECTED: The word Erected includes built, constructed, reconstructed, moved upon, or any physical operations on the premises required for the building. Excavation, fill, drainage, and the like, shall be considered a part of erection.

FAMILY: A Family includes one (1) or more persons occupying a premise and living as a single housekeeping unit, and related to each other by birth, adoption, or marriage; also, a number of persons, but not exceeding four (4), living and cooking together as a single housekeeping unit, though not related by birth, adoption, or marriage shall be deemed to constitute a family.

FENCE: A Fence is a structure, tree or shrub hedge, which is a barrier and used as a boundary or means of protection or confinement.

FENCE, OPEN: An Open Fence is a Fence, including gates, which has, for each one (1) foot wide segment extending over the entire length and height of the Fence, fifty (50) percent of the surface area in open spaces which afford a direct view through the Fence.

FENCE, SOLID: A Solid Fence is a Fence, including gates, which conceals from view from adjoining properties, streets, or alleys, activities conducted behind it.

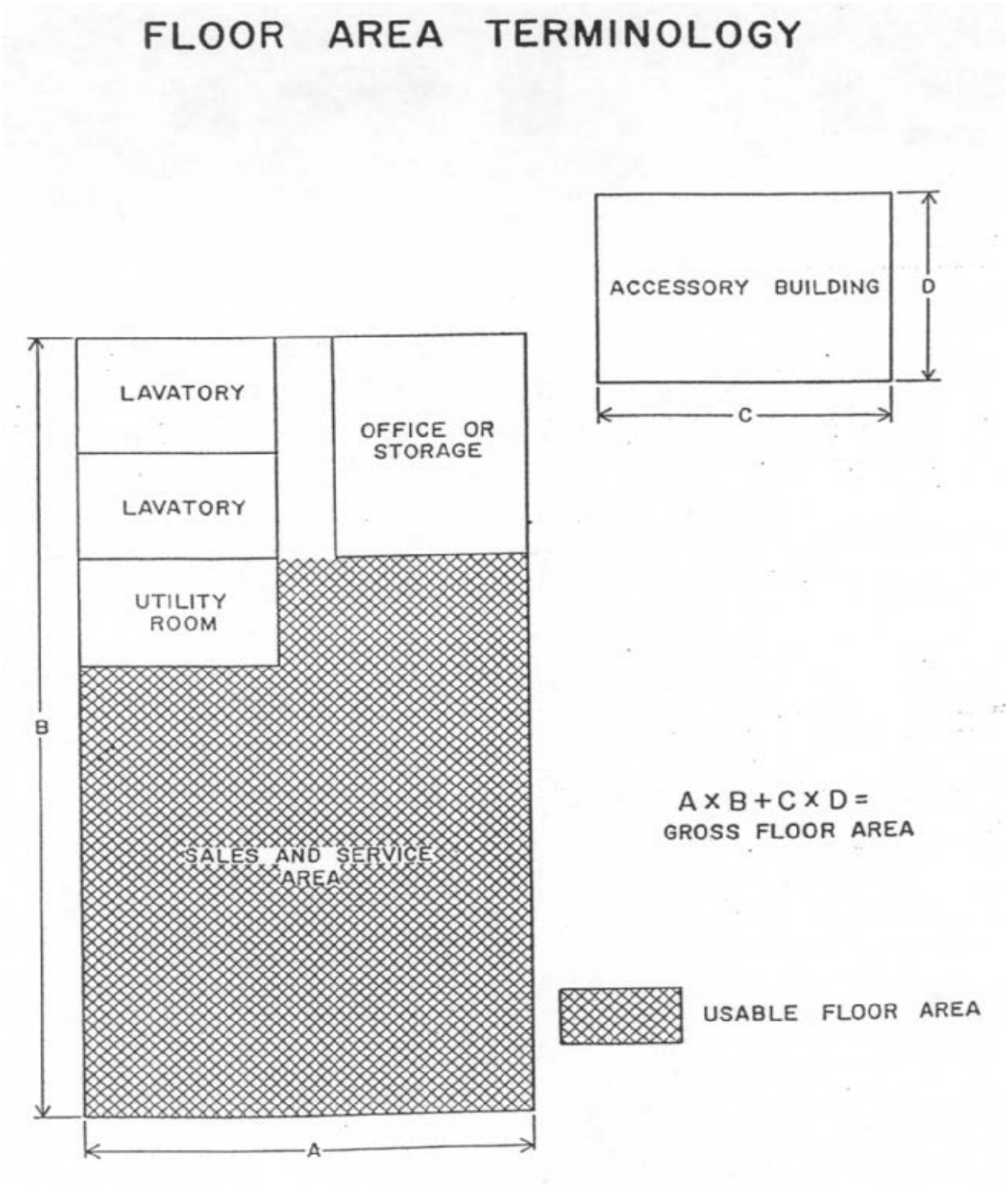
FLEA MARKET: A Flea Market is any place where multiple individual merchants assemble in order to sell for profit any goods which they deem for sale.

FLOODPLAIN AREA: A Floodplain Area is that continuous area adjacent to a stream or stream bed, or any stormwater retention area and its tributaries, whose elevation is equal to or lower than the floodcrest elevation. Any point shall be deemed to be within the floodplain area if it falls below the elevation of a high water mark, as the elevation of the mark is projected in horizontal directions perpendicular to the flow of the stream and thence to intersections at an equal elevation with the land on either side of the stream.

FLOOR AREA, GROSS: The Gross Floor Area is the sum of the gross horizontal areas of the floors within outside walls of a building including basements, elevator shafts, and stairwells at each story; floor space used for mechanical equipment, penthouse, half story, and mezzanine or interior balcony, and the gross floor area of any and all accessory buildings. (See illustration)

FLOOR AREA RATIO (F.A.R.): The Floor Area Ratio of a building or buildings on a zoning lot is the numerical value obtained by dividing the gross floor area of the buildings by the area of such lot, or in the case of Planned Unit Developments, by the net site area.

FLOOR AREA, USABLE: Usable Floor Area is any floor area within outside walls of a building exclusive of areas in cellars, basements, utility areas, unfinished attics, garages, open porches, and accessory buildings. (See illustration)



GARAGE, PRIVATE: A Private Garage is an accessory building designed and used for the storage of motor vehicles owned and used by the occupants of the building to which it is accessory and in which no occupation or business for profit is carried on. Not more than one (1) of the motor vehicles may be a commercial vehicle of not more than one-and-one-half (1 1/2) ton capacity.

GARAGE, PUBLIC: A Public Garage is a building, or portion thereof, other than a Private or Storage Garage, designed or used for equipping, servicing, or repairing motor vehicles. The hiring, selling, or storing of motor vehicles may be included.

GARAGE, STORAGE, OR OFF-STREET PARKING: A Storage Garage is a building, or portion thereof, designed or used, or land used exclusively for storage of motor vehicles, and in which motor fuels and oils are not sold, and motor vehicles are not equipped, repaired, hired, or sold.

GRADE: The established Grade of the street or sidewalk. Where no such Grade has been established, the Grade shall be the elevation of the sidewalk at the property line. Where no sidewalks exist, the Grade shall be the average elevation of the street adjacent to the property line. Except in cases of unusual topographic conditions, as determined by the Building Inspector, the Grade shall be the average elevation of the finished surface of the ground adjoining the exterior walls of a building or at the base of a structure.

GROUP HOME: (See also **DWELLING, GROUP HOME)**

HEIGHT: (See also **BUILDING HEIGHT)**

HOME OCCUPATION: A Home Occupation is a business, profession, occupation, or trade conducted for gain entirely within and is an accessory use to the primary residence of those performing the Home Occupation. Such accessory Home Occupations are regulated by Section III.W of this Zoning Ordinance.

HOSPITAL: A Hospital is an institution providing health services, primarily for inpatients and medical or surgical care of the sick or injured, including as an integral part of the institution, such related facilities as laboratories, outpatient departments, training facilities, central service facilities, and staff offices.

HOTEL, MOTEL, OR MOTOR INN: A Hotel, Motel, or Motor Inn is an establishment containing lodging accommodations designed for use by transients, travelers, or temporary guests. Facilities provided may include maid service, laundering of linens used on the premise, telephone and secretarial or desk services, meeting rooms, and restaurants, including the sale of alcoholic beverages.

INDEPENDENT LIVING: Independent Living is a residential living setting for elderly or senior adults that may or may not provide hospitality or supportive services. Under this living arrangement, the senior adult leads an independent lifestyle that requires minimal or no extra assistance. Generally referred to as elderly housing in the government-subsidized environment,

Independent Living also includes rental assisted or market rate apartments or cottages where residents usually have complete choice in whether to participate in a facility's services or programs.

JUNK: The term Junk shall mean any motor vehicle, machinery, appliances, product, or merchandise with parts missing or scrap metals or other scrap materials that are damaged, deteriorated, or are in a condition which cannot be used for the purpose for which the product was manufactured.

JUNKYARD: The term Junkyard includes automobile wrecking yards and salvage areas and includes any area of more than two hundred (200) square feet for the storage, keeping, or abandonment of junk, including scrap metals, other scrap materials, or reclaimed materials, or for the dismantling, demolition, or abandonment of automobiles or other vehicles or machinery or parts thereof, but does not include uses established entirely within enclosed buildings.

KENNEL: A Kennel is any lot or premise on which more than three (3) dogs, cats, or other household domestic animals over six (6) months of age are either permanently or temporarily quartered, or on which more than two (2) such animals are boarded, bred, or cared for in return for remuneration, or kept for sale.

LABORATORY: A Laboratory is a place devoted to experimental, routine study, or basic study, such as testing and analytical operations and in which manufacturing of product or products, except prototypes, is not performed.

LIFE CARE COMMUNITY: A Life Care Community is a Continuing Care Retirement Community (CCRC) that offers an insurance type of contract and provides all levels of care. It often includes payment for acute care and physician's visits. Little or no change is made in the monthly fee, regardless of the level of medical care required by the resident, except for cost of living increases.

LOADING SPACE: A Loading Space is an off-street space on the same parcel of property with a building or group of buildings, for temporary parking of commercial vehicles while loading and unloading merchandise or materials.

LONG-TERM CARE: Long-Term Care is given in the form of medical and support services to persons who have lost some or all of their capacity to function due to an illness or disability.

LOT: A Lot is a parcel of land occupied or intended for occupancy by a use, building, or structure together with its accessory uses, open spaces, lot width, and areas are required by this Ordinance, and having its principal frontage upon a public street or upon an officially approved private way used for street purposes. A Lot need not be a Lot of Record. (See graphics)

LOT AREA: The Lot Area is the total horizontal area within the Lot Lines of a Lot.

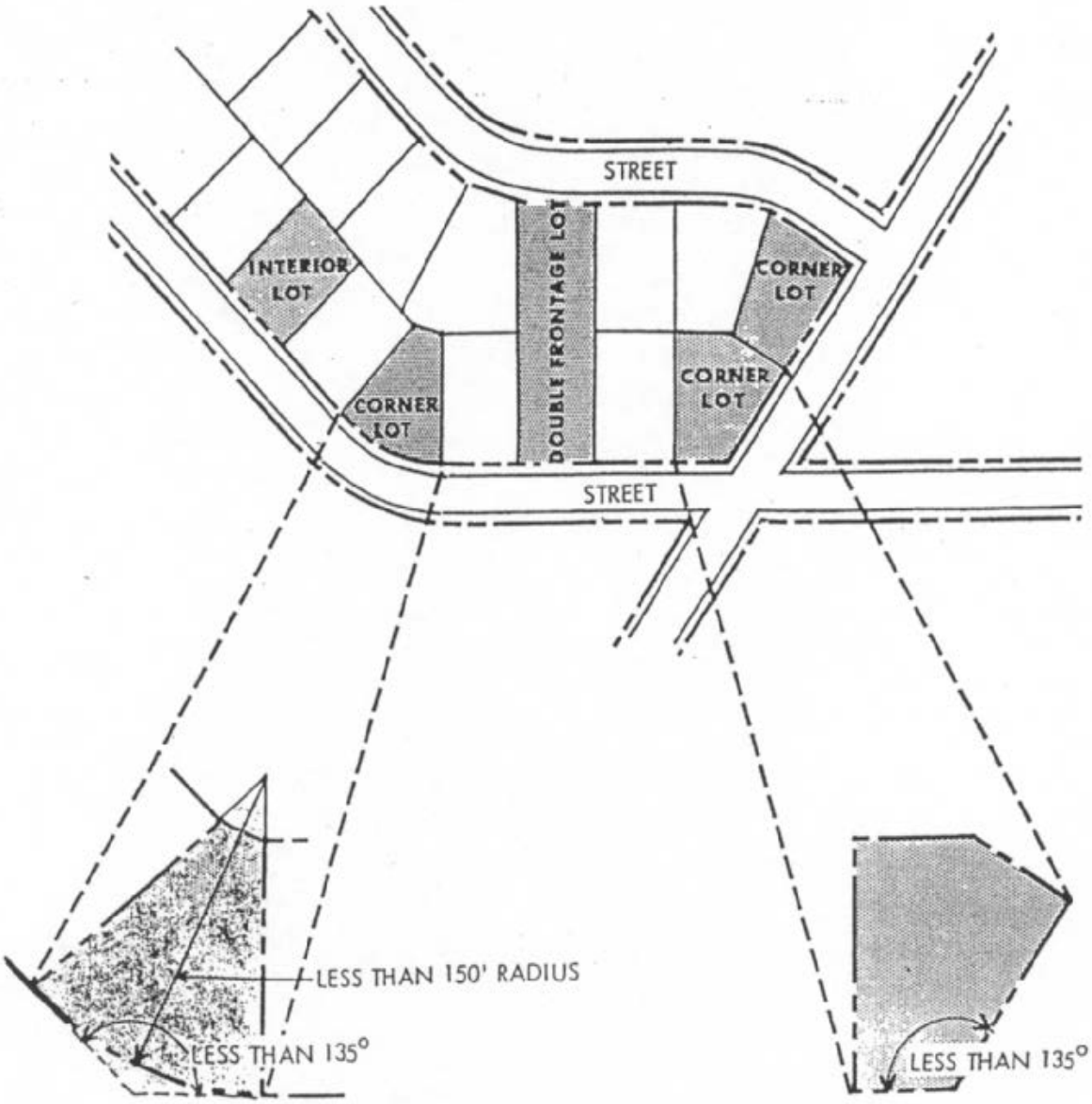
LOT, CORNER: A Corner Lot is a lot having at least two (2) adjacent sides abut for their full length upon a street, provided that such two (2) sides intersect at an angle of not more than one

hundred thirty-five (135) degrees. Where a Lot is on a curve, if tangents through the extreme point of the street line of such Lot make an interior angle of less than one hundred thirty-five (135) degrees, it is a Corner Lot. (See graphics)

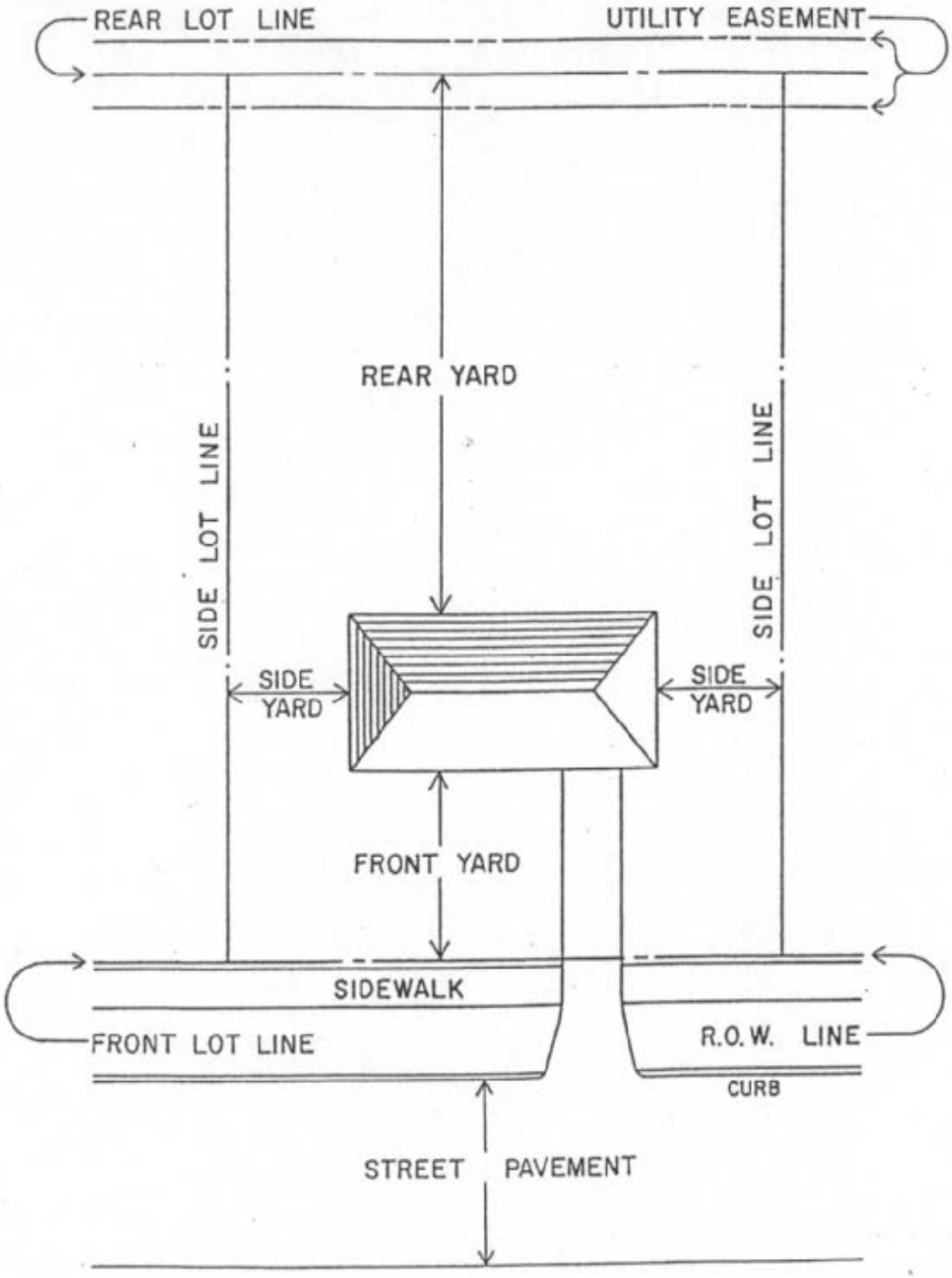
LOT COVERAGE: The Lot Coverage is the part of percent of the Lot occupied by buildings or structures, including accessory buildings or structures.

LOT DESCRIPTION

CORNER, DOUBLE FRONTAGE AND INTERIOR LOTS



LOT TERMS


REAR LOT LINE
UTILITY EASEMENT
REAR YARD
SIDE LOT LINE
SIDE LOT LINE
SIDE YARD
SIDE YARD
FRONT YARD
SIDEWALK
FRONT LOT LINE
R.O.W. LINE
CURB
STREET PAVEMENT

LOT DEPTH: The Lot Depth is the mean horizontal distance from the front street line to the Rear Lot Line. (See graphics)

LOT, DOUBLE FRONTAGE: A Double Frontage Lot (Through Lot) is an Interior Lot having frontage on two (2) more or less parallel streets as distinguished from a Corner Lot. (See graphics)

LOT, INTERIOR: An Interior Lot is a lot other than a Corner Lot. (See graphics)

LOT LINES: The Lot Lines are the property lines bounding the Lot. (See graphics)

LOT LINES, FRONT: The Front Lot Line is the front property line of a Zoning Lot, or that line which separates said Lot from the street right-of-way. (See graphics)

LOT LINES, REAR: The Rear Lot Line is that Lot Line which is opposite and most distant from the Front Line of the Lot. (See graphics)

LOT LINES, SIDE: The Side Lot Lines are Lot Lines other than Front or Rear Lot Lines. (See graphics)

LOT OF RECORD: A Lot of Record is defined as a Lot which is a part of a subdivision, the plat of which has been recorded in the office of the Recorder of Deeds of Cook County or Will County, Illinois, or registered in the Office of the Registrar of Titles of said counties; or a parcel of land, the deed to which was recorded in the Office of the Recorder of Deeds or registered in the Office of the Registrar of Titles in said counties prior to the adoption of this Ordinance.

LOT WIDTH: Lot Width refers to the mean horizontal distance between the Side Lot Lines, measured at right angles to the Side Lot Lines. Where the Side Lot Lines are not parallel, the Lot Width shall be considered as the average of the width between such Side Lot Lines measured at the building setback line. (See graphics)

LOT, ZONING: A Zoning Lot is either (a) a Lot of Record existing on the effective date of this Ordinance, or any subsequent amendment thereto, or (b) a tract of land, either un-subdivided, or consisting of two (2) or more contiguous Lots of Record, located within a single block in single ownership.

MANAGED CARE: Managed Care is best described as a partnership between the insurance and healthcare delivery systems. The basic goal of Managed Care is to coordinate all healthcare services received to maximize benefits and minimize costs. Managed Care plans use their own network of healthcare providers and a system of prior approval from a primary care doctor in order to achieve this goal. Providers include specialists, hospitals, skilled nursing facilities, therapists, and home healthcare agencies.

MEDICAL CANNABIS CULTIVATION FACILITY: A facility authorized by Illinois law and operated by an organization or business registered by the Department of Agriculture to

perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis.

MEDICAL CANNABIS DISPENSING FACILITY: A facility authorized by Illinois law and operated by an organization or business registered by the Department of Financial and Professional Regulation to acquire medical cannabis from a registered medical cannabis cultivation facility for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients.

MEDICAL CLINIC: A Medical Clinic is a facility used for the provision of medical, dental, surgical, or mental health care of the sick or injured, but excluding inpatient and overnight accommodations, which may also contain associated accessory uses such as diagnostic testing facilities, physical therapy, therapeutic or counseling services, pharmacies, medical supply retailers, and similar uses. A Medical Clinic is generally characterized by an agglomeration of multiple practitioners and a variety of medical services.

MEDICAL OFFICE: A Medical Office is a facility, similar in nature to a general business office, that is used for the provision of medical, dental, surgical, or mental health care of the sick or injured, but excluding inpatient and overnight accommodations as well as associated accessory uses such as diagnostic testing facilities, physical therapy, therapeutic or counseling services, pharmacies, medical supply retailers, and similar uses. A Medical Office is generally characterized by a single or limited number of practitioners who offer a similar or compatible medical service.

MEETING HALL: A Meeting Hall is a building or a portion of a building in which facilities are provided for civic, educational, political, religious, or social purposes.

MOBILE HOME: A Mobile Home is any trailer designed and constructed for dwelling purposes which contains cooking, sanitary, and electrical facilities.

MOTEL: (See **HOTEL**)

MOTOR FREIGHT TERMINAL: Motor Freight Terminals are any premises in which freight brought by motor truck is assembled and/or stored for routing in interstate/intrastate shipment by motor truck.

MOTORIZED HOME: A Motorized Home is a portable dwelling designed and constructed as an integral part of a self-propelled vehicle.

NONCONFORMING BUILDING: A Nonconforming Building is any building or land lawfully occupied by a use at the time of passage of this Ordinance or amendment thereto, which does not conform after the passage of this Ordinance or amendment thereto, with the use regulations of the district in which it is situated.

NURSERY, DAY NURSERY, NURSERY SCHOOL OR CHILD CARE CENTER: A Nursery, Day Nursery, Nursery School or Child Care Center is an establishment wherein three

(3) or more children, not related by bonds of consanguinity or fostership to the family residing on the same premises, are, for remuneration, cared for. Such Nurseries or Centers need not have a resident family on premises.

NURSING HOME: A Nursing Home is an establishment that provides twenty-four (24) hour skilled care for three (3) or more adults who are not related to the management or owner. Patients generally rely on assistance for most or all daily living activities (such as bathing, dressing, and toileting). A Nursing Home is one step below hospital acute care. Regular medical supervision and rehabilitation therapy are mandated to be available, and Nursing Homes are eligible to participate in Medicaid programs. These facilities are state licensed and often referred to as a Nursing Facility or Convalescent Home.

OFFICE, BUSINESS AND PROFESSIONAL: A Business and Professional Office is an office of a person practicing a profession, or any office used primarily for business or professional correspondence, research, editing, or administration.

OFF-STREET PARKING LOT: An Off-Street Parking Lot is a facility providing vehicular parking spaces along with adequate drives and aisles for maneuvering so as to provide access for entrance and exit for parking of more than two (2) automobiles.

OPEN SALES LOT: An Open Sales Lot is a lot or parcel of land used or occupied for the purpose of buying, selling, or trading of any goods and commodities and including the storage of same prior to sale or exchange.

OPEN SPACE, PUBLIC: Public Open Space is any publicly-owned open area, including but not limited to, the following: parks, playgrounds, forest preserves, waterways, and parkways.

OPEN STORAGE: Open Storage is the storage of any products, materials, vehicles, equipment, junk, or scrap outside the confines of an enclosed building, and more specifically defined as:

Level 1: The overnight storage of trucks, excluding associated trailers, over eight-thousand (8,000) pounds in weight provided the vehicle is licensed and operable and is essential to the function of the authorized principal use of the property;

Level 2: The storage of goods, products, materials, or light equipment;

Level 3: The storage of heavy equipment; and

Level 4: The storage of junk, used lumber, or metal, refuse, scrap and disabled or damaged motor vehicles not awaiting immediate repair.

PARKING SPACE: A Parking Space is an area of not less than nine (9) feet wide by eighteen-and-one-half (18 1/2) feet long, for each automobile or motor vehicle, such space being exclusive of necessary drives, aisles, entrances or exits, and being fully accessible for the storage or parking of permitted vehicles.

PATIO: A Patio is an at-grade surface made of a natural material, usually concrete, brick, or other masonry material, the floor of which is not elevated above the surface of the ground in any manner. A Patio may include seat walls constructed of a complementary material.

PERFORMANCE STANDARDS: Performance Standards are criteria established to control smoke and particulate matter, noise, odorous matter, toxic matter, vibration, fire and explosion hazards, glare, or heat generated by or inherent in uses of land or buildings.

PERSONAL WIRELESS SERVICE/PERSONAL WIRELESS SERVICE FACILITIES: As defined in Title 47, United States Code, Section 332(c)(7)(C), as amended now or in the future.

PLAN COMMISSION: The term Plan Commission shall mean the Plan Commission of the Village of Tinley Park.

PLANNED UNIT DEVELOPMENT: A Planned Unit Development is a parcel or tract of land under single ownership or control, which contains two (2) or more principal buildings, and one or more principal uses, that is planned and constructed as a unified development where specific regulations of a given zoning district are modified through the issuance of a Special Use Permit.

PORCH: A Porch is a covered platform, usually having a separate roof, which is not heated or cooled, that is attached to the outside of a building.

PRINCIPAL USE: A Principal Use is the main or dominant use of land or buildings as distinguished from a subordinate or accessory use.

PUBLIC AND PRIVATE PARKING LOTS, COMMERCIAL: Commercial Public and Private Parking Lots are parking areas which is not accessory to any other use on the same or any other lot and available to the public, whether for free or for compensation.

PUBLIC UTILITY: A Public Utility is any persons, firm, corporation, municipal department, board, or commission duly authorized to furnish under federal, state, or municipal regulations to the public, electricity, gas, steam, communications, transportation, or water services.

RAILROAD RIGHT-OF-WAY: A Railroad Right-of-Way is a strip of land containing railroad tracks and auxiliary facilities for track operations, but not including freight depots or stations, loading platforms, train sheds, water towers, warehouses, car or locomotive shops, or car yards.

RECREATION, COMMERCIAL INDOOR: Commercial Indoor Recreation facilities are conducted entirely indoors for commercial purposes, with or without seating for spectators, and providing accommodations for a variety of individual, organized, or franchised sports, including wrestling, basketball, soccer, tennis, volleyball, racquetball, handball, bowling, indoor golf driving ranges, skating, and ice skating. Such facilities may also provide other

regular organized or franchised events, such as children's amusements, dance studios and instruction, music schools and instruction, martial arts studios and instruction, skateboard facilities, trampoline or gymnastic facilities, large health and fitness club facilities, swimming pools, snack bars, restaurants, retail sales or related sports, health, or fitness items, and other support facilities. Commercial Indoor Recreation facilities less than thirty-five hundred (3,500) square feet are considered to be neighborhood uses of low intensity impact on land use.

RECREATION, COMMERCIAL OUTDOOR: Commercial Outdoor Recreation facilities are conducted outside of a building with any of the uses included in Commercial Indoor Recreation facilities and also including uses such as athletic fields; miniature golf; outdoor skateboard parks; swimming, bathing, wading, and other therapeutic facilities; children's tennis, handball, basketball courts, batting cages, and trampoline facilities.

RECREATION VEHICLE: A Recreation Vehicle is a vehicular-type unit not used commercially and primarily designed as temporary living quarters for recreation, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. The basic entities are: Truck Campers, Motor Homes or Mini-Motor Homes, and Camping Trailers.

A. A Truck Camper is a portable unit, not used commercially, designed to be loaded onto, or affixed to, the bed or chassis of a truck, constructed to provide temporary living quarters for recreational, camping, or travel use. Truck Campers are of two (2) basic types, as defined below:

   1. Slide-In Camper: A portable unit designed to be loaded onto and unloaded from the bed of a pickup truck, constructed to provide temporary living quarters for recreational, travel, or camping use; and

   2. Chassis-Mount Camper: A portable unit designed to be affixed to a truck chassis, and constructed to provide temporary living quarters for recreational, travel, or camping use.

B. A Motor Home or Mini-Motor Home is a vehicular unit on a self-propelled motor vehicle chassis, primarily designed to provide temporary living quarters for recreational, camping, or travel use and with direct walk through access to the living quarters from the driver's seat. Such a vehicle must include at least four (4) of the following:

   1. A cooking facility with an on-board fuel source;
   2. A gas or electric refrigerator;
   3. A toilet with exterior evacuation;
   4. A heating or air conditioning system with an on-board power or fuel source separate from the vehicle engine;
   5. A potable water supply system with at least a sink, a faucet, and a water tank with an exterior service supply connection; and
   6. A 110-125 volt electric power supply.

C. A Camping Trailer is a vehicular portable unit mounted on wheels not used commercially

and which folds for towing by another vehicle and unfolds at the campsite to provide temporary living quarters for recreational, camping, or travel use, and of a size and weight not requiring an over-dimension permit when towed on a highway.

REST HOME: A Rest Home is an establishment where elderly or sick people are housed and cared for.

RESTAURANT, DRIVE-IN: A Drive-In Restaurant is an establishment whose primary business is serving food to the public normally for consumption outside the confines of the principal permitted building, or in vehicles parked upon the premises, regardless of whether or not, in addition thereto, seats or other accommodations are provided inside for patrons.

RETAIL MEMBERSHIP CLUB: A Retail Membership Club is a retail store usually selling a wide variety of merchandise in which customers pay membership fees in order to shop.

SANATORIUM: A Sanatorium, or Sanitarium, is a hospital for patients with chronic diseases. A Sanatorium is also a place for the care of convalescents.

SECONDHAND GOODS: The Municipal Code, as amended, defines Secondhand Goods as any item of personal property or object of value, as itemized therein, which is not purchased or sold as new. The Zoning Ordinance accepts this list of items and added item 8, Clothing, to the list:

1. Jewelry of any kind and/or any metal, precious or semi-precious in nature;
2. Gold, silver, and/or other precious metals in whatever identifiable form, except for numismatic coins or bullion being sold or purchased by a coin collector or coin dealer who engages exclusively in the coin business or occupation;
3. Any type of gem or precious stone, including diamonds;
4. Office supplies;
5. Furniture fixtures;
6. Electronic equipment such as televisions, radios, stereos, and VCRs;
7. Appliances; and
8. Clothing.

SECONDHAND STORE: A Secondhand Store is any store engaging in or conducting business for purchasing, trading, bartering, or exchanging Secondhand Goods, including personal property, gold, silver, and/or other precious metals. Secondhand Stores are subject to the business regulations enumerated in Title XI of the Tinley Park Village Municipal Code. Excluded from Secondhand Stores are Antique Stores, Consignment Stores, Flea Markets, Stamp Dealers, Coin Dealers, and Thrift Stores.

SELF STORAGE FACILITIES: Self Storage Facilities are buildings or groups of buildings consisting of individual self-contained units leased to individuals, organizations, or businesses for self service storage of personal property.

SENIOR APARTMENT: A Senior Apartment is age-restricted multi-unit housing for older

adults who are able to care for themselves. Usually no additional services such as meals or transportation are provided. Senior Apartments are similar to Independent Living.

SENIOR HOUSING: Senior Housing is a catch-all term encompassing dwellings defined herein as Assisted Living, Congregate Housing, Continuing Care Retirement Community, Independent Living, Life Care Community, Nursing Home, Rest Home, or Senior Apartment.

SETBACK: The Setback is the minimum horizontal distance between a street right-of-way line and the nearest wall of a building, or side of a structure facing such street line, or edge of the area of operation of a principal use when no building or structure is involved.

SIGN: A Sign may be a name, identification, description, illustration, display, or device which is affixed to, painted, or represented upon a structure or land and which directs attention to a product, place, activity, person, institution, or business. A Sign shall also include a Permanent Sign located within a building in such a manner as to be viewed or intended for view primarily from the exterior of the building or entrance to the use. For the purpose of definition, a Sign may be single-face or double-face.

SIGN, ADVERTISING: An Advertising Sign is a structure, including a Billboard, on which is portrayed information which directs attention to a business, commodity, service, or entertainment, or other activity not related to use on the lot upon which the sign structure is located.

SIGN, BUSINESS: A Business Sign is a sign which directs attention to a business, commodity, service, entertainment, or other activity conducted on the Lot upon which such Sign is located.

SIGN, FLASHING: A Flashing Sign is an illuminated sign on which the artificial light is not maintained constant, or stationary in intensity or color, at all times when such a Sign is in use. For the purpose of this Ordinance, a revolving, illuminated Sign shall be considered a Flashing Sign.

SIGN, IDENTIFICATION: An Identification Sign is 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, PROJECTING: A Projecting Sign is a Sign which is affixed to any building wall or other structure and extends beyond the building wall, or parts thereof, or structure more than eighteen (18) inches.

SIGN, WALL: A Wall Sign is a Sign which is affixed to an exterior wall of any building, which shall project not more than eighteen (18) inches from the building wall or parts thereof.

STAMP DEALER: A Stamp Dealer is engaged in the business of buying and selling stamps or other associated philatelic items.

STORY: A Story is that portion of a building, other than a cellar or mezzanine, included

between the surface of any floor and the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. A mezzanine shall be deemed a full story when it covers more than fifty (50) percent of the area of the Story underneath said mezzanine, or, if the vertical distance from the floor next below it to the floor next above it is twenty-four (24) feet or more. (See graphic)

For the purpose of the Ordinance, a Basement or Cellar shall be counted as a Story if over fifty (50) percent of its height is above the level from which the height of the building is measured, or, if it is used for business purposes, or if it is used for dwelling purposes by other than a janitor or domestic servants employed in the same building, including the family of the same.

STORY, HALF: A Half Story is a space under a sloping roof which has the line of intersection of roof decking and wall face not more than three (3) feet above the top floor level, and in which space is no more than sixty (60) percent of the floor area is finished off for use. A Half Story may be used for occupancy only in conjunction with and by the occupants of the floor immediately below.

STREET: A Street is a public thoroughfare which affords traffic circulation and principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road, and any other thoroughfare, except an Alley.

STREET RIGHT-OF-WAY LINE (R.O.W.): A Street Right-of-Way Line is a dividing line between a lot, tract, or parcel of land and the dedicated right-of-way of a contiguous street.

STRUCTURE: A Structure is anything constructed or erected which requires permanent location on the ground or attachment to something having such location.

STRUCTURAL ALTERATION: A Structural Alteration is any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any substantial change in the roof or in the exterior walls, excepting such Alterations as may be required for the safety of the building.

SWIMMING POOL: The term Swimming Pool shall mean any permanent, non-portable structure or container intended for swimming or bathing, located either above or below grade, designed to hold water to a depth of greater than twenty-four (24) inches.

TEMPORARY BUILDING AND USE: Temporary Building and Use means a Structure or Use permitted to exist during periods of construction of the main use or for special events.

THEATER: A Theater is an establishment used to observe films and other visual material which is neither an Adult Motion Picture Theater nor an Adult Mini Motion Picture Theater.

THRIFT STORE: A Thrift Store is any store that derives the majority of its sales from donated, previously used merchandise such as clothing, furniture, appliances, household goods, sporting goods, recreational equipment, or other merchandise not considered to be antique.

TOWER, FREESTANDING: A Freestanding Tower is a 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 encompasses personal wireless service facilities, radio transmission towers, microwave towers, common carrier towers, cellular telephone towers, or personal communications services towers, alternative tower structures, and similar structures.

TRAILER: A Trailer is any non-motorized vehicle used for recreation, business, or storage purposes, having no foundation other than wheels, blocks, skids, jacks, horses, or skirtings, and which is, has been, or reasonably may be, equipped with wheels or other devices for transporting the structure from place to place.

TRAVEL TRAILER: A Travel Trailer is any Trailer not used commercially or as a Mobile Home, designed to provide living quarters for recreational, camping, or travel use, and of a size or weight not requiring an over-dimension permit when driven, constitutes a permanent Dwelling, but shall be utilized only on an occasional basis, mainly for recreational use and for holidays, weekend travel, or vacation.

USE: The term Use refers to the purpose for which land or premises or a building thereon is designed, arranged, or intended, or for which it is occupied or maintained, let, or leased.

VARIETY STORE: A Variety Store is a store retailing a diversified offering of several categories of discounted goods.

VEHICLE SALES/RENTALS: Vehicle Sales/Rentals is the use of any building, structure, or lot used for the sales or rentals of automobiles, trucks, vans, trailers, recreational vehicles, boats, motorcycles, or other similar motorized vehicles, either on-site and/or via the internet. Such use may include offices, internal parts storage, and an on-site repair and service facility as an Accessory Use.

VILLAGE BOARD OF TRUSTEES: The term "Village Board of Trustees", or "Village Board", as the case may be, shall mean the President and Village Board of Trustees of Tinley Park, Illinois.

WAREHOUSE, DISTRIBUTION PLANTS, AND WHOLESALE ESTABLISHMENTS: Warehouse, Distribution Plants, and Wholesale Establishments are engaged in the storage, wholesale, or distribution of manufactured products, supplies, and equipment, excluding bulk storage of materials that are flammable or explosive. (See Section V–Schedule I for additional limitations and conditions)

YARD: A Yard is an open space on the same lot with a building, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a Yard for the purpose of determining the width of a Side Yard, the depth of a Front Yard or the depth of a Rear Yard, the mean horizontal distance between the Lot Line and the main building shall be used. (See graphic)

YARD, FRONT: A Front Yard is a Yard extending across the front of a Lot between the Side Yard lines, and being the minimum horizontal distance between the street line and the main building, or any projections thereof, other than the projection of the usual steps, entranceway, unenclosed balconies, or open porch. (See graphic)

YARD, REAR: A Rear Yard is a Yard extending across the rear of a Lot measured between the Side Lot Lines, and being the minimum horizontal distance between the Rear Lot Line and the rear of the main building or any projections other than steps, unenclosed balconies, or unenclosed porches. On Corner Lots, the Rear Yard shall be considered as parallel to the street upon which the Lot has its least dimension. On both Corner Lots and Interior Lots, the Rear Yard shall in all cases be at the opposite end of the Lot from the Front Yard. (See graphic)

YARD, REQUIRED: A Required Yard, as defined herein, that occupies the area of a required setback. (See graphic)

YARD, SIDE: A Side Yard is a Yard between the main building and the Side line of the Lot, and extending from the Front Lot line to the Rear Yard Line. (See graphic)

ZONING BOARD OF APPEALS: The term "Zoning Board of Appeals", or "Zoning Board", shall refer to the Zoning Board of Appeals of the Village of Tinley Park, Illinois.

ZONING DISTRICT: A Zoning District is a portion of the Village of Tinley Park within which on a uniform basis, certain uses of land and buildings are permitted and within which certain yards, open spaces, lot areas, and other requirements are established.

C. DEFINITIONS FOR PERFORMANCE STANDARDS

ACTIVE TO INTENSE BURNING: Active to Intense Burning means a rate of combustion exhibited by material that burns with a high degree of activity and is consumed rapidly. Examples: sawdust, powdered magnesium, pyroxylin, etc.

AMPLITUDE: Amplitude is the maximum displacement of the earth from the normal rest position. Amplitude is usually reported as inches or mils.

CANDLE: A Candle is the luminous intensity of one standard candle.

DBA: DBA is a unit for describing sound levels measured using an A-weighting network. This network modifies the measured sound pressure level at the various frequencies to account for differences in the sensitivity of the human ear to sounds of different frequency.

DECIBEL (abbreviated dB): A Decibel is a unit which describes the sound pressure level or intensity of sound. The sound pressure level in decibels is twenty times the logarithm to the base ten of the ratio of the pressure of the sound to a reference pressure of 0.0002 microbar.

DETONATION: Detonation is a violent and sudden explosion resulting from the

instantaneous reaction of a mixture, compound, or substance.

DISCRETE IMPULSES: Discrete Impulses are ground transmitted vibrations stemming from a source where specific pulses do not exceed 60 per minute (or one per second).

EQUIVALENT OPACITY: Equivalent Opacity is the optical density of a smoke plume corresponding to the shade on the Ringelmann Chart.

FLASH POINT: Flash Point is the lowest temperature at which the vapor above a flammable liquid will momentarily burn under prescribed conditions. The closed cup Flash Point tester shall be authoritative and the test shall be run in accordance with the appropriate ASTM (American Society of Testing & Materials) method.

FOOT CANDLE: Foot Candle is the unit of illumination. The illumination on a surface one-square foot in area, on which there is a uniform distribution of light having a Candle power of one Candle.

FOOT LAMBERT: Foot Lambert is a unit of brightness equal to the brightness of a uniform diffusing surface which emits or reflects one lumen per square foot.

FREQUENCY: Frequency is the number of times that a displacement completely repeats itself in one second of time. Frequency may be designated in cycles per second (cps) or Hertz (Hz).

GLARE: Glare is a sensation of brightness within the visual field which causes annoyance, discomfort, or loss in visual performance and visibility.

ILLUMINATION: Illumination is the density of luminous energy falling upon a surface which is usually measured in Foot Candles.

IMPACT: Impact is an earth-borne vibration generally produced by two or more objects striking each other so as to cause separate and distinct pulses.

IMPACT NOISES: Impact Noises are relatively short duration noises generally produced by the striking of two or more objects so as to be heard as separate distinct noises.

IMPACT NOISE ANALYZER: An Impact Noise Analyzer is an instrument which measures the peak sound pressure of an impact noise and meets the applicable standards of the American National Standards Institute (or the International Electrotechnical Commission).

INCOMBUSTIBLE: Incombustible objects are incapable of burning and propagating a flame when exposed to a temperature of 1200 Degrees Fahrenheit for five (5) minutes.

INTRINSICALLY BRIGHT SOURCES: Intrinsically Bright Sources are sources of light of extremely high intensity.

MODERATE BURNING: Moderate Burning is a degree of combustion where the material is difficult to ignite and burns in a controlled fashion. Examples include lumber, hardboard, low fire spread plastics, rubbers, etc.

NOISE: Noise is a subjective description of an undesirable or unwanted sound. (See **SOUND**)

ODOR INTENSITY: Odor Intensity is a measurement which describes the strength of an odorous compound in air. Odor Intensities are given in odor units per cubic foot and are measured in accordance with ASTM Test Method D 1391-57 or in an equivalent manner.

ODOROUS MATTER: Odorous Matter is material suspended in the atmosphere that produces an olfactory response in normal human beings.

PARTICLE VELOCITY: Particle Velocity is a characteristic of vibration that depends on both displacement and frequency. If not directly measured, it can be computed by multiplying the frequency by the amplitude times the factor 6.28. The Particle Velocity will be in inches per second when the frequency is expressed in cycles per second and the amplitude in inches.

PARTICULATE MATTER: Particulate Matter is airborne materials except uncombined water which exists in a finely divided form as a liquid or solid at standard conditions.

PHOTOMETER: A Photometer is an instrument for measuring the intensity of light.

RINGELMANN NUMBER: The Ringelmann Number is the shade identified on the Ringelmann Chart which varies from 0 (clear) to 5 (opaque).

SEISMOGRAPH: A Seismograph is an instrument which measures vibration characteristics simultaneously in three (3) mutually perpendicular planes. The Seismograph may measure displacement and frequency, particle velocity, or acceleration.

SMOKE: Smoke is the visible effluent from any activity, operation, or source containing air contaminants, but not including water vapor or mist.

SOUND: Sound is the rapid fluctuations of atmospheric pressure which are audible to persons.

SOUND LEVEL METER: A Sound Level Meter is an instrument used to measure the overall sound pressure level. It shall comply with the applicable specifications of the American National Standards Institute (ANSI S1.4-1971).

STANDARD TEMPERATURE AND PRESSURE: The Standard Temperature and Pressure is 60 Degrees Fahrenheit and 14.7 pounds per square inch, absolute.

STEADY STATE: A Steady State is a vibration which is continuous, as from a fan, compressor, or motor.

THRESHOLD LIMIT VALUE: The Threshold Limit Value is the maximum allowable concentration permitted an industrial worker for eight (8) hours' exposure per day, five days per week, as adopted by the American Conference of Governmental Industrial Hygienists.

TOXIC MATTER: Toxic Matter is material which is capable of causing injury to living organisms by chemical means when present in relatively small amounts.

VIBRATION: Vibration is a reciprocating movement transmitted through the earth, both in horizontal and vertical planes.

WATT: A Watt is a unit of electrical power.

The performance standards outlined herein were prepared for the Village of Tinley Park by POLYTECHNIC, INC., 2600 South Michigan Avenue, Chicago, Illinois, 60616. This is a firm of highly qualified specialists on performance standards and may be contacted by the Village should questions arise or if there is a need for testing, consultation, court testimony, or analysis of plans which are submitted to the Village for approval.

SECTION III

GENERAL PROVISIONS

Except as hereinafter specifically provided, the following general regulations shall apply:

A. INTERPRETATION AND APPLICATION

In interpreting and applying these regulations, the requirements contained herein are declared to be the minimum requirements necessary to carry out the purpose of these regulations. Except as hereinafter provided, these regulations shall not be deemed to interfere with, abrogate, annul, or otherwise affect in any manner whatsoever, any easements, covenants, or other agreements between parties. Whenever the provisions of these regulations impose greater restrictions upon the use of land or buildings, or upon the height of buildings, or require a larger percentage of lot to be left unoccupied than the provisions of other ordinances, rules, regulations, permits, or any easements, covenants, or other agreements between parties, the provisions of these regulations shall govern.

B. USE OF LAND OR STRUCTURES

The provisions of this Ordinance shall apply to all properties as hereinafter specifically provided:

1. **New and Existing Uses.** No building or structure or land shall hereafter be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, moved, or altered, except in conformity with the regulations herein specified for the district in which it is located;

2. **Nonconforming Uses.** Any lawful building, structure, or use existing at the time of the enactment of the Zoning Ordinance may be continued, even though such building, structure, or use does not conform to the provisions herein for the district in which it is located, and whenever a district shall be changed hereafter, the then existing lawful use may be continued, subject to the provisions of Section VI;

3. **Lot of Record.** A Lot of Record at the time of the adoption of this Ordinance which is unable to meet the requirements of this Ordinance as to area and lot width may be used, provided it shall meet all the other requirements of this Ordinance. However, when two (2) or more parcels of land, each of which lacks adequate area and dimensions to qualify for a Permitted Use under the requirements of the use district in which they are located, are contiguous and are held in one ownership, at the time of or subsequent to the adoption of this amendment, they shall be used as one zoning lot for such use; and

4. **<u>Construction in Process</u>.** Where construction of a building or structure has begun prior to the effective date of this Ordinance and is being diligently prosecuted to completion, said building or structure may be completed in accordance with the approved plans on the basis of which the Building Permit was issued, and further may, upon completion, be occupied under a Certificate of Occupancy subject to the provisions herein set forth in the section pertaining to nonconforming structures and uses.

C. HEIGHT LIMITATIONS

1. No building shall be erected, converted, enlarged, reconstructed, or structurally altered to exceed the height limit hereinafter established for the district in which the building is located, except that penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans, or similar equipment required to operate and maintain the building and fire or parapet walls, skylights, towers, steeples, stage lofts and screens, flagpoles, chimneys, smokestacks, individual domestic radio, television aerials and wireless masts, water tanks, or similar structures may be erected above the height limits when recommended by the Zoning Board of Appeals and approved by the Village Board. No such structure may be erected to exceed by more than fifteen (15) feet the height limits of the District in which it is located; nor shall such structure have a total area greater than twenty-five (25) percent of the roof area of the building; nor shall such structure be used for any residential purpose or any commercial or industrial purpose other than a use incidental to the main use of the building. Provided, however, that all buildings in the Zoning Districts established by the 2011 Legacy Code (being the Downtown Core District, Downtown Flex District, Downtown General District, Neighborhood General District, Neighborhood Flex District, and Civic District) are governed by the height provisions of said Legacy Code and are, therefore, exempt from the height limitations set forth in this Section III.C.1.

2. Hospitals, institutions, schools, or public utility and service buildings, when permitted in a district, may be erected to a height not exceeding sixty (60) feet, provided said specified buildings shall be set back from the front, rear, and side lot lines on the ratio of two (2) feet for every one (1) foot of building height greater than forty (40) feet; provided, however, that said specified requirements shall apply in addition to the other requirements for building line setbacks and for rear and side yards specifically set forth in this Ordinance. Provided, however, that all buildings in the zoning districts established by the 2011 Legacy Code (being the Downtown Core District, Downtown Flex District, Downtown General District, Neighborhood General District, Neighborhood Flex District, and Civic District) are governed by the height provisions of said Legacy Code and are therefore exempt from the height limitations set forth in this Section III.C.2.

3. Planned Unit Developments may exceed the height limits established for the district in which the structure is located, provided that the height conforms with the standards and requirements set forth in Section VII.C.2.O of this Ordinance.

D. LOTS

1. Every building hereafter erected or structurally altered shall be located on a lot as herein defined, and in no case shall there be more than one principal building on a lot except in a Planned Unit Development, or as otherwise provided in this Ordinance.

2. No lot shall hereafter be divided in order to secure one or more additional lots for transfer of ownership or establishment of a principal use thereon, unless each lot, resulting from such division, shall have the minimum lot area and lot width as required in this Ordinance for the district in which the lot is located.

3. Where two (2) or more permitted or Special Uses, each requiring a minimum lot area, are provided in the same building or on the same lot, the required lot area shall be the sum of the areas required for each use individually.

4. Every dwelling shall be constructed or erected upon a lot or parcel of land which has at least twenty (20) feet of frontage abutting upon a public street.

5. Where unique land planning designs are employed in a subdivision or a Planned Unit Development to conserve the natural character of the land or to create a functional or compatible arrangement of structures or uses, a lot which does not abut upon a public or private street may be permitted provided that:

    a. Adequate provision is made for free access to the lot for the property owner, or in the case of a non-residential lot, for those persons who would normally require access to the lot;

    b. Adequate provision is made for the unobstructed access of firefighting equipment, police protection, rubbish collection, and other governmental services;

    c. Adequate provision is made for the extension and maintenance of public and private utility services; and

    d. The arrangement will not contribute toward congestion in nearby streets as a result of delivery services, lack of guest parking, or other reasons.

6. The maintenance of yards, courts, and other open spaces and minimum lot area legally required for a building shall be a continuing obligation of the owner of such building or of the property on which it is located, as long as the building is in existence.

E. YARDS

1. All yards and other open spaces, as required by this Ordinance, shall be located on the same lot as the principal structure or use. No legally required yards, open space, or lot areas for any use or structure shall be used to satisfy yard, open space, or lot area requirements for any other structure or use.

2. On a corner lot, the front lot line shall be the lot line having the shortest dimension along the street right-of-way line. The required front yard setback on corner lots shall apply to each side of the lot facing a street.

3. On vacant through lots, the front lot line shall be along the street line designated by the Building Inspector except that when a front line has been established on one or more lots in the same block and all have front lot lines established along the same street line, the street line designated as the front lot line for such lot or lots shall be the front lot line on all vacant through lots in such block. On through lots, only those obstructions permitted in this Ordinance in front yards shall be located in that part of a rear yard adjoining a street that is equivalent in depth to a required front yard; however, where a no-access strip has been provided for such lots on a recorded plat, the Zoning Administrator may waive such requirements if, in his judgment, an exception to this requirement would be appropriate.

4. No yards allocated to a structure or use existing on the effective date of this Ordinance shall be subsequently reduced or further reduced below the yard requirements of this Ordinance, except a yard adjoining a street may be reduced in depth in the event and to the extent the right-of-way width of such street adjoining such yard is subsequently increased.

5. Where fifty (50) percent or more of the frontage on one side of a street between two intersecting streets is developed with buildings that have observed (within a variation of five (5) feet or less) a front yard greater in depth than required herein, new buildings shall not be erected closer to the street than the average front yard so established by the existing buildings. Provided, however, that all building in the zoning districts established by the 2011 Legacy Code (being the Downtown Core District, Downtown Flex District, Downtown General District, Neighborhood General District, Neighborhood Flex District, and Civic District) are governed by the front yard/frontage provisions of said Legacy Code and are, therefore, exempt from the frontage/front yard requirements set forth in this Section III.E.5.

F. REQUIRED SETBACKS

Setback lines shall be maintained on all lots abutting streets and thoroughfares. The minimum setback on lots abutting a street or thoroughfare shall be the distance required for a front yard or side yard, adjoining a street, in the district where such lots are located, measured from the existing right-of-way line of the street or thoroughfare, or from the proposed right-of-way line as designated on the Official Map, and as duly established by other Ordinances or as established by county or state highway authorities, whichever has the greatest right-of-way width requirements.

Except for incidental uses, no structure shall be constructed on a dedicated public or private utility easement, nor shall any structure be constructed so as to encroach upon any easement.

G. VISIBILITY REQUIREMENTS – CORNER LOTS

No structure, wall, fence, shrubbery, or trees shall be erected, maintained, or planted on any lot which will obstruct the view of the driver of a vehicle approaching an intersection, excepting that shrubbery and low retaining walls not exceeding two (2) feet in height above the curb level and shade trees where all branches are not less than eight (8) feet above the street level will be permitted. For residential corner lots, this unobstructed area shall be a triangular section of land formed by the two street right-of-way lines and a line connecting them at points thirty (30) feet from the intersection of said right-of-way.

H. PERMITTED ENCROACHMENTS IN REQUIRED YARDS

1. **Residential Zoning Districts:**

Encroachments into easements shall be subject to all regulations of this Ordinance and the Village's Building Code.

The following accessory structures and uses are permitted to encroach and shall not be considered to be obstructions when located in the required yards in lots residentially zoned (R-1, R-2, R-3, R-4, R-5, R-6, and R-7) as specified:

Permitted Encroachments	Front Yard	Side Yard	Rear Yard	Corner Lots		Additional Requirements
				Addressed Yard	Other Yard	
Accessory structures, including but not limited to: accessory sheds, carports, detached garages, equipment shelters, and playhouses		P	P			See additional regulations in Section III. I.
Arbors	P	P	P	P	P	Must be located so as not to obstruct the line of sight of pedestrians and motorists at intersections or driveways.
Architectural features, including but not limited to: belt courses, cornices, and sills	P	P	P	P	P	Not projecting more than eighteen (18) inches from the exterior wall.
Athletic courts, including but not limited to: basketball or tennis courts			P			All athletic court areas shall be subject to Village review to ensure the court is properly designed, graded, and constructed. In no case shall an athletic court be placed closer than fifteen (15) feet to any property line.
Awnings and canopies	P	P	P	P	P	Not projecting more than ten (10) feet into the required yard and at least seven (7) feet above the average level of the adjoining ground. In no case shall awnings or canopies be placed within five (5) feet of any property line.
Balconies	P		P	P	P	Not projecting more than five (5) feet into the required yard.

Permitted Encroachments	Front Yard	Side Yard	Rear Yard	Corner Lots		Additional Requirements
				Addressed Yard	Other Yard	
Bay windows	P		P	P	P	Not projecting more than three (3) feet into the required yard.
Breezeways			P			
Chimneys	P	P	P	P	P	Not projecting more than twenty-four (24) inches into the required yard.
Decks		P	P			In no case shall a deck be placed closer than five (5) feet to any property line.
Eaves and gutters	P	P	P	P	P	Not projecting more than four (4) feet into the required front and rear yards. Not projecting more than forty (40) percent of the required side yard, but in no case exceeding three (3) feet.
Fences		P	P		P	Not exceeding six (6) feet in height above natural grade level in the side and rear yard. Fences not exceeding six (6) feet in height above natural grade level projecting not more than ten (10) feet into the required setback on the side yard street frontage of a corner lot in a Residential Zoning District, provided that the Zoning Administrator or his designee determines that the provisions of Section III.G of this Ordinance will be maintained and that there will be no obstruction to the visibility of vehicular or pedestrian traffic. If the Zoning Administrator deems that such a visibility obstruction would occur, he may require that all portions of the fence be constructed of an open design, or of a shorter height, or a combination of both, or the Zoning Administrator may deny the request. The determination of the Zoning Ordinance may be appealed to the Zoning Board of Appeals pursuant to Section X.F of this Ordinance.
Fire escapes, open or enclosed	P	P	P	P	P	Not projecting more than five (5) feet into the required front yard or side yard adjoining a street. Not projecting more than three-and-one-half (3 1/2) feet into the required interior side yard or court.
Flag poles	P	P	P	P	P	
Fountains	P	P	P	P	P	
Mechanical equipment, including but not limited to: air conditioning units/ shelters, and generators		P	P			Equipment shall be placed as close as possible to the principal structure and in no case shall equipment be placed within five (5) feet of any property line.
Outdoor fireplaces			P		P	In no case shall an outdoor fireplace be placed closer than five (5) feet to any property line.
Patios		P	P			In no case shall a patio be placed closer than five (5) feet to any property line.

Permitted Encroachments	Front Yard	Side Yard	Rear Yard	Corner Lots		Additional Requirements
				Addressed Yard	Other Yard	
Pergolas			P			Not to extend into the required yard more than thirty-five (35) percent of the minimum setback. In no case shall a pergola be placed closer than five (5) feet to any property line.
Plant boxes	P	P	P	P	P	
Porches and porticos	P	P	P	P	P	Not to extend into the required yard more than thirty-five (35) percent of the minimum setback. In no case shall a porch or portico be placed closer than five (5) feet to any property line. In no case shall porches or porticos extend more than fifteen (15) feet from the exterior wall. Handrails and guardrails shall conform to Village Building Code Regulations. Knee walls shall not exceed forty (40) inches in height from the porch floor.
Private swimming pools and hot tubs			P			Pools are to be placed in rear yards only. In no case shall a pool be placed closer than five (5) feet to any property line, including transitional grading, accessory items such as pavers or concrete, and equipment.
Sculptures	P	P	P	P	P	
Steps/threads	P	P	P	P	P	See the Village Building Code for additional regulations.
Trellises	P	P	P	P	P	Must be located so as not to obstruct the line of sight of pedestrians and motorists at intersections or driveways.

2. **<u>Commercial Zoning Districts</u>:**

Encroachments into easements shall be subject to all regulations of this Ordinance and the Village's Building Code.

The following accessory structures and uses are permitted to encroach and shall not be considered to be obstructions when located in the required yards in lots commercially zoned (B-1, B-2, B-3, B-4, and B-5) as specified:

Accessory Structures or Uses	Front Yard	Side Yard	Rear Yard	Corner Lots		Additional Requirements
				Addressed Yard	Other Yard	
Accessory structures, including but not limited to: accessory sheds, detached garages, and equipment shelters			P			See additional regulations in Section III. I.
Arbors	P	P	P	P	P	Must be located so as not to obstruct the line of sight of pedestrians and motorists at intersections or driveways.

Accessory Structures or Uses	Front Yard	Side Yard	Rear Yard	Corner Lots		Additional Requirements
				Addressed Yard	Other Yard	
Architectural features, including but not limited to: belt courses, cornices, and sills	P	P	P	P	P	Not projecting more than eighteen (18) inches from the exterior wall.
Awnings, canopies, marquees and other projections that create shaded and protected entrances	P	P	P	P	P	Not projecting more than ten (10) feet into the required yard and at least seven (7) feet above the average level of the adjoining ground. In no case shall awnings or canopies be placed within five (5) feet of the side or rear property line. Awnings and canopies with signage must conform to the Sign Regulations in Section IX.
Balconies	P		P	P	P	Not projecting more than five (5) feet into a required yard.
Bay windows	P		P	P	P	Not projecting more than three (3) feet into the required yard.
Chimneys	P	P	P	P	P	Not projecting more than twenty-four (24) inches into a required yard.
Decks		P	P			In no case shall a deck be placed closer than five (5) feet to any property line.
Eaves and gutters	P	P	P	P	P	Not projecting more than four (4) feet into the required front and rear yards. Not projecting more than forty (40) percent of the required side yard, but in no case exceeding three (3) feet.
Fences and walls		P	P			Not exceeding six (6) feet in height above natural grade level in the side and rear yard.
Fire escapes, open or enclosed	P	P	P	P	P	Not projecting more than five (5) feet into the required front yard or side yard adjoining a street. Not projecting more than three-and-one-half (3 1/2) feet into the required interior side yard or court.
Flag poles	P	P	P	P	P	
Fountains	P	P	P	P	P	
Mechanical equipment, including but not limited to; air conditioning units/ shelters, and generators		P	P			Equipment shall be placed as close as possible to the principal structure and in no case shall equipment be placed within five (5) feet of any property line. Equipment shall be screened to comply with the Village Landscape Ordinance.
Patios	P	P	P	P	P	In no case shall a patio be placed closer than five (5) feet to any property line.
Pergolas	P	P	P	P	P	Not to extend into the required yard more than thirty-five (35) percent of the minimum setback. In no case shall a pergola be placed closer than five (5) feet to any property line.
Plant boxes	P	P	P	P	P	

Accessory Structures or Uses	Front Yard	Side Yard	Rear Yard	Corner Lots		Additional Requirements
				Addressed Yard	Other Yard	
Porches and porticos	P	P	P	P	P	Not to extend into the required yard more than thirty-five (35) percent of the minimum setback. In no case shall a porch or portico be placed closer than five (5) feet to any property line. Handrails and guardrails shall conform to Village Building Code Regulations. Knee walls shall not exceed forty (40) inches in height from the porch floor.
Projecting blade signs	P	P	P	P	P	See additional regulations in Section IX.
Sculptures	P	P	P	P	P	
Steps/threads	P	P	P	P	P	See the Village Building Code for additional regulations.
Trellises	P	P	P	P	P	

a. Additional Allowable Encroachments:

In commercially zoned lots (B-1, B-2, B-3, B-4, and B-5) that front streets or major interior access lanes, front yard areas will be primarily used for landscaping and other pedestrian-oriented uses including:

(1) Widened sidewalks and entranceways;

(2) Plazas, outdoor gardens, patios, and outdoor seating areas;

(3) Water features, including bioswales or other stormwater management elements; and

(4) Public art or outdoor architectural features like clock towers, pergolas, etc.

It is the intent of this Ordinance to help create a stronger pedestrian scale. As such, in addition to the design elements specifically permitted above, other architectural or landscape features not enumerated herein that create a stronger pedestrian connection may be permitted to extend into the required yard up to ten (10) feet. These encroachments may be approved by the Plan Commission during Site Plan Approval.

3. **Industrial Zoning Districts:**

Encroachments into easements shall be subject to all regulations of this Ordinance and the Village's Building Code.

The following accessory structures and uses are permitted to encroach and shall not be considered to be obstructions when located in the required yards, in lots industrially zoned (ORI, M-1, and MU-1) as specified:

Accessory Structures or Uses	Front Yard	Side Yard	Rear Yard	Corner Lots		Additional Requirements
				Addressed Yard	Other Yard	
Accessory structures, including but not limited to: accessory sheds, detached garages, and equipment shelters			P			See additional regulations in Section III.I.
Arbors	P		P	P	P	Must be located so as not to obstruct the line of sight of pedestrians and motorists at intersections or driveways.
Architectural features, including but not limited to: belt courses, cornices, and sills	P	P	P	P	P	Not projecting more than eighteen (18) inches from the exterior wall.
Athletic courts, including but not limited to: basketball or tennis courts			P			All athletic court areas shall be subject to Village review to ensure the court is properly designed, graded, and constructed. In no case shall an athletic court be placed closer than fifteen (15) feet to any property line.
Awnings, canopies, and other projections that create shaded and protected entrances	P	P	P	P	P	Not projecting more than ten (10) feet into the required yard and at least seven (7) feet above the average level of the adjoining ground. In no case shall awnings or canopies be placed within five (5) feet of the side or rear property line. Awnings and canopies with signage must conform to the Sign Regulations in Section IX.
Balconies	P		P	P	P	Not projecting more than five (5) feet in front yards.
Bay windows	P		P	P	P	Not projecting more than three (3) feet into the required yard.
Chimneys	P	P	P	P	P	Not projecting more than twenty-four (24) inches into a required yard.
Decks		P	P			In no case shall a deck be placed closer than five (5) feet to any property line.
Eaves and gutters	P	P	P	P	P	Not projecting more than four (4) feet into the required front and rear yards. Not projecting more than forty (40) percent of the required side yard, but in no case exceeding three (3) feet.
Fences and walls		P	P			Not exceeding six (6) feet in height above natural grade level in the side and rear yard.
Fire escapes, open or enclosed	P	P	P	P	P	Not projecting more than five (5) feet into the required front yard or side yard adjoining a street. Not projecting more than three- and-one-half (3 1/2) feet into the required interior side yard or court.
Flag poles	P	P	P	P	P	
Fountains	P	P	P	P	P	

Accessory Structures or Uses	Front Yard	Side Yard	Rear Yard	Corner Lots		Additional Requirements
				Addressed Yard	Other Yard	
Mechanical equipment, including but not limited to: air conditioning units/ shelters, and generators		P	P			Equipment shall be placed as close as possible to the principal structure and in no case shall equipment be placed within five (5) feet of any property line. Equipment shall be screened to comply with the Village Landscape Ordinance.
Patios	P	P	P	P	P	In no case shall a patio be placed closer than five (5) feet to any property line.
Pergolas	P	P	P	P	P	Not to extend into the required yard more than thirty-five (35) percent of the minimum setback. In no case shall a pergola be placed closer than five (5) feet to any property line.
Plant boxes	P	P	P	P	P	
Porches and porticos	P	P	P	P	P	Not to extend into the required yard more than thirty-five (35) percent of the minimum setback. In no case shall a porch or portico be placed closer than five (5) feet to any property line. Handrails and guardrails shall conform to Village Building Code regulations. Knee walls shall not exceed forty (40) inches in height from the porch floor.
Projecting blade signs	P	P	P	P	P	See additional regulations in Section IX.
Sculptures	P	P	P	P	P	
Steps/threads	P	P	P	P	P	See the Village Building Code for additional regulations.
Trellises	P	P	P	P	P	

I. ACCESSORY STRUCTURES AND USES

1. All accessory structures shall be subject to the following:

   a. Accessory structures and uses shall be compatible with the principal use;

   b. Accessory structures and uses shall not be established prior to the establishment of the principal use;

   c. Accessory structures which are structurally attached to a main or principal building shall be subject to all regulations of this Ordinance and the Village Building Code which are applicable to the principal building;

   d. Accessory structures shall not be located less than ten (10) feet from a principal building unless the accessory structure meets all regulations of this Ordinance and the Village Building Code which are applicable to the principal building;

   e. When a side yard is required, no part of any accessory structure shall be located closer than five (5) feet to the side lot line along such side yard; and

f. When a rear yard is required, no part of any accessory structure shall be located closer than five (5) feet to the rear lot line or to those portions of the side lot lines abutting such required rear yard.

2. Residential accessory structures serving single- or two-family residences in any Residential Zoning District, and all accessory structures in the R-1 through R-5 Zoning Districts, inclusive, shall conform to the following:

   a. All conditions of Subsection III.I.1 above must be satisfied;

   b. The maximum floor area shall be seven hundred twenty (720) square feet;

   c. The maximum height shall be eighteen (18) feet to the peak of the structure;

   d. The pitch of the roof shall be found by the Zoning Administrator to be architecturally compatible with the pitch of the main roof element of the principal structure, provided that subsection (c) above shall be met;

   e. Detached or attached garages and accessory structures shall not be utilized as living space;

   f. Detached or attached garages and accessory structures shall not be utilized for any business related activity; and

   g. Detached garages and accessory structures shall not be serviced by water, sanitary sewer, or natural gas.

3. Second detached garages serving single- or two-family residences in any Residential Zoning District and in the R-1 through R-5 Zoning Districts, inclusive, shall conform to the following:

   a. All conditions of Subsections III.I.1 and III.I.2 above must be satisfied for each garage;

   b. The property must be a minimum of fifteen thousand (15,000) square feet in lot area and ninety (90) feet in lot width; and

   c. Both garages must be fully accessible by way of a driveway in conformance with Section 309 of the Village Building Code.

J. TEMPORARY BUILDINGS

Temporary buildings for construction purposes may be allowed in any zoning district for a period not to exceed the completion date of such construction.

K. FLOODPLAIN AREAS

No building shall be erected in areas subject to flooding, as determined in the floodplain maps (Tinley Park Quadrangle) of the Northeastern Illinois Planning Commission, unless suitable provisions for drainage are approved and constructed in accordance with the requirements of the Village's Floodplain Ordinance - Ordinance No. 73-0-003.

L. USES NOT SPECIFICALLY PERMITTED IN DISTRICTS

When a use is not specifically listed in the sections devoted to permitted uses, such uses are hereby expressly prohibited, unless by written decision of the Zoning Administrator it is determined that said use is similar to and not more objectionable than other uses listed. Such uses may then be permitted.

M. EXEMPTIONS

The regulations of this Ordinance do not specify or regulate the type or location of poles, towers, wires, cables, conduits, vaults, laterals, pipes, mains, valves, and other similar distributing equipment; regulator and compressor stations, and the underground storage of gas from a public utility or a natural gas company including facilities and exploratory and operating wells; or a public utility or natural gas company for telephone or other communications, electric power, gas, water, and sewer lines, provided that installation shall conform with rules and regulations of the applicable administrative authorities nor the location, use or occupancy of publicly-owned land, structures or installations of any kind whatsoever.

N. OPEN STORAGE AND OUTDOOR SALES DISPLAYS

1. **<u>Open Storage</u>:**

   a. The purpose and intent of the regulations established herein is to provide development and environmental performance standards for controlling the development and use of open storage areas so that such uses can be established and operated in the Village of Tinley Park without adversely affecting neighboring development or existing environmental conditions; and

   b. All open storage, as defined in Section II, shall be subject to the following:

      <u>General Requirements</u>:

      (1) <u>Zoning Districts Allowed</u>: The following table shall govern the zoning districts in which open storage is allowed and to what level:

Level	R-1 through R-7	B-1 through B-5	ORI	M-1	MU-1
Level 1	X	X	P	P	P
Level 2	X	X	S	P	P
Level 3	X	X	X	S	S
Level 4	X	X	X	X	X

P = Permitted (with conditions) S = Special Use X = Prohibited

Open storage requests that require a Special Use Permit should refer to Section X.J of the Village's Zoning Ordinance regarding the Special Use application process.

(2) Location: Open storage shall not be located in any front or corner side yard. No open storage shall be permitted to occur in areas designated for parking, driveways, or walkways;

(3) Maximum Lot Coverage: The following table shall govern the maximum lot area for the use of open storage within zoning districts:

Level	R-1 through R-7	B-1 through B-5	ORI	M-1	MU-1
Level 1	X	X	15%	30%	30%
Level 2	X	X	15%	30%	30%
Level 3	X	X	X	30%	30%
Level 4	X	X	X	X	X

X = Prohibited

(4) Proximity to Residential Zones: If a Residential District abuts the property, the open storage area shall be set back from the property line on such side a minimum of fifty (50) feet in addition to the mandatory screening enumerated below.

(5) Screening:

(A) Fence:

(i) Material: Shall be constructed in compliance with Section 311.C.1 of the Village Building Code;

(i.a) Chain link fencing to be concealed with landscaping, and placed on the exterior side of the fence to conceal from the street side or residential neighborhoods;

(ii) Opacity: Shall be a solid, one hundred (100) percent opaque wall or fence. Chain link fencing may be used in conjunction with landscaping to achieve one hundred (100) percent opacity if approved by the Village;

(iii) Height: Shall be a minimum of six (6) feet and maximum of eight (8) feet in height measured from ground level to the top of the fence; and

(iv) Gate/Doors: Shall be visually consistent with the fence or wall and secured.

(B) Landscape:

(a) Refer to §158.18.12 of the Village Landscape Ordinance for open storage landscaping requirements.

(6) Environmental Performance:

(A) Nuisance: All open storage shall be in compliance with the nuisance regulations enumerated in Title IX, Chapter 98 of the Tinley Park Municipal Code;

(B) Stormwater Runoff: Fertilizers, pesticides, and any other agent which could potentially pose a threat to water quality shall be properly stored in containers that prevent the infiltration of these agents into the stormwater system;

(C) Windborne Agents: The open storage of materials which have a tendency to become windborne such as powder, grain, stone, sand, salt, and coal is prohibited unless securely covered and contained;

(D) Organic Materials: Any open storage of decomposed, fetid, or putrescent matter shall be removed and disposed of if determined to be a nuisance, and in such manner as not to cause a nuisance and to avoid the unnecessary raising of dust or noxious material;

(E) Lighting: Any lighting of open storage areas shall be directed in a manner as to prevent spillover onto surrounding properties; and

(F) Subject to Inspection: Any open storage shall be subject to inspection by the Fire Prevention Bureau as enumerated in Ch. VII, Sec. 700.A.1 of the Village Building Code.

2. **Level 1 Open Storage:**

Submission Requirements:

a. A dimensioned sketch or drawing of the proposed location of the open storage area and any additional alterations to the site;

b. Fencing specifications including height, material, color, and style;

c. Location, quantity, size, and type of proposed landscaping on a Site Plan, showing its relation to other site features such as utilities and easements; and

d. Description of materials to be stored.

Approval:

a. Subject to review by the Building and Planning Departments.

Conditions of Operation:

a. Shall be stored in the rear of the property not in a public drainage and utility easement or in an area that will negatively impact overland drainage; and

b. Level 1 Open Storage is intended to allow for vehicles or equipment essential to the day-to-day operation of a business. Vehicles exceeding eight thousand (8,000) pounds or equipment not essential to business operations shall be excluded from Level 1 Open Storage.

3. **Level 2 Open Storage:**

Submission Requirements:

a. A dimensioned sketch or drawing of the proposed location of the open storage area and any additional alterations to the site;

b. Fencing specifications including height, material, color, and style;

c. Location, quantity, size, and type of proposed landscaping on a Site Plan, showing its relation to other site features such as utilities and easements; and

d. Description of materials to be stored.

Approval:

a. Subject to review by the Building and Planning Departments.

4. **Level 3 Open Storage:**

Submission Requirements for Site Plan Approval Application:

a. A Special Use Permit application that fulfills the provisions within Section X.J of the Tinley Park Zoning Ordinance; and

b. Description of materials to be stored.

Approval:

a. All Level 3 Open Storage areas shall be subject to Site Plan and Special Use Permit approvals. A Site Plan Approval application must be reviewed and approved by the Village of Tinley Park Plan Commission. A Special Use Permit application must be reviewed by the Plan Commission and receive approval by the Village Board.

5. **Level 4 Open Storage:**

Conditions of Operation:

a. Shall be prohibited within all zoning districts. The storage of junk, used lumber, or metal, refuse, scrap, disabled, or damaged motor vehicles not awaiting immediate repair, must be accommodated within a structure and in compliance with all other Village Code requirements.

Exemptions:

a. The provisions and regulations of this Section III.N.1 shall not apply to governmental service uses.

6. **Outdoor Sales Displays:**

a. Except for duly authorized outdoor sales lots such as automobile and motorcycle sales, the outdoor display of goods, products, or materials offered for sale shall be limited to the display of seasonal garden items only;

b. The outdoor display of seasonal garden goods, products or materials offered for sale shall be allowed only in the business and industrial districts, and shall be subject to the provisions of this Section;

c. The outdoor display of seasonal goods, products, or materials offered for sale shall require annual submission of a Site Plan and a written outline of the location and types of items to be displayed. This plan is required to be submitted to the Zoning Administrator for approval prior to April 1st of each year; and

d. The outdoor display of seasonal goods, products, or materials offered for sale shall be subject to the following provisions:

(1) The outdoor display shall occur only between April 15th and September 15th of each year;

(2) The outdoor display of combustible items including, but not necessarily limited to, wood chips, mulch, etc., must be located no less than six (6) feet from any building;

(3) The outdoor display shall not be stacked or stored higher than four (4) feet as measured from the ground up;

(4) The outdoor display areas shall not utilize any required parking space as required by Section VIII of this Ordinance, and may only occupy parking areas where a surplus of parking spaces beyond those required by this Ordinance are provided;

(5) The outdoor display area shall not conflict with traffic patterns of the subject property and shall not be located within any drive aisle as required by Section VIII of this Ordinance;

(6) The outdoor display area shall not be located within the required visibility triangle on any corner lot as provided for in Section III.G of this Ordinance, nor shall it create any visibility hazard or obstruction to vehicles or pedestrians;

(7) The outdoor display area shall not result in the reduction of sidewalks or pedestrian pathways to less than thirty-six (36) inches in width;

(8) The outdoor display areas must be kept in a clean and orderly manner;

(9) No other non-seasonal items may be stored or displayed in front of any building; and

(10) The Village reserves the right to require the owner of the property utilizing outdoor display areas to install safety signage in any amount and location if deemed necessary or desirable.

O. PORTABLE STORAGE DEVICES

1. Portable storage container units and devices shall include all types of storage devices and enclosed trailers with or without wheels.

2. Portable storage devices shall not be stored on any public street, alley, or public right-of-way in any zoning district.

3. Portable storage devices shall be maintained in good repair, structurally sound, and free from any graffiti or peeling paint.

4. Portable storage devices shall require a Temporary Use Permit, and shall be subject to the following regulations:

   <u>Residential Zoning Districts</u>:

   a. No more than one (1) portable storage device, not exceeding outside dimensions of twelve (12) feet in length, eight (8) feet in width, and nine (9) feet in height, shall be permitted per zoning lot in all Residential Zoning Districts for no more than fourteen

(14) days per calendar year, provided they are placed on and do not extend beyond a driveway surface and do not encroach across any public sidewalk or across any property line.

Commercial Zoning Districts:

a. No more than one (1) portable storage device not exceeding outside dimensions of forty (40) feet in length, eight (8) feet in width, and nine (9) feet in height shall be permitted per zoning lot in all Commercial Zoning Districts for no more than thirty (30) days per calendar year. Such devices shall be placed on an impervious surface of concrete or asphalt, and shall not be located in any required parking space or drive aisle as required by Section VIII of this Zoning Ordinance, or within any area that hinders access to parking spaces and/or drive aisles. Such storage devices shall not be stacked. Requests for more than one (1) such device require submission of a Site Plan for review and approval by the Zoning Administrator or his designee, prior to placing the units on the zoning lot.

Industrial Zoning Districts:

a. No more than one (1) portable storage device not exceeding outside dimensions of forty (40) feet in length, eight (8) feet in width, and nine (9) feet in height shall be permitted per zoning lot in all Industrial Zoning Districts for no more than sixty (60) days per calendar year. Such devices shall be placed on an impervious surface of concrete or asphalt, and shall not be located in any required parking space or drive aisle as required by Section VIII of this Zoning Ordinance, or within any area that hinders access to parking spaces and or access aisles. Such storage devices shall not be stacked. Such storage devices must be screened from view on all sides. Requests for more than one (1) such device require submission of a Site Plan for review and approval by the Zoning Administrator or his designee, prior to placing the units on the zoning lot:

b. No more than two (2) semi-trailers, with or without tractors, can be stored outside of a loading dock for loading and unloading of goods or materials, for more than five (5) days; and

c. Portable storage container units cannot be stacked.

P. COLLECTION/DONATION DEVICES AND BOXES

1. Collection/donation devices (boxes) shall be prohibited within the Village of Tinley Park except as provided below:

   a. An application letter and dimensioned Site Plan must be submitted for the approval by the Zoning Administrator or his designee. In the event this letter is being submitted by persons other than the owner of the subject property, a letter of authorization from the property owner must also accompany the application request;

b. The collection/donation device must be manned during normal business hours seven (7) days per week; and

c. The collection/donation device may not be located within any required parking space or drive aisle as required by Section VIII of this Zoning Ordinance.

Q. PARKING OF VEHICLES IN RESIDENTIAL ZONING DISTRICTS

1. The parking of vehicles in all Residential Zoning Districts shall comply with the following regulations:

a. Whenever a structure is erected, converted, or structurally altered for dwelling use, a minimum number of parking spaces shall be provided on the lot for each dwelling unit on the lot as required by Section VIII.A.10 of this Zoning Ordinance;

b. No vehicle shall be parked between the street and the front lot line. Parking of vehicles between the front line of any portion of the building and the front lot line shall be limited to private passenger automobiles not exceeding three-quarter (3/4) ton, except as specifically provided for elsewhere in this Ordinance;

c. No unlicensed, unregistered (Village sticker), or inoperable vehicle shall be permitted on any residential property for more than twenty-four (24) hours, unless it is in an enclosed garage; and

d. In Residential Zoning Districts, the following vehicles and equipment shall be stored only in a garage or fully enclosed structure:

i. Any truck or other type of commercial vehicle or equipment in excess of eight thousand (8,000) pounds;

ii. Vehicles requiring a Class D truck plate; and

iii. Trailers in excess of three thousand (3,000) pounds or requiring a Class TA trailer plate.

e. No vehicle used for transporting flammable liquids, explosives, toxic, or noxious materials shall be parked or stored in a Residential Zoning District;

f. Nothing in the provisions of this Ordinance shall be construed to prohibit trucks or other service vehicles from being parked on the premises temporarily for purposes of making deliveries or rendering service to the property owner;

g. It shall be unlawful for any person to occupy or use any recreational vehicle for living or sleeping purposes upon any street, alley, lane, highway, municipal off-street parking lot, or other public place or upon any lot, piece, parcel, or tract of land

within the Village of Tinley Park, except within a lawfully established and licensed recreational park, campground, or other like facility which is designed and equipped to operate for the purpose of providing temporary accommodations for such units, or as provided for hereinafter in Item h(5); and

h. In all Residential Zoning Districts, it is permissible to park a recreational vehicle, trailer, or boat and trailer in the following manner:

(1) Parking is permitted inside any enclosed structure, which structure otherwise conforms to the zoning requirements of the particular zone where located;

(2) Parking is permitted outside in the side yard or rear yard provided it is not nearer than two (2) feet to the lot line;

(3) Parking is permitted outside on a driveway, provided:

i. Space is not available in the rear yard or side yard, or there is no reasonable access to either the side yard or rear yard; a corner lot is always deemed to have reasonable access to the rear yard; a fence is not necessarily deemed to prevent reasonable access;

ii. Inside parking is not possible; and

iii. The unit is parked perpendicular to the front curb.

(4) No part of the unit may extend over the public sidewalk or public thoroughfare (right-of-way);

(5) Parking is permitted only for storage purposes, and any recreational vehicle or trailer shall not be:

i. Used for dwelling purposes except one unit for overnight sleeping of visitors for a maximum of three (3) days in any one calendar year. Cooking is not permitted at any time; butane or propane fuel shall not be used, and the host shall receive no compensation for such parking;

ii. Permanently connected to sewer lines, water lines, or electricity. The recreational vehicle may be connected to electricity temporarily for charging of batteries and other purposes provided the receptacle and connection from the recreational vehicle has been inspected and approved by the Village. This connection must meet the Electrical Code of the Village, and an Electrical Permit must be obtained for all such installations; and

iii. Used for storage of goods, materials, or equipment other than those items considered to be a part of the unit or essential for its immediate use.

(6) Notwithstanding the provisions of Item 3, above, for purposes of active loading and unloading, a recreational vehicle may be parked anywhere on the premises normally deemed as parking space for private passenger automobiles; and the use of electricity or propane fuel is permitted when necessary to prepare a recreational vehicle for use;

(7) Subject to the exceptions set forth herein, it shall be unlawful for any owner, lessee, or occupant of any lot, piece, parcel, or tract of land within the Village of Tinley Park, whether for gain, hire, reward, or gratuity, or otherwise, to permit the same to be occupied or used by any vehicle for living or sleeping purposes; and

(8) Nothing in the provisions of this Ordinance shall be construed to prohibit the owner or operator of any recreational vehicle from parking or storing said unit upon premises owned, leased, or otherwise lawfully occupied or used by him, so long as such unit is not occupied or used for living or sleeping purposes in violation of the provisions of this section of the Ordinance, or any other applicable ordinance or regulation of the Village of Tinley Park.

R. PARKING OF VEHICLES IN BUSINESS DISTRICTS

The parking of vehicles in all business districts shall comply with the following regulations:

1. The parking regulations for dwellings are the same as those in the Residential Zoning Districts;

2. Where any structure is erected, reconstructed, or converted for any of the business purposes permitted in this Section, there shall be provided parking spaces in the ratio of not less than one (1) parking space for each one hundred fifty (150) square feet of floor space in the building which is used for commercial purposes. Such parking space may be located on the same lot as the building or on an area within three hundred (300) feet of the building. Two (2) or more owners of buildings may join together in providing this parking space;

3. Outside parking or storage of any abandoned, damaged, inoperable, dismantled, or unregistered vehicles for more than forty-eight (48) hours shall be prohibited in all automobile service stations; and

4. Parking of trailers or trucks not registered to the business is prohibited, except when located in an enclosed area that is adequately screened from public view.

S. REGULATION OF TRAFFIC AND PARKING ON PRIVATE PROPERTY

1. Any condominium development, apartment house, or apartment project containing ten (10) or more dwelling units shall enter into a contract with the Village that will permit

the Police Department of Tinley Park to regulate traffic and access to the driveways and parking areas which are open to or used by the public, tenants, owners, guests, and employees. A written request by the owner or developer of the specific property shall be filed with the Village Clerk prior to the issuance of any Building Permits.

2. Any owner of any shopping center, business establishment, hospital, or school shall enter into a contract with the Village that will permit the Police Department of Tinley Park to regulate the parking of automobiles and the traffic at such parking areas. A written request by the owner or developer of the specific property shall be filed with the Village Clerk prior to the issuance of any Building Permits.

3. All regulations adopted and traffic control devices employed by the Village in the regulation of traffic on private drives and parking areas, or the parking of automobiles in parking lots of shopping centers, business establishments, apartment complexes or schools shall be consistent with the statutory provisions contained in chapter 95-1/2, Section 11-209 and 209.1 of the Illinois Municipal Code.

T. SITE PLAN REVIEW

No Building Permit shall be issued for the construction or alteration of any multi-family residence, business, office, or industrial building or structure until a Site Plan has been reviewed by the Planning Department Staff and approved by the Plan Commission.

The Planning Department Staff shall review the Site Plan for conformance with this Ordinance and other Codes and Ordinances of the Village, and shall make a report with recommendations to the Plan Commission. After receiving the report of the Planning Department Staff, the Plan Commission shall approve the Site Plan, with or without conditions, deny it, or refer it back to the Planning Department Staff for further study.

1. **Site Plan Contents:**

A Site Plan shall:

a. Be drawn at a scale of 1" = 50' or larger;

b. Show boundaries and dimensions graphically, contain a written legal description of the property, and indicate the date and north point;

c. Show the present and proposed topography of the area by contour lines at one (1) foot intervals;

d. Show, by use of directional arrow, the proposed flow of storm drainage from the site;

e. Show the location of existing and proposed structures and indicate the number of stories, gross floor area, and entrances to all structures;

f. Show the location and dimensions of existing and proposed curb cuts, aisles, off-street parking, loading spaces, and walkways;

g. Indicate location, height, and material for screening walls and fences;

h. List the type of surfacing and base course proposed for all parking, loading, and walkway areas;

i. Describe the proposed use of the site and list the number of required off-street parking spaces. If the exact use is not known at the time of Site Plan submittal, off-street parking requirements shall be calculated by the general use group using the greatest off-street parking requirement of that use group;

j. Show the proposed location, indicate direction, and list amount of illumination of proposed lighting facilities; and

k. Show location of each outdoor trash storage area.

2. Conditions of Approval:

Before making a report to the Plan Commission, the Planning Department Staff shall first find that the following conditions have been met:

a. That the proposed Use is a Permitted Use in the district in which the property is located;

b. That the proposed arrangement of buildings, off-street parking, access, lighting, landscaping, and drainage is compatible with adjacent land uses;

c. That the vehicular ingress and egress to and from the site and circulation within the site provides for safe, efficient, and convenient movement of traffic, not only within the site but on adjacent roadways as well;

d. That the Site Plan provides for the safe movement of pedestrians within the site;

e. That there is a sufficient mixture of grass, trees, and shrubs within the interior and perimeter (including public right-of-way) of the site so that the proposed development will be in harmony with adjacent land uses and will provide a pleasing appearance to the public; any part of the Site Plan area not used for buildings, structures, parking, or access-ways shall be landscaped with a mixture of grass, trees, and shrubs; and

f. That all outdoor trash storage areas are adequately screened.

3. Assurance of Performance:

a. At the recommendation of the Plan Commission, the Village Board may require the applicant to file with the Village Clerk a performance bond as a condition of approval to ensure completion of approved landscaping, fencing, off-street parking and loading,

drainage, and other specific items of the Site Plan. The amount of the performance bond shall be determined by the Village Board. If, upon inspection of the completed project it is found that the conditions of the Site Plan have been met, the performance bond shall be released to the applicant. If the applicant does not comply within a reasonable time with the conditions of the Site Plan, the Village Clerk shall give written notice to the applicant and the bonding company. (Reasonable time shall be determined by the life of the performance bond as stated thereupon, less sixty (60) days.) If the conditions of the Site Plan have not been met thirty (30) days prior to the expiration of the performance bond, the Village shall bring such action as is necessary to ensure completion of the Site Plan conditions. However, if the applicant can show that he has tried to the utmost of his ability to meet the conditions of the Site Plan within the time period allotted, but that adversities not of his making have been the cause of his failure to meet the Site Plan conditions, the Village Board may require that the performance bond be extended for a specified period of time.

4. Time Limitation:

   a. If no Building Permit is issued for the site within one (1) year from the date of Site Plan Approval by the Village Board, the Site Plan shall become null and void.

U. SPECIAL PROVISION PRESERVING CERTAIN RIGHTS

Special provision is hereby established preserving the rights established in unexpired annexation agreements and Ordinances No. 74-0-015, No. 74-0-016, and No. 74-0-017.

V. REGULATIONS FOR PERSONAL WIRELESS SERVICE FACILITIES

1. **Locations:**

   a. Subject to Site Plan Approval, any such personal wireless service facilities shall be considered a Permitted Use if located on an existing freestanding tower, including co-locations, on Village-owned property. Provided no such Village-owned property meets the needs of the Petitioner, location on an existing freestanding tower, including co-locations, on non-Village owned property shall be considered a Permitted Use. Prior to construction of such facilities, the Petitioner must receive Site Plan Approval from the Plan Commission pursuant to the Site Plan review process set forth in Section III,T of this Ordinance;

   b. Except as provided in Subsection V.1.a above, a Special Use Permit is required and may be requested pursuant to the Special Use process set forth in Section X.J for any use that satisfies the definition of personal wireless service facility, as defined herein, provided that the proposed location satisfies any one of the criteria listed below:

      (1) The proposed facility is a new structure on Village-owned property pursuant to an agreement with the Village and further provided that such facilities are so

designed so as to allow and encourage co-location by other potential users;

(2) The proposed facility is a new structure and is on property owned by a municipal body or district (e.g. library district, park district, school district, etc.). The Petitioner must perform its due diligence and demonstrate there are no locations available that satisfy the criteria provided in V.1.a and V.1.b(1) above;

(3) The proposed facility is within the M-1 General Manufacturing District and (a) is not within one thousand (1,000) feet of a Residential Zoning District, or (b) is separated from Residential Zoning Districts by a freeway or principal arterial as defined by the Village of Tinley Park Comprehensive Plan. Further, the Petitioner must perform its due diligence and demonstrate there are no locations that satisfy the criteria provided in V.1.a, V.1.b(1) and V.1.b(2) above. If any such locations do exist, the Special Use Permit may be denied; and

(4) The proposed facility is attached to an existing structure within a non-residential or non-historic District. The Petitioner must perform its due diligence and demonstrate there are no locations that satisfy the criteria provided in V.1.a, V.1.b(1), V.1.b(2), and/or V.1.b(3) above. If any such locations do exist, the Special Use Permit may be denied.

2. **Maximum Height for Personal Wireless Service Facilities:**

An applicant for approval of a personal wireless facility shall demonstrate that the personal wireless facilities do not exceed the minimum height required to function satisfactorily. Under any circumstances, personal wireless facilities shall not exceed the following height restrictions unless otherwise specifically approved by grant of a Special Use Permit as per Section X.J hereof:

a. The maximum height of a freestanding tower shall not exceed one hundred (100) feet provided; however, that an applicant requesting a freestanding tower shall demonstrate that the tower antenna is the minimum height required to function satisfactorily;

b. If mounted on the roof of an existing building or structure, the height of an antenna shall not exceed ten (10) feet above the height of the existing structure provided; however, that the maximum height may be increased if: (1) the radio signal would be impaired or blocked off if the antenna was located near the middle of the roof; and (2) the Village Board determines that it is preferable to locate the antenna at a location other than near the edge of the roof; and

c. An antenna attached to the side of a building, structure, or tower shall not extend above the roof of the building, structure, or tower; provided, however, if the radio signal is distorted or blocked by structures located on the roof of the building, the Village may allow the height to exceed the height of the building, structure or tower in its discretion.

3. **<u>Screening and Site Location for Personal Wireless Service Facilities Attached to Freestanding Towers</u>:**

   a. Support structures and antennas shall have a non-contrasting blue, gray, or similar color that minimizes their visibility and is compatible with the surrounding landscape;

   b. Personal wireless service facilities should be architecturally compatible with the surrounding buildings and land uses or otherwise integrated, through location and design, to blend in with the existing characteristics of the site to the extent practical; and

   c. Personal wireless service facilities attached to a freestanding tower shall not be located between a principal building and a street or in the front yard of the lot in question. Such freestanding tower shall be located adjacent to the rear wall of the principal building unless: (1) it is shown that an alternate location results in more effective screening or blending of the tower into the surrounding landscape; or (2) the location has the effect of interfering with the operations of the principal use on the subject property; provided, however, such personal wireless service facilities nevertheless may not be located between the principal building and the street or in the front yard of the lot in question.

4. **<u>Screening and Site Location for Personal Wireless Service Facilities Attached to Existing Buildings or Structures</u>**:

   a. Personal wireless service facilities may be attached to the wall or roof of a building subject to height restrictions in this Subsection therein. Such facilities shall not be attached to the front wall of a building unless it can be shown that other locations are not feasible and that the facilities shall be made to effectively blend into the architecture of the building;

   b. Personal wireless service facilities and their support structures attached to an existing building or structure shall be of a color identical to the building or that maximizes the blending of the facilities and support structures into the architecture of the building or structure; and

   c. Personal wireless service facilities and their support structures attached to an existing building or structure shall not extend more than twenty-four (24) inches beyond the wall of such building or structure.

5. **<u>Screening and Site Location for Ground Level Equipment and Buildings</u>:**

   a. Personal wireless service facilities may be attached to the wall or roof of a building subject to the height restrictions set fourth in this Subsection V;

b. Landscaping consisting of shrubs and similar materials shall be provided surrounding the foundation of ground level buildings, structures, and fences subject to the review and approval of the Community Development Director;

c. Ground level buildings and structures shall be designed and located to blend with the existing architecture and landscaping of the subject property and the surrounding area. Masonry facades shall be required for such buildings or structures unless otherwise allowed as a condition of the Special Use Approval; and

d. Fencing may be provided as a condition of the Special Use Approval for the purpose of enclosing and screening freestanding towers or antennas and their support facilities. Such fencing shall comply with the requirements for residential fences contained in this Ordinance, except as specifically authorized by conditions for approval of a Special Use.

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6. **Compliance with Governmental and other Safety Regulations:**

a. The applicant shall demonstrate that the proposed antennas and support structure are safe and that surrounding areas will not be negatively affected by support structure failure, falling ice, or other debris. All support structures shall he fitted with anti-climbing devices, as approved by the manufacturer;

b. All towers and antennas shall comply with the current standards and regulations of the Federal Communications Commission, the Federal Aviation Administration, and any other agency of the federal government with the authority to regulate owners and antennas; and

c. Upon application and approval, the Building Commissioner shall issue a Building Permit prior to construction of any tower or antenna. Said Building Permit shall verify that towers and antennas are constructed in compliance with applicable Village Building Codes and any requirements of the Electronic Industries Standards and the Federal Communications Commission, as well as the provisions herein.

7. **Co-Location and Location on Existing Structures Preferred:**

In order to minimize adverse visual impacts associated with the proliferation of towers, co-location of antennas by more than one provider on existing or new towers and location of antennas on existing buildings or structures shall take precedence over the construction of new freestanding towers. If a new, freestanding tower is proposed, Special Use Approval shall not be granted unless the applicant demonstrates compliance with the following:

a. A diligent effort has been made to locate the antenna on an existing structure and that due to valid considerations including physical constraints and economic or technological feasibility, no other appropriate location is available;

b. Covenants shall be recorded which require that the applicant allow, on a

commercially reasonable basis, other providers of personal wireless service facilities and other antennas to co-locate on the proposed freestanding tower, where such co-location is technologically feasible; and

c. The Site Plan for the construction of a new, freestanding tower shall delineate an area, either on site or on adjacent property, near the base of the tower to be used for the placement of additional equipment and buildings for other users. To the extent that the site for the new freestanding tower is adequate to allow co-location on such site, the applicant must allow, on a commercially reasonable basis, other providers to locate on site.

8. **Abandonment of Towers or Antennas:**

In the event the use of a tower or antenna is discontinued for a period of sixty (60) consecutive days, the tower or antenna shall be deemed to be abandoned. The Community Development Director shall determine the date of abandonment based on documentation required from the tower owner/operator or other appropriate sources. Upon abandonment, the tower owner/operator shall have an additional sixty (60) days within which to:

a. Reactivate the use of the tower either by said owner/operator or transfer of the tower to another owner/operator for such use within the aforesaid sixty (60) day period. Transfer of the tower to another owner/operator shall not require Special Use Approval provided use of the tower is re-activated within the sixty (60) day period, and that the use of the tower complies with all conditions of the original Special Use Approval and the terms of this Ordinance;

b. Dismantle and remove the tower at which time any Special Use shall become null and void; and

c. Request approval from the Board of Trustees to allow the abandoned tower or antenna to remain for a specified period of time. If said approval is granted, the tower shall be reactivated or removed within the time period approved by the Board of Trustees as per regulations herein.

W. HOME OCCUPATIONS

Home occupations shall be subordinate to the principal use of a building as a residential dwelling, and shall conform to the following provisions:

1. The primary use of the building shall be as a residential dwelling unit occupied day and night by the person(s) owning/operating the home occupation;

2. The home occupation shall not employ any other person who is not a member of the family occupying the residential dwelling unit;

3. On-site signs advertising the home occupation shall be prohibited;

4. The home occupation shall not take place in any portion of any attached or detached garage or accessory structure;

5. The home occupation shall not occupy more than twenty (20) percent of the gross floor area of the dwelling unit (excluding any garage or accessory structure). Any area of the dwelling unit (excluding any garage or accessory structure) used for the storage of materials or goods used in conjunction with the home occupation shall be included in the calculation of floor area of the home occupation;

6. The sale of goods or services from the dwelling unit shall be prohibited except by electronic means;

7. The home occupation shall not result in the dwelling unit being visited by customers or clients, except by way of authorization as a Special Use by the Village Board, as well as the issuance of a Village Business License;

8. The outdoor storage of goods or materials used in conjunction with the home occupation is prohibited; and

9. The use or storage of hazardous materials in conjunction with the home occupation shall be prohibited.

SECTION IV

ZONING DISTRICTS AND MAP

A. ESTABLISHMENT OF DISTRICTS

In order to carry out the purposes and intent of this Ordinance, the Village of Tinley Park is hereby divided into the following districts:

R-1	Single-Family Residential	B-1	Neighborhood Shopping
R-2	Single-Family Residential	B-2	Community Shopping
R-3	Single-Family Residential	B-3	General Business and Commercial
R-4	Single-Family Residential	B-4	Office and Service Business
R-5	Low-Density Residential	B-5	Automotive Service Business
R-6	Medium-Density Residential		
R-7	High-Density Residential		
ORI	Office and Restricted Industrial		
M-1	General Manufacturing		

B. ZONING DISTRICT MAP AND BOUNDARIES

1. **Zoning District Map:** The location and boundaries of the district established by this Ordinance are indicated upon the map entitled "Official Zoning District Map, Village of Tinley Park, Illinois" which, together with all notations, references, and other information shown thereon, is hereby adopted by reference and declared to be a part of this Ordinance. The Official Zoning District Map shall be located in the Office of the Village Clerk and shall be the final authority as to the current zoning status of land and buildings, subject to such authorized amendments which may be in effect.

2. **Interpretation of District Boundaries:** Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning District Map, the following rules shall apply:

   a. Except as otherwise indicated by dimensions on said Zoning District Map, the district boundary lines follow lot lines, center lines of streets or alleys, section division lines and corporate limits of the Village; and

   b. Questions concerning the exact location of district boundary lines shall be determined by the Zoning Board of Appeals after receiving a recommendation from the Plan Commission.

3. **Changes in Zoning District Map**: If, by amendment to this Ordinance, any change is made in any district boundary or in any other matter shown on the Official Zoning District Map, such change shall be indicated on the map promptly after the amendment

is adopted. The date of the latest updating of the Official Zoning District Map shall be shown on the face of the map.

4. **<u>Annexed Territory</u>:** All territory, which may hereafter be annexed to the Village of Tinley Park, shall be automatically classified as R-1 Single-Family Residential Zoning District, unless otherwise agreed to in a Pre-Annexation Agreement. Whenever possible, all territories annexed to Tinley Park shall be assigned a specific zoning classification with intended uses.

C. OVERLAY DISTRICTS

1. **<u>MU-1: Mixed Use Duvan Drive Overlay District</u>**

   a. Generally located at the southwest corner of 175th Street and Duvan Drive.

   b. This Overlay District is intended to provide for business and light industrial uses in the Duvan Drive Business Park along with some automobile related uses compatible with the area.

   c. Regulations for this Overlay District are located in Section V.D.1 of this Ordinance.

2. **<u>UD-1: Urban Design Overlay District</u>**

   a. Generally starting from, and including, the properties abutting the north side of the 179th Street right-of-way and extending south, east, and west to the Village limits, both existing and future. However, the Urban Design Overlay District shall not apply to any areas or properties that are within the zoning districts established by the 2011 Legacy Code (being the Downtown Core District, Downtown Flex District, Downtown General District, Neighborhood General District, Neighborhood Flex District, and Civic District).

   b. This Overlay District is intended to promote specific design standards concerned with the character and placement of non-residential buildings, including parking and other accessory uses, as well as the role and nature of the spaces between the buildings and the public streets.

   c. Regulations for this Overlay District are located in Section V.D.2 of this Ordinance.

SECTION V

DISTRICT REGULATIONS

A. DESCRIPTION OF DISTRICTS

1. **Residential Districts:** The R-1, R-2, R-3, and R-4 Single-Family Residential Districts are intended to stabilize, preserve, and protect certain older areas of the community developed principally for single-family uses, and to provide new areas in which exclusively single-family detached dwellings may be constructed.

   The R-5 Low Density Residential District is intended to provide an environment of predominantly low density single-family dwelling units, including two-family and townhouses in which individual units are privately owned.

   The R-6 Medium Density Residential District is intended to provide for a compatible co-mingling of single-family, two-family, and multiple-family dwellings. Garden apartments and larger multiple-family structures with corresponding proportions of open space may also be developed under prescribed standards of density and open space. In addition to large areas allocated for this district, it has useful application as a buffer or transitional zone along highways, major streets, and bordering shopping centers.

   The R-7 High Density Residential District is intended to be used only in areas having close proximity to rail service, major shopping facilities, and within Planned Unit Developments providing such amenities that would, in the judgment of the Plan Commission and the Village Board, justify the higher density.

2. **Business Districts:** The B-1 Neighborhood Shopping District is intended to provide areas for retail and service establishments to supply convenience goods or personal services for the daily needs of the residents living in adjacent residential neighborhoods. The district is designed to encourage shopping centers with planned off-street parking and loading and to provide for existing individual or small groups of local stores.

   The B-2 Community Shopping District is intended to provide for a wide variety of related retail-type businesses along with personal uses and other complementary uses. The permitted uses would serve not only nearby residential areas, but also people in neighboring communities and transients for goods and services usually found in larger shopping centers. Comparison shopping is to be emphasized and highway-oriented uses are to be discouraged.

   The B-3 General Business and Commercial District is designed to accommodate a wide range of specialized commercial uses, including highway-oriented services and commercial types of establishments to serve the needs of motorists. This district is intended to include those uses which would not be compatible in a neighborhood or community-type shopping center.

The B-4 Office and Service Business District is intended to provide areas used primarily to provide office space for service-type businesses. Certain commercial uses, which conform to the pattern of the district and are compatible with the types of services provided, are also permitted. This district is normally small in size and is intended to serve as a buffer or transition between residential and commercial areas.

The B-5 Automotive Service District is intended to provide certain areas for automotive service and related types of uses. The district is intended to be located along major thoroughfares where adequately sized and properly located parcels of land will allow for adequate setbacks, clear vision, and safe ingress and egress.

3. **Industrial Districts:** The ORI Office and Restricted Industrial District is intended to provide land for medium to large office buildings, research activities, and non-objectionable industrial activities which are attractively landscaped and designed to create a "park-like" setting. The low intensity and limiting restrictions are intended to provide for permitted uses which will be compatible with adjacent residential and commercial developments.

   The M-1 General Manufacturing District is intended to provide for those industrial activities that have moderate environmental effects and are located in areas relatively removed from residential and prime retail development.

4. **Overlay Districts:** The MU-1 Mixed-Use Duvan Drive Overlay District is intended to provide for business and light industrial uses in the Duvan Drive Business Park along with some automobile-related uses compatible with the area.

   The UD-1 Urban Design Overlay District is intended to promote specific design standards concerned with the character and placement of non-residential buildings, including related parking and other accessory uses, as well as the role and nature of the spaces between buildings and the public streets.

B. SCHEDULES OF REGULATIONS

The restrictions and controls intended to regulate development in each district are set forth in the following schedules. These regulations are supplemented by additional district regulations and by other sections of this Ordinance.

SYMBOL	KEY
P	Permitted Principal Use
A	Accessory Use
S	Special Use
X	Prohibited Use

SCHEDULE I – SCHEDULE OF PERMITTED USES (BY USE TYPE)

USE	ZONING DISTRICT														
	R-1	R-2	R-3	R-4	R-5	R-6	R-7	B-1	B-2	B-3	B-4	B-5[a]	ORI	M-1	MU-1
PLANNED UNIT DEVELOPMENTS															
Planned Unit Developments	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
AGRICULTURAL USES															
Agriculture													S	S	P
RECREATIONAL USES AND OPEN SPACE - PRIVATE															
Campgrounds and incidental uses related thereto													S	S	
Golf courses, regulation size													S	S	
Golf courses and private country clubs, including ancillary uses normally provided – but not including commercially operated driving ranges, miniature golf courses or similar commercial enterprises	S	S	S	S	S	S									
Private clubs and lodges						S	S				S				
Recreation, commercial indoor (< 3,500 square feet)								P	P	P	P	P			P
Recreation, commercial indoor (> 3,500 square feet)								S	S	P	P	P			P
Recreation, commercial outdoor								S	S	P	P	P			
Sales and rental of recreational vehicles (not mobile homes) when incidental to a campground													S	S	
Storage of travel trailers and recreational vehicles (not mobile homes) when incidental to a campground													S	S	
RESIDENTIAL USES															
Business uses which are limited to personal services and convenience type uses intended solely for the purpose of serving those residing in the multiple-family complex – no businesses shall be permitted on the same floor or above a floor used for residential purposes							P								
Cluster housing[b]					S	S									
Group homes[c]	P	P	P	P	P	P	P								
Home occupations	A	A	A	A	A	A	A								
Home occupations that result in the dwelling unit being visited by customers or clients pursuant to Section III.W of this Ordinance	S	S	S	S	S	S									
Multiple-family dwelling units						P	P								
Multiple-family structures over two-and-one-half (2 1/2) stories in height						S									
Residence, when located above or to the rear of a principal use								S	S	S					
Rooming and boarding houses						P									
Single-family attached dwellings					P	P									
Single-family detached dwellings	P	P	P	P	P	P									

SCHEDULE I – SCHEDULE OF PERMITTED USES (BY USE TYPE)

USE *(continued)*	R-1	R-2	R-3	R-4	R-5	R-6	R-7	B-1	B-2	B-3	B-4	B-5[a]	ORI	M-1	MU-1
Single-family semi-detached dwellings					P	P									
Townhouses (condominiums)					P	P	P								
Two-family dwellings					P	P									
EDUCATIONAL USES															
Educational facilities, college/university/junior college – campus											S	S	S		
Educational facilities, college/university/junior college – satellite											P	S	S	S	
Educational facilities, primary	P	P	P	P	P	P	P								
Educational facilities, secondary	P	P	P	P	P	P	P								
Educational facilities, technical												S	S	S	
Educational facilities, vocational								P	P	P	P	S	S		
INSTITUTIONAL AND PUBLIC USES															
Churches, convents and similar religious institutions, including rectories and other facilities normally incidental thereto on a site not less than two (2) acres in area	P	P	P	P	P	P									
Civic, charitable, philanthropic, or fraternal uses						S	S			P	P				
Institutions, except penal institutions and those for persons who have contagious diseases[d]													S	S	
Parks and recreational areas when publicly owned and operated	P	P	P	P	P	P									
Public libraries	P	P	P	P	P	P									
UTILITY AND TRANSPORTATION USES															
Public utility and governmental service uses, including structures, parking lots, and equipment necessary for the furnishing of water, gas, electric, and telephone services, or for the disposal of treatment of sewage from lots within a subdivision; police and fire stations and other similar public services	S	S	S	S	S	S	S	S	S	S	S		P	P	P
Rail service														S	
Transit and public transportation facilities, including passenger shelters						S	S								
HEALTH SERVICES															
Business and professional offices, including medical						S	S	P	P	P	P				
Cemeteries, including crematoriums and mausoleums[e]	S	S	S	S	S	S									
Congregate elderly housing						S									
Funeral homes and mortuaries						S				P	P				
Hospitals	S	S	S	S	S	S							P	P	
Medical clinics										P	P		P	P	
Medical office[f]				S	S										
Sanitarium, nursing, or convalescent home	S	S	S	S	S	S					S				

SCHEDULE I – SCHEDULE OF PERMITTED USES (BY USE TYPE)

USE *(continued)*	R-1	R-2	R-3	R-4	R-5	R-6	R-7	B-1	B-2	B-3	B-4	B-5[a]	ORI	M-1	MU-1
BUSINESS/PROFESSIONAL OFFICE															
Business and professional offices, including medical						S	S	P	P	P	P				
Business offices, campus: company headquarters, regional sales offices													P	P	P
Business offices, including but not limited to: offices in which goods, wares, or merchandise are not displayed or sold on the premises											P				
Medical office[f]				S	S										
Offices, business and professional: including, but not limited to insurance offices, real estate offices, security and commodity brokers, and other similar type offices								P	P	P	P		P	P	P
Offices, semi-public and governmental offices											P				
Professional organizations and trade associations											P				
BUSINESS SERVICE															
Banks and financial institutions											P				
Banks and financial institutions, including drive-in banking								P	P	P					
Currency exchanges								P	P	P					
Mail order business, not exceeding five thousand (5,000) square feet in floor area										S					
Printing and copying										P					
Printing and publishing													P	P	P
Service establishments, business and personal – which services are performed on the premises									P	P					
RETAIL USES															
Antique stores								P	P	P					
Bakeries, where products are sold at retail on the premises								P	P	P					
Building material sales, when conducted wholly within a building – except that outdoor storage may be permitted – provided the storage area is completely surrounded by a uniform fence or wall not over eight (8) feet in height										S					P
Building material sales, storage, and millwork													S	P	P
Candy and ice cream stores								P	P	P					
Clothing and textile stores								P	P	P					
Coin or stamp dealer[g]								P	P	P					
Consignment stores								P	P	P					
Department stores									P	P					
Flea market[h]										S					
Floor covering stores, including rugs and carpeting									P	P					
Florist shops								P	P	P					

SCHEDULE I – SCHEDULE OF PERMITTED USES (BY USE TYPE)

USE *(continued)*	R-1	R-2	R-3	R-4	R-5	R-6	R-7	B-1	B-2	B-3	B-4	B-5[a]	ORI	M-1	MU-1
Food stores, including grocery stores, supermarkets, meat and fish markets, and delicatessens								P	P	P					
Fruit and vegetable stands										S					
Furniture and home furnishing stores, retail									P	P					
Gift shops								P	P	P	P				
Greenhouses, garden centers, and landscape nurseries										S					
Hardware, paint, and wallpaper stores								P	P	P					
Hobby and pet shops, pet grooming, and training (excluding overnight kenneling facilities)								P	P	P					
Household appliance stores, including radio and television sales with incidental repair facilities								P	P	P					
Machinery and equipment sales, but not including heavy equipment										P					
Office supplies and equipment									P	P	P				
Pharmacies								P	P	P	P				
Pharmacies, drive-thru								S	S						
Retail membership clubs										P					
Retail stores, uses which are compatible and customarily located within a planned community shopping center									P	P					
Secondhand stores[i]								S	S	P					
Thrift stores								S	S	P					
Variety stores								P	P	P					
DINING, DRINKING, AND ENTERTAINMENT ESTABLISHMENTS															
Amusement arcade										S					
Banquet facilities													P	P	
Cinemas, theaters for the performing arts, indoor									P	P					
Drive-in theaters										S					
Restaurants, drive-in										P					
Restaurants, excluding drive-thru facilities								P	P	P	P		P	P	
Restaurants, including drive-thru facilities										P			P	P	
Taverns and packaged liquor stores								S	S	P					
Theaters and performing arts theaters										P					
PERSONAL SERVICES															
Animal hospital, kennels, and pounds										S					
Barber shops, beauty parlors, and day spas								P	P	P	P				
Clothing services, including dry cleaning and laundry receiving stations, self service laundry or cleaning establishments, dress making, millinery shops, tailors, shoe repair shops, and other similar type uses								P	P	P					
Day or child care centers						S	S		S	S	S				
Service establishments, personal – which services are performed on the premises									P	P					

SCHEDULE I – SCHEDULE OF PERMITTED USES (BY USE TYPE)

USE *(continued)*	R-1	R-2	R-3	R-4	R-5	R-6	R-7	B-1	B-2	B-3	B-4	B-5[a]	ORI	M-1	MU-1
AUTOMOTIVE, BOAT, RECREATIONAL VEHICLE, AND GENERAL EQUIPMENT USES															
Accessory dealers												P			P
Automobile car washes												P			P
Automobile car wash, when attached to a service station										S					
Automobile parts and accessories, no on-site repairs or installation									S	P		P			
Automobile parts and accessories, on-site repairs or installation												P			
Automobile parts and accessories, including services without fees[j]										A		A			
Automobile repair shops, including body shops												S			P
Automobile repair shops, not including body shops										S		P			P
Automobile service stations								S	S	S		P			X
Emission diagnostic centers															P
Equipment rental and leasing services												P			P
Heavy equipment sales/rental												S			S
Towing services															P
Towing services (excluding vehicle storage)												S			
Vehicle sales/rental												P	X	X	X
Vehicle sales/rental, internal display only															S
Other similar or compatible uses, as recommended by the Plan Commission and approved by the Village Board												S			
RESEARCH, INDUSTRIAL, MANUFACTURING, AND WAREHOUSING USES															
Any enclosed manufacturing, assembly, or other light industrial or research operation which may comply with the Performance Standards and other general requirements of the underlying Zoning District													P	P	P
Any use involving the manufacturing, fabricating, processing, assembling, repairing, cleaning, servicing, testing and storing of materials, products and goods – provided the operations conform with the Performance Standards and other requirements of the M-1 General Manufacturing District														P	
Contractors' offices and shops													S	P	P
Electronic industries													P	P	P
Outdoor storage when not part of a business use located on the same lot with a primary building															X
Ready-mix concrete plants													X		X
Research laboratories													P	P	P
Retail and wholesale, incidental to a principal use in the underlying Zoning District[k]													S	S	S
Service businesses, for the convenience of persons and firms in the ORI Office and Restricted Industrial District and MU-1 Mixed-Use Duvan Drive Overlay District, such as, but not limited to: motels, meeting halls, and restaurants													P		P
Storage of gravel, top soil, or similar materials complying with erosion control measures														S	

SCHEDULE I – SCHEDULE OF PERMITTED USES (BY USE TYPE)

USE *(continued)*	R-1	R-2	R-3	R-4	R-5	R-6	R-7	B-1	B-2	B-3	B-4	B-5[a]	ORI	M-1	MU-1
Storage and utilization of materials or products in excess of five (5) which decompose by detonation (see C9d(1) of Section V)														S	
Warehouses, distribution plants, and wholesale establishments														P[l]	P
OTHER USES															
Bed and breakfast										P					
Convention centers										P			P	P	P
Frozen foods lockers										P					
Gun dealers (excluding gun ranges)														S	
Hotel, motel, or motor inn									S	P[m]			P	P	
Medical Cannabis Cultivation Facility	X	X	X	X	X	X	X	X	X	X	X	X	S	X	X
Medical Cannabis Dispensing Facility	X	X	X	X	X	X	X	X	X	X	X	X	X	S	X
Meeting halls									S[n]	P			P	P	
Model garage display and sales										S					
Plumbing, heating, air conditioning sales and services										P					
Private open space and recreational facilities					A	A	A								
Radio and television towers													S		
Self-storage facilities												S	S		P
Temporary uses, as approved by Village Board								P	P	P					
Temporary or short-term special events								S	S						
Wedding chapels										S					
Other similar or compatible uses to those allowed as "permitted principal uses" in their respective Zoning Districts, as recommended by the Plan Commission and approved by the Village Board.								S	S	S	S	S	S	S	S
ACCESSORY USES															
Off-street parking, in accordance with the regulations set forth in Section VIII	A	A	A	A	A	A	A								
Off-street parking and loading in accordance with the regulations set forth in Section VIII								A	A	A	A	A	A	A	A
Private garages	A	A	A	A	A	A	A								
Residence of the proprietor, caretaker, or watchman, when located on the premises where employed in such capacity													A	A	
Signs, in accordance with the regulations set forth in Section IX	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Swimming pools	A	A	A	A	A	A	A								
Other accessory uses customarily incidental to the principal uses	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A

SCHEDULE I – SCHEDULE OF PERMITTED USES (BY DISTRICT)

R-1 SINGLE-FAMILY RESIDENTIAL	
Cemeteries, including crematoriums and mausoleums[e]	S
Churches, convents, and similar religious institutions, including rectories and other facilities normally incidental thereto on a site not less than two (2) acres in area	P
Educational facilities, primary	P
Educational facilities, secondary	P
Golf courses and private country clubs, including ancillary uses normally provided, but not including commercially operated driving ranges, miniature golf courses, or similar commercial enterprises	S
Group homes[c]	P
Home occupations	A
Home occupations that result in the dwelling unit being visited by customers or clients pursuant to Section III.W of this Ordinance	S
Hospitals	S
Off-street parking, in accordance with the regulations set forth in Section VIII of this Ordinance	A
Other accessory uses customarily incidental to the principal use	A
Parks and recreational areas when publicly owned and operated	P
Planned Unit Developments	S
Private garages	A
Public libraries	P
Public utility and governmental service uses, including structures, parking lots, and equipment necessary for the furnishing of water, gas, electric, and telephone services, or for the disposal of treatment of sewage from lots within a subdivision; police and fire stations and other similar public services	S
Sanitarium, nursing, or convalescent home	S
Signs, in accordance with the regulations set forth in Section IX of this Ordinance	A
Single-family detached dwellings	P
Swimming pools	A
R-2 SINGLE-FAMILY RESIDENTIAL	
Any permitted principal use in the R-1 Single-Family Residential District	P
Any permitted special use in the R-1 Single-Family Residential District	S
Any permitted accessory use in the R-1 Single-Family Residential District	A
R-3 SINGLE-FAMILY RESIDENTIAL	
Any permitted principal use in the R-1 Single-Family Residential District	P
Any permitted special use in the R-1 Single-Family Residential District	S
Any permitted accessory use in the R-1 Single-Family Residential District	A
R-4 SINGLE-FAMILY RESIDENTIAL	
Any permitted principal use in the R-1 Single-Family Residential District	P
Any permitted special use in the R-1 Single-Family Residential District	S

SCHEDULE I – SCHEDULE OF PERMITTED USES (BY DISTRICT)

Any permitted accessory use in the R-1 Single-Family Residential District	A
Medical office[f]	S
R-5 LOW DENSITY RESIDENTIAL	
Any permitted principal use in the R-1 Single-Family Residential District	P
Any permitted special use in the R-4 Single-Family Residential District	S
Any permitted accessory use in the R-1 Single-Family Residential District	A
Cluster housing[b]	S
Private open space and recreation facilities	A
Single-family attached dwellings	P
Single-family semi-detached dwellings	P
Townhouses (condominiums)	P
Two-family dwellings	P
R-6 MEDIUM DENSITY RESIDENTIAL	
Any permitted principal use in the R-5 Low Density Residential District	P
Any permitted special use in the R-5 Low Density Residential District	S
Any permitted accessory use in the R-5 Low Density Residential District	A
Business and professional offices, including medical	S
Civic, charitable, philanthropic, or fraternal uses	S
Congregate elderly housing	S
Day or child care centers	S
Funeral homes and mortuaries	S
Multiple-family dwelling units	P
Multiple-family structures over two-and-one-half (2 1/2) stories in height	S
Private clubs and lodges	S
Rooming and boarding houses	P
Transit and public transportation facilities, including passenger shelters	S
R-7 HIGH DENSITY RESIDENTIAL	
Any permitted accessory use in the R-6 Medium Density Residential District	A
Business and professional offices, including medical	S
Business uses which are limited to personal services and convenience-type uses intended solely for the purpose of serving those residing in the multiple-family complex – no business shall be permitted on the same floor or above a floor used for residential purposes	P
Civic, charitable, philanthropic, or fraternal uses	S
Day or child care centers	S
Educational facilities, primary	P

Educational facilities, secondary	P
Group homes[c]	P
Multiple-family dwelling units	P
Planned Unit Developments	S
Private clubs and lodges	S
Public utility and governmental service uses, including structures, parking lots, and equipment necessary for the furnishing of water, gas, electric, and telephone services, or for the disposal of treatment of sewage from lots within a subdivision; police and fire stations and other similar public services	S
Townhouses (condominiums)	P
Transit and public transportation facilities, including passenger shelters	S
B-1 NEIGHBORHOOD SHOPPING	
Antique stores	P
Automobile service stations	S
Bakeries, where products are sold at retail on premises	P
Banks and financial institutions, including drive-in banking	P
Barber shops, beauty parlors, and day spas	P
Business and professional offices, including medical	P
Candy and ice cream stores	P
Clothing and textile stores	P
Clothing services, including dry cleaning and laundry receiving stations, self-service laundry or cleaning establishments, dress making, millinery shops, tailors, shoe repair shops, and other similar type uses	P
Coin or stamp dealers[g]	P
Consignment stores	P
Currency exchanges	P
Educational facilities, vocational	P
Florist shops	P
Food stores, including grocery stores, supermarkets, meat and fish markets, and delicatessens	P
Gift shops	P
Hardware, paint and wallpaper stores	P
Hobby and pet shops, pet grooming, and training (excluding overnight kenneling facilities)	P
Household appliance stores, including radio and television sales with incidental repair facilities	P
Offices, business and professional: including, but not limited to insurance offices, real estate offices, security and commodity brokers, and other similar type offices	P
Off-street parking and loading, in accordance with the regulations set forth in Section VIII of this Ordinance	A
Other accessory uses customarily incidental to the principal uses	A
Other similar or compatible uses, as recommended by the Plan Commission and approved by the Village Board	S
Pharmacies	P

Pharmacies, drive-thru	S
Planned Unit Developments	S
Public utility and governmental service uses, including structures, parking lots, and equipment necessary for the furnishing of water, gas, electric, and telephone services, or for the disposal of treatment of sewage from lots within a subdivision; police and fire stations and other similar public services	S
Recreation, commercial indoor (< 3,500 square feet)	P
Recreation, commercial indoor (> 3,500 square feet)	S
Recreation, commercial outdoor	S
Residence, when located above or to the rear of a principal use	S
Restaurants, excluding drive-thru facilities	P
Secondhand stores[i]	S
Signs, in accordance with the regulations set forth in Section IX of this Ordinance	A
Taverns and packaged liquor stores	S
Temporary or short-term special events	S
Temporary uses, as approved by the Village Board	P
Thrift stores	S
Variety stores	P
B-2 COMMUNITY SHOPPING	
Any permitted principal use in the B-1 Neighborhood Shopping District	P
Any permitted special use in the B-1 Neighborhood Shopping District	S
Any permitted accessory use in the B-1 Neighborhood Shopping District	A
Automobile parts and accessory stores, no on-site repairs or installation	S
Cinemas, theaters for the performing arts, indoor	P
Day or child care centers	S
Department stores	P
Floor covering stores, including rugs and carpeting	P
Furniture and home furnishing stores, retail	P
Hotel, motel, or motor inn	S
Meeting halls[n]	S
Office supplies and equipment	P
Other similar or compatible uses, as recommended by the Plan Commission and approved by the Village Board	S
Retail stores, uses which are compatible and customarily located within a planned community shopping center	P
Service establishments – business and personal – which services are performed on the premises	P
B-3 GENERAL BUSINESS & COMMERCIAL	
Any permitted principal use in the B-2 Community Shopping District	P

SCHEDULE I – SCHEDULE OF PERMITTED USES (BY DISTRICT)

Any permitted special use in the B-2 Community Shopping District	S
Any permitted accessory use in the B-2 Community Shopping District	A
Amusement arcade	S
Animal hospital, kennels, and pounds	S
Automobile car wash, when attached to a service station	S
Automobile parts and accessories, no on-site repairs or installation	P
Automobile parts and accessories, including services without fees[l]	A
Automobile repair shops, not including body shops	S
Bed and breakfast	P
Building material sales, when conducted wholly within a building – except that outdoor storage may be permitted, provided the storage area is completely surrounded by a uniform fence or wall not over eight (8) feet in height	S
Civic, charitable, philanthropic, or fraternal uses	P
Convention centers	P
Drive-in theaters	S
Flea markets[h]	S
Frozen foods lockers	P
Fruit and vegetable stands	S
Funeral homes and mortuaries	P
Greenhouses, garden centers, and landscape nurseries	S
Hotel, motel, or motor inn[m]	P
Machinery and equipment sales, but not including heavy equipment	P
Mail order business, not exceeding five thousand (5,000) square feet in floor area	S
Medical clinics	P
Meeting halls	P
Model garage display and sales	S
Other similar or compatible uses, as recommended by the Plan Commission and approved by the Village Board	
Plumbing, heating, and air conditioning sales and services	P
Printing and copying	P
Recreation, commercial indoor (< 3,500 square feet)	P
Recreation, commercial indoor (> 3,500 square feet)	P
Restaurants, drive-in	P
Restaurants, including drive-thru facilities	P
Retail membership clubs	P
Secondhand stores[i]	P

SCHEDULE I – SCHEDULE OF PERMITTED USES (BY DISTRICT)

Theaters and performing arts theaters	P
Thrift stores	P
Wedding chapels	S
B-4 OFFICE & SERVICE BUSINESS	
Any permitted accessory use in the B-3 General Business & Commercial District	A
Banks and financial institutions	P
Barber shops, beauty parlors, and day spas	P
Business and professional offices, including medical	P
Business offices, including but not limited to: offices in which goods, wares, or merchandise are not displayed or sold on the premises	P
Civic, charitable, philanthropic, or fraternal uses	P
Day or child care centers	S
Educational facilities, college/university/junior college – campus	S
Educational facilities, college/university/junior college – satellite	P
Educational facilities, vocational	P
Funeral homes and mortuaries	P
Furniture and home furnishing stores, retail	P
Medical clinics	P
Office, semi-public and governmental offices	P
Offices, business and professional: including, but not limited to insurance offices, real estate offices, security and commodity brokers, and other similar type offices	P
Office supplies and equipment	P
Other similar or compatible uses, as recommended by the Plan Commission and approved by the Village Board	S
Pharmacies	P
Planned Unit Developments	S
Private clubs and lodges	S
Professional organizations and trade associations	P
Public utility and governmental service uses, including structures, parking lots, and equipment necessary for the furnishing of water, gas, electric, and telephone services, or for the disposal of treatment of sewage from lots within a subdivision; police and fire stations and other similar public services	S
Recreation, commercial indoor (< 3,500 square feet)	P
Recreation, commercial indoor (> 3,500 square feet)	P
Recreation, commercial outdoor	P
Restaurants, excluding drive-thru facilities	P
Sanitarium, nursing or convalescent home	S
B-5 AUTOMOTIVE SERVICE[a]	
Any permitted accessory use in the B-4 Office and Service Business District	A

SCHEDULE I – SCHEDULE OF PERMITTED USES (BY DISTRICT)

Accessory dealers	P
Automobile car washes	P
Automobile parts and accessories, no on-site repairs or installation	P
Automobile parts and accessories, on on-site repairs or installation	P
Automobile parts and accessories, including services without fees[j]	A
Automobile repair shops, including body shops	S
Automobile repair shops, not including body shops	P
Automobile service stations	P
Educational facilities, college/university/junior college – campus	S
Educational facilities, college/university/junior college – satellite	S
Educational facilities, technical	S
Educational facilities, vocational	S
Equipment rental and leasing services	P
Heavy equipment sales/rental	S
Other similar or compatible uses, as recommended by the Plan Commission and approved by the Village Board	S
Planned Unit Developments	S
Recreation, commercial indoor (< 3,500 square feet)	P
Recreation, commercial indoor (> 3,500 square feet)	P
Recreation, commercial outdoor	P
Self-storage facilities	S
Towing services (excluding vehicle storage)	S
Vehicle sales/rental	P
ORI OFFICE AND RESTRICTED INDUSTRIAL	
Agriculture	S
Any enclosed manufacturing, assembly, or other light industrial or research operation which may comply with the Performance Standards and other general requirements of the underlying Zoning District	P
Banquet facilities	P
Building material sales, storage, and millwork	S
Business offices, campus: company headquarters, regional sales offices	P
Campground and incidental uses related thereto	S
Contractors' offices and shops	S
Convention centers	P
Educational facilities, college/university/junior college – campus	S
Educational facilities, college/university/junior college – satellite	S

SCHEDULE I – SCHEDULE OF PERMITTED USES (BY DISTRICT)

Educational facilities, technical	S
Educational facilities, vocational	S
Electronic industries	P
Golf courses, regulation size	S
Hospitals	P
Hotel, motel, or motor inn	P
Institutions, except penal institutions and those for persons who have contagious diseases[d]	S
Medical clinics	P
Medical Cannabis Cultivation Facility	S
Meeting halls	P
Motor freight terminals	X
Off-street parking and loading, in accordance with the regulations set forth in Section VIII of this Ordinance	A
Offices, business and professional: including, but not limited to insurance offices, real estate offices, security and commodity brokers, and other similar type offices	P
Other accessory uses customarily incidental to the principal uses	A
Other similar or compatible uses, as recommended by the Plan Commission and approved by the Village Board	S
Planned Unit Developments	S
Printing and publishing	P
Public utility and governmental service uses, including structures, parking lots and equipment necessary for the furnishing of water, gas, electric, and telephone services, or for the disposal of treatment of sewage from lots within a subdivision; police and fire stations and other similar public services	P
Radio and television towers	S
Ready-mix concrete plants	X
Research laboratories	P
Residence of the proprietor, caretaker, or watchman, when located on the premises where employed in such capacity	A
Restaurants, excluding drive-thru facilities	P
Restaurants, including drive-thru facilities	P
Retail and wholesale, incidental to a principal use in the ORI Office and Restricted Industrial District	S[k]
Sales and rental of recreational vehicles (not mobile homes) when incidental to a campground	S
Self-storage facilities	S
Service businesses, for the convenience of persons and firms in the ORI Office and Restricted Industrial District, such as, but not limited to: motels, meeting halls, and restaurants	P
Signs – in accordance with the regulations set forth in Section IX of this Ordinance	A
Storage of travel trailers and recreational vehicles (not mobile homes) when incidental to a campground	S
Vehicle sales/rental	X
M-1 GENERAL MANUFACTURING	
Agriculture	S

SCHEDULE I – SCHEDULE OF PERMITTED USES (BY DISTRICT)

Any enclosed manufacturing, assembly, or other light industrial or research operation which may comply with the Performance Standards and other general requirements of the M-1 General Manufacturing District	P
Any use involving the manufacturing, fabricating, processing, assembling, repairing, cleaning, servicing, testing and storing of materials, products and goods – provided the operations conform with the Performance Standards and other requirements of the M-1 General Manufacturing District	P
Banquet facilities	P
Building material sales, storage and millwork	P
Business offices: company headquarters, regional sales offices	P
Campground and incidental uses related thereto	S
Contractors' offices and shops	P
Convention centers	P
Educational facilities, college/university/junior college – satellite	S
Educational facilities, technical	S
Electronic industries	P
Golf course, regulation size	S
Gun dealers (excluding gun ranges)	S
Hospitals	P
Hotel, motel, or motor inn	P
Institutions, except penal institutions and those for persons who have contagious diseases[d]	S
Medical clinics	P
Medical Cannabis Dispensing Facility	S
Meeting halls	P
Motor freight terminals	S
Off-street parking and loading, in accordance with the regulations set forth in Section VIII of this Ordinance	A
Offices, business and professional: including, but not limited to insurance offices, real estate offices, security and commodity brokers, and other similar type offices	P
Other accessory uses customarily incidental to the principal uses	A
Other similar or compatible uses, as recommended by the Plan Commission and approved by the Village Board	S
Planned Unit Developments	S
Printing and publishing	P
Public utility and governmental service uses, including structures, parking lots, and equipment necessary for the furnishing of water, gas, electric, and telephone services, or for the disposal of treatment of sewage from lots within a subdivision; police and fire stations and other similar public services	P
Rail service	S
Research laboratories	P
Residence of the proprietor, caretaker, or watchman, when located on the premises where employed in such capacity	A
Restaurants, excluding drive-thru facilities	P
Restaurants, including drive-thru facilities	P

SCHEDULE I – SCHEDULE OF PERMITTED USES (BY DISTRICT)

Retail and wholesale, incidental to a principal use in the M-1 General Manufacturing District	S[k]
Sales and rental of recreational vehicles (not mobile homes) when incidental to a campground	S
Signs – in accordance with the regulations set forth in Section IX of this Ordinance	A
Storage and utilization of materials or products in excess of five (5) which decompose by detonation (see C8d(1) of Section V)	S
Storage of gravel, top soil, or similar materials complying with erosion control measures	S
Storage of travel trailers and recreational vehicles (not mobile homes) when incidental to a campground	S
Vehicle sales/rental	X
Warehouse, distribution plants, and wholesale establishments	P[l]
MU-1 MIXED-USE DUVAN DRIVE OVERLAY DISTRICT	
Accessory dealers	P
Agriculture	P
Any enclosed manufacturing, assembly, or other light industrial or research operation which may comply with the Performance Standards and other general requirements of the MU-1 Mixed-Use Duvan Drive Overlay District	P
Automobile car washes	P
Automobile repair shops, including body shops	P
Automobile repair shops, not including body shops	P
Automobile service stations	X
Building material sales, storage, and millwork	P
Building material sales, when conducted wholly within a building – except that outdoor storage may be permitted – provided the storage area is completely surrounded by a uniform fence or wall not over eight (8) feet in height	P
Business offices, campus: company headquarters, regional sales offices	P
Contractors' offices and shops	P
Convention centers	P
Electronic industries	P
Emission diagnostic centers	P
Equipment rental and leasing services	P
Heavy equipment sales/rental	S
Motor freight terminals	X
Off-street parking and loading, in accordance with the regulations set forth in Section VIII of this Ordinance	A
Offices, business and professional: including, but not limited to insurance offices, real estate offices, security and commodity brokers, and other similar type offices	P
Other accessory uses customarily incidental to the principal uses	A
Other similar or compatible uses, as recommended by the Plan Commission and approved by the Village Board	S
Outdoor storage when not part of a business use located on the same lot with a primary building	X
Planned Unit Developments	S
Printing and publishing	P

SCHEDULE I – SCHEDULE OF PERMITTED USES (BY DISTRICT)

Public utility and governmental service uses, including structures, parking lots, and equipment necessary for the furnishing of water, gas, electric, and telephone services, or for the disposal of treatment of sewage from lots within a subdivision; police and fire stations and other similar public services	P
Ready-mix concrete plants	X
Recreation, commercial indoor (< 3,500 square feet)	P
Recreation, commercial indoor (> 3,500 square feet)	P
Research laboratories	P
Retail and wholesale, incidental to a principal use in the MU-1 Mixed-Use Duvan Drive Overlay District	S[k]
Self-storage facilities	P
Service businesses, for the convenience of persons and firms in the MU-1 Mixed-Use Duvan Drive Overlay District, such as, but not limited to: motels, meeting halls, and restaurants	P
Signs – in accordance with the regulations set forth in Section IX of this Ordinance	A
Towing services	P
Vehicle sales/rental	X
Vehicle sales/rental, internal display only	S
Warehouse, distribution plants, and wholesale establishments	P

Schedule of Uses Endnotes

[a] B-5 AUTOMOTIVE SERVICE USE REGULATIONS

1. All outdoor sales space shall be improved with a permanent, durable, and dustless surface, and shall be graded and drained so as to dispose of all surface water without detriment to surrounding uses. All unpaved surfaces shall be sod and adequately landscaped.
2. All outdoor storage facilities for fuel, raw materials, and products shall be enclosed by a fence, wall, or plant materials adequate to conceal such facilities from adjacent properties and the public right-of-way.
3. No wastes or materials shall be deposited upon a lot in such form that they may be transferred off the property by natural causes or forces.
4. All uses and activities shall conform to the Category A Performance Standards, except with regard to glare, in which case Category B standards shall apply.
5. Lighting used to illuminate any outdoor sales areas, off-street parking, or loading areas shall be so arranged as to reflect the light away from adjoining premises.
6. All outdoor parking shall comply with the regulations outlined in Section III.R of this Ordinance.

[b] Including mobile home parks of twenty (20) or more acres, and in which the gross density does not exceed six (6) dwelling units per acre; and that the common open space provided is deeded to the Village or homeowner association for permanent open space or recreational purposes.

[c] Provided they meet all criteria established by the State of Illinois for Community Integrated Living Arrangements (CILA).

[d] Provided, however, that such buildings may occupy not more than fifty (50) percent of the total area of the lot or tract and will not have any serious and depreciating effect on the surrounding property; and, provided further, that the buildings shall be set back from all yard lines an additional distance of not less than one (1) foot for every foot of building height.

[e] On a lot not less than ten (10) acres in area, and provided that buildings shall be located not closer than three hundred (300) feet from a residential lot line.

[f] Within three hundred (300) feet of a business district.

[g] Subject to §117.40 of the Village of Tinley Park Code of Ordinances.

[h] Subject to §117.45-46 of the Village of Tinley Park Code of Ordinances.

[h] Subject to §117.30-39 of the Village of Tinley Park Code of Ordinances.

[j] Limited to:

1. removal and installation of wiper blades;
2. removal and installation of batteries;
3. diagnostic testing through the use of a handheld computer; and
4. removal and installation of small parts such as fuses, light bulbs, and headlight bulbs.

Subject to the following conditions:

1. All such repair or maintenance work must be without fee and done in conjunction with the sale of an automotive part, accessory, supply or maintenance item;
2. Battery replacement service will be performed only at a designated location with enhanced screening; and
3. No other automotive repair or maintenance work may be performed other than the work specifically allowed in the definition established in Section II of this Ordinance.

[k] With the exception that retail or wholesale sales of vehicles shall not be considered incidental to the principal use.

[l] The warehousing of vehicles may be permitted, provided no financial transactions or transference of titles may occur on site and any structure used in the warehousing of vehicles is closed to the public.

[m] Hotel, motel, or motor inn is to be on a lot no less than five (5) acres in area.

[n] Meeting halls are permitted as a Special Use only when located above or below the ground floor or when located fifty (50) feet or more back from the front of the building.

SCHEDULE II
SCHEDULE OF DISTRICT REQUIREMENTS
LOT, YARD, AND BULK REGULATIONS

District	Minimum Lot Requirements					Minimum Yards and Setbacks *(feet)*				Maximum Building Height (feet)	Maximum Floor Area Ratio
	Interior Lots		Corner Lots		Lot Area per D.U. (square feet)	Front Yard	Side Yards[2]		Rear Yard		
	Lot Area (square feet)	Lot Width (feet)	Lot Area (square feet)	Lot Width (feet)			One	Total of Two			
R-1 Single-Family Residential	20,000	100	25,000	125	20,000	40	15	30	40	40	0.3
R-2 Single-Family Residential	13,000	90	16,250	115	13,000	30	10	20	35	40	0.4
R-3 Single-Family Residential	10,000	75	12,500	95	10,000	25	8	16	30	35	0.4
R-4 Single-Family Residential	8,000	60	10,000	75	8,000	25	7.5	15	30	35	0.5
R-5 Low Density Residential[1]											
Single-Family Detached	7,500	60	7,500	60	7,500	25	5	10	30	35	0.5
Single-Family Attached	5 acres	30	5 acres	30	3,000	25	0	0	30	35	0.7
Single-Family Semi-Detached		40		40	4,000	25	10	10	30	35	0.7
Two-Family	7,500	60	7,500	60	3,750	25	5	15	30	35	0.7
R-6 Medium Density Residential[1]											
Single-Family Detached	7,500	60	7,500	60	7,500	25	5	10	25	35	0.5
Single-Family Attached	24,000	25	24,000	25	3,000	25	0	0	30	35	0.7
Single-Family Semi-Detached		35		35	3,500	25	10	10	30	35	0.7
Two-Family	6,500	60	6,500	60	3,250	25	5	15	30	35	0.7
Multiple-Family	15,000	100	15,000	100	3,500	25	10	30	40	40	0.6
R-7 High Density Residential[1]											
Single-Family Attached	1 acre	25	1 acre	25	2,000	20	0	0	30	35	0.8
Single-Family Semi-Detached		35		35	3,000	20	10	10	30	35	0.8
Multiple-Family	3 acres	NA	3 acres	NA	2,000	One (1) foot for every foot of rise, with a minimum of fifty (50) feet along all yards				40	0.8

[1] Gross density in the Low Density Residential District shall not exceed six (6) dwelling units per acre. Gross density in the Medium Density Residential District shall not exceed twelve (12) dwelling units per acre. Gross density in the High Density Residential District shall not exceed eighteen (18) dwelling units per acre.

[2] Any addition added to any home located in the R-1, R-2, R-3, and R-4 Districts and existing on March 1, 2006, need not comply with the Minimum Side Yard Setbacks as set forth above but, instead, must comply with the Minimum Side Yard Setbacks in force on March 1, 2006: a ten (10) foot minimum with a total of twenty-five (25) feet in the R-1 District; ten (10) percent of lot width for each side yard in both the R-2 and R-3 Districts, and a five (5) foot minimum side yard with a total of fifteen (15) feet for both side yards for the R-4 District.

NOTE: The amendments to this Schedule II adopted on March 7, 2006 shall not apply to any new homes constructed after March 7, 2006 in a Planned Unit Development approved prior to March 1, 2006 to the extent the Planned Unit Development had specific requirements in conflict with the amendments adopted on March 7, 2006.

SCHEDULE II
SCHEDULE OF DISTRICT REQUIREMENTS
LOT, YARD, AND BULK REGULATIONS

District	Minimum Lot Requirements			Minimum Yards and Setbacks *(feet)*				Maximum Building Height		Maximum Floor Area Ratio
	Lot Area (square feet)	Lot Width (feet)	Lot Depth (feet)	Front Yard	Side Yards		Rear Yard	Stories	Feet	
					One	Total of Two				
B-1 Neighborhood Shopping	4 acres	600	250	125	25	50	25	2	30	0.3
B-2 Community Shopping	20 acres		500	As Recommended By Plan Commission				2	35	0.6
B-3 General Business and Commercial	7,500	60	125	25	See Footnote[1]		25	3	35	1.0
B-4 Office and Service Business	20,000	100	200	50	10	25	40	3	35	1.5
B-5 Automotive Service	40,000	120	200	50	See Footnote[1]		50	2	30	0.8
ORI Office and Restricted Industrial	40,000	150	200	50	25	50	30[2]	5	65	1.5
M-1 General Manufacturing	5 acres	200	200	50	25	50	30[2]	5	65	1.0
MU-1 Mixed-Use Duvan Drive Overlay	40,000	150	200	50	25	50	30[2]	5	65	1.5

[1] No side yard shall be required, except if a side yard is provided, it shall not be less than ten (10) feet; and, if adjoining a residential district, a minimum side yard at least fifteen (15) feet in width shall be provided.

[2] When adjoining a residential district, not less than one hundred (100) feet.

C. SUPPLEMENTARY DISTRICT REGULATIONS

1. **Maximum Lot Coverage:** Land coverage by principal and accessory buildings or structures on each zone lot shall not exceed thirty-five (35) percent of the lot area in residential districts nor more than fifty (50) percent of the lot area in any business or industrial district.

2. **Usable Floor Area Per Dwelling:** Each residential dwelling constructed after the adoption of this comprehensive amendment shall have a minimum usable floor area as hereinafter described. For purposes of this requirement, usable floor area shall mean the sum of the net horizontal area of all floors within outside walls of a residential building exclusive of areas in cellars, basements, unfinished attics, garages, open porches, and accessory structures, but including any area that is roughed in but not completed which is designed and intended for human occupancy.

Dwelling Type	Minimum Useable Floor Area
Single-Family Detached[1]	**R-1**: 3,500 square feet **R-2**[2]: 2,800 square feet **R-3**: 2,500 square feet **R-4**: 2,000 square feet
Single-Family Attached and Semi-Detached	1,200 square feet plus 200 square feet for each bedroom over three (3)
Two-Family Detached	1,300 square feet
Multiple-Family[3]	
Efficiency or One Bedroom Apartment	800 square feet
Two Bedroom Apartment	1,000 square feet
Three Bedroom Apartment	1,200 square feet
Four Bedroom Apartment	1,400 square feet
Senior Housing	300 square feet of usable floor area per dwelling unit 600 square feet of floor area overall for each dwelling unit in a Senior Housing Facility when the common areas of the facility are included and divided among the dwelling units

[1] Provided, however, if an existing home is destroyed by fire or other natural cause, the owner, at owner's option, may rebuild said home in accordance with the applicable Minimum Useable Floor Area (square feet) in existence on March 1, 2006 (namely 2,500 square feet in R-1, 2,500 square feet in R-2, 2,000 square feet in R-3, and 1,700 square feet in R-4). Further provided, however, in any Planned Unit Development approved prior to March 1, 2006 and which specifies a different minimum useable floor area, the specific requirements of the approved Planned Unit Development shall control for any new homes constructed in the Planned Unit Development after March 7, 2006.

[2] 2,300 square feet for ranch style homes. For purposes of this requirement, a ranch style house is defined as a one-story house with not less than an 8/12 pitch roof and shall include a three-step ranch.

[3] Measurements are exclusive of halls, stairways, or other common areas.

3. **Open Space:** In all subdivisions that are greater than either five (5) acres in size or contain ten (10) or more residential lots, at least ten (10) percent of the gross land area shall be provided for open recreational space, or a minimum land area per dwelling unit of seven hundred fifty (750) square feet per unit shall be provided, whichever results in greater open

space. Such open space should be usable recreational land and shall not include any wetlands or other lands dedicated to specific uses. A portion of said open space shall be dedicated to the local Park District in accordance with the provisions of the Tinley Park Subdivision Regulations Ordinance.

4. **Elevations and Facades:** No two single-family dwellings of identical front elevation or facade shall be constructed or located on adjacent lots, nor shall there be constructed or located more than twenty-five (25) percent of single-family dwellings of the same elevation or facade in any block. A change of front elevation or facade shall be deemed to exist when there is a substantial difference in roof line, type and location of windows, and/or kind and arrangement of materials. There shall not be constructed or located more than fifty (50) percent of single-family attached dwellings, or multiple-family dwelling buildings, or combinations thereof, of the same elevation or facade in any block. A change of front elevation or facade shall be deemed to exist when there is substantial difference in roof line, type and location of windows, and/or kind and arrangement or materials. This requirement shall not apply to developments of less than twelve (12) units or to condominium unit developments.

5. **Spacing Between Buildings:** When two or more buildings which contain single-family attached dwellings, two or more multiple-family attached dwellings, or two or more multiple-family dwelling buildings, or combinations thereof, are on a lot or on contiguous lots comprising a unified development under the same ownership or control, the distance between the building walls shall be as follows (see diagrams on following pages):

   A. When the front wall of a building faces the front wall or rear wall of the nearest building, the distance between the two building walls shall be not less than sixty (60) feet;

   B. When the rear wall of a building faces the rear wall of the nearest building, the distance between the two building walls shall be not less than fifty (50) feet, except when the rear of buildings is used for parking or garages, the distance shall not be less than sixty-five (65) feet;

   C. When the side wall of a building faces the front or rear wall of the nearest building, the distance between the two building walls shall be not less than forty (40) feet, except when the side wall contains more than two (2) windows on a floor that are not from bathrooms or storage rooms, such distance between buildings shall be not less than fifty (50) feet, or sixty (60) feet if a main entrance doorway is in such side wall;

   D. When the side wall of a building faces the side wall of the nearest building, the distance between the two (2) building walls shall be not less than twenty (20) feet, except when the facing side walls of either of such buildings contain more than two windows on a floor that are not from bathrooms or storage rooms, such distance between the two (2) buildings shall be not less than fifty (50) feet, or sixty (60) feet if a main entrance doorway is in such side wall;

   E. A wall of a building forming the end of a court shall be not less than twenty (20) feet from the nearest wall of a detached building forming a side of the court, and a building

forming the end of the court may be attached to one or both of the buildings forming the sides of the court, provided the distance between facing walls of the buildings forming the sides of the court is not less than the applicable requirements, as set forth above;

F. Where buildings are not parallel to each other, the required spacing shall be measured at the midpoint of the distance along which they face each other; however, the spacing between the buildings at the narrowest point shall in no event be less than twenty (20) feet; and

G. For buildings over two (2) stories in height, there shall be one-half (1/2) foot additional spacing between buildings (as required above) for each additional one (1) foot that the related buildings exceed an average of thirty-five (35) feet in height.

6. **Transitional Yard Requirements:** Where a residential district abuts a non-residential district on a street line, there shall be provided in the non-residential district for a distance of fifty (50) feet from the district boundary line, a front yard at least equal in depth to that required in the residential district.

   The minimum required screening within required transitional side and rear yards shall be a six (6) foot stockade-type fence or equal, erected along the side property line from the required front yard to the rear property line and along the rear property line. Such fence shall be erected and maintained by the owner of the non-residential use, or his agent.

   In lieu of a fence, the Village Board, in its discretion, may require the owner to install and maintain planting as specified by the Village Board of Trustees to be placed and maintained by the owner or his agent.

7. **General Requirements/All Business & Commercial Districts:** Unless otherwise provided in the regulations of this Ordinance, the following provisions shall apply to all business and commercial districts:

   A. All business, service, storage, merchandise display, and, where permitted, repair and processing, shall be conducted wholly within an enclosed building–except for off-street parking or loading for drive-in type operations and open-sales lots in districts where they are permitted;

   B. Unless otherwise permitted herein, all business establishments shall be retail trade or service establishments dealing directly with the customer, and all goods produced on the premises shall be sold on the premises where produced;

   C. Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, noise, vibration, or water-carried waste. All activities shall conform with the Performance Standards established for the ORI District and applied at the boundaries of the lot on which such activities take place;

   D. Open spaces not permitted to be used for buildings, parking, walks, drives and other

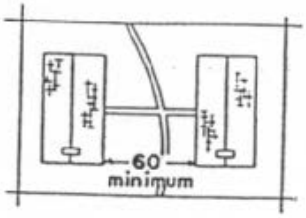
authorized impervious surfaces shall be open to the sky and planted with trees, shrubbery, and grass; and

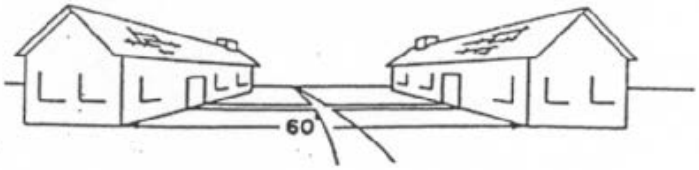
E. Parking of trucks, when accessory to the conduct of a permitted use, shall be limited to vehicles having not more than one-and-one-half (1 1/2) tons capacity–except for pick-up or delivery service during normal business hours. Any truck exceeding one-and-one-half (1 1/2) tons capacity shall be adequately screened from public view when parked.

SPACING BETWEEN BUILDINGS

A.

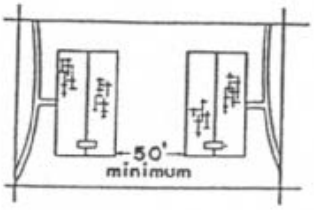
FRONT WALL FACING FRONT WALL
OR FRONT WALL FACING REAR WALL

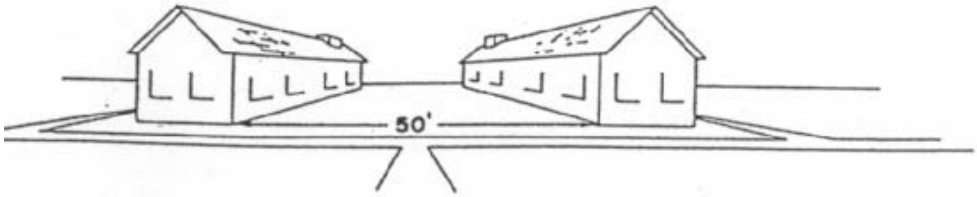




B.

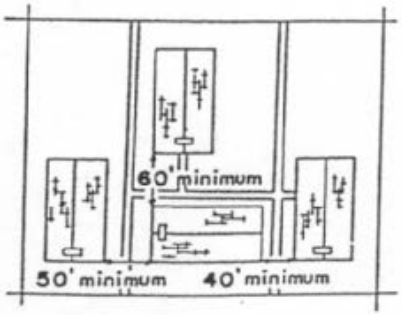
REAR WALL FACING REAR WALL

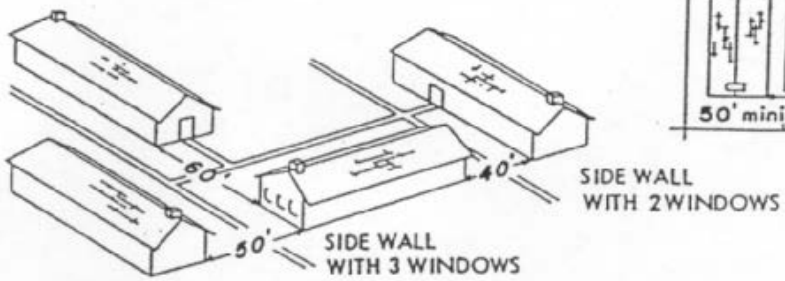




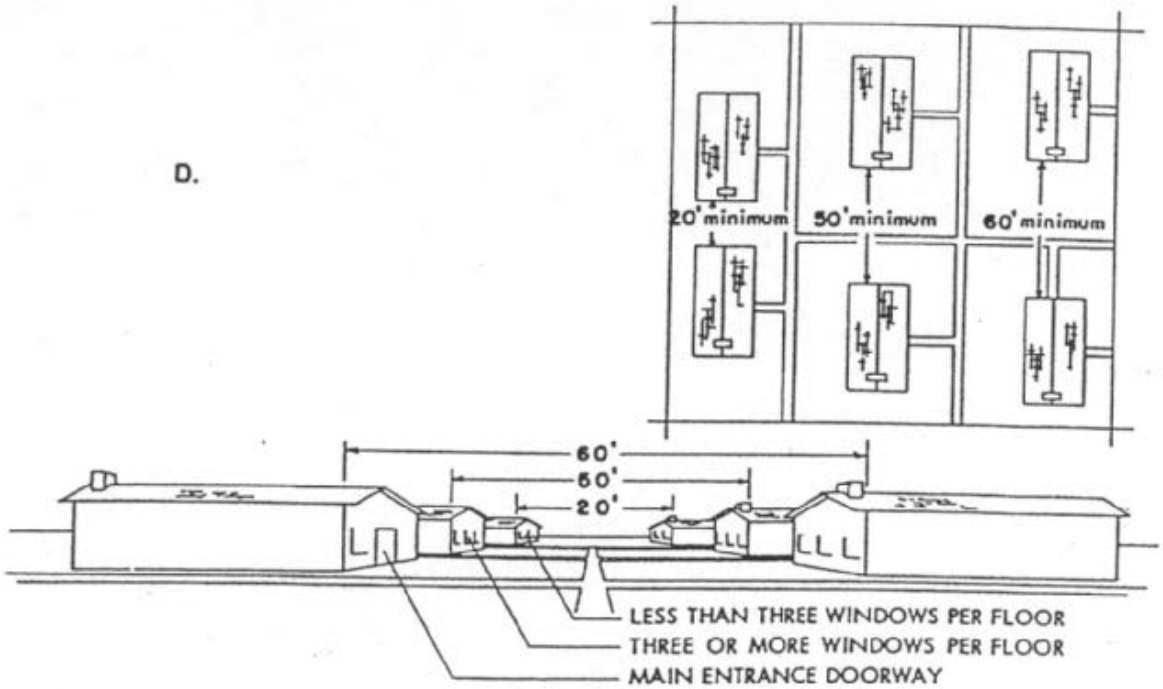
C.

MAIN ENTRANCE DOORWAY

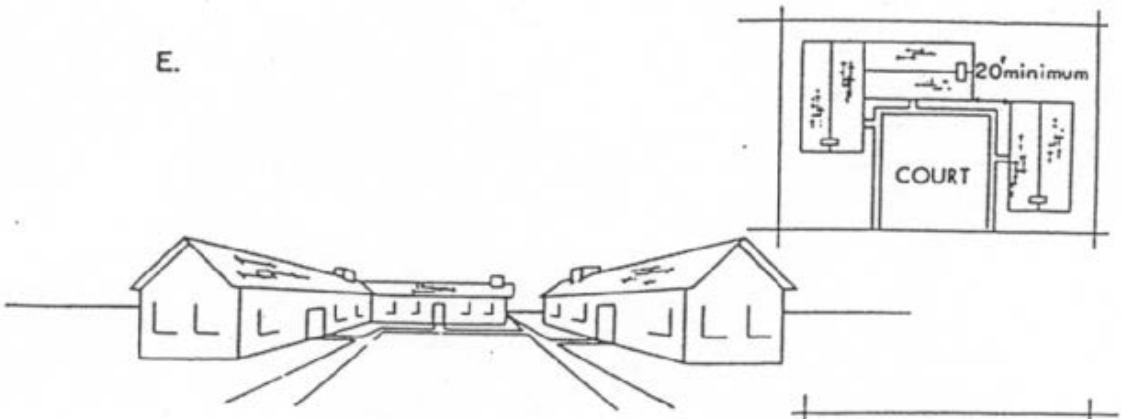




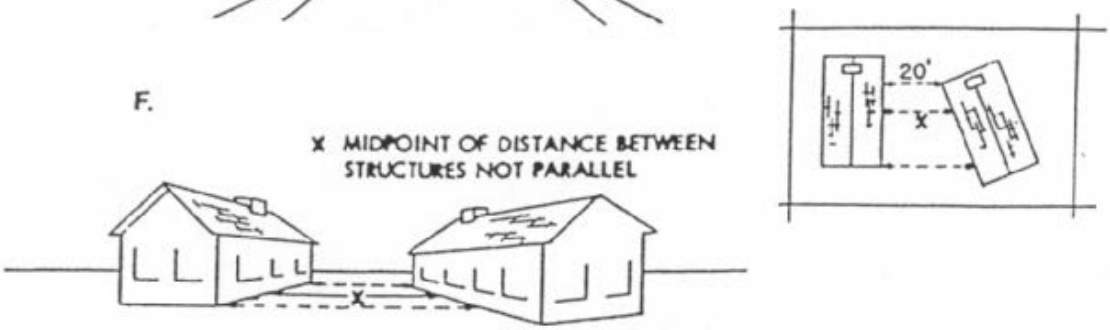
D.


20' minimum
50' minimum
60' minimum
60'
50'
20'
LESS THAN THREE WINDOWS PER FLOOR
THREE OR MORE WINDOWS PER FLOOR
MAIN ENTRANCE DOORWAY

E.


20' minimum
COURT

F.


X MIDPOINT OF DISTANCE BETWEEN STRUCTURES NOT PARALLEL
20'
X
X

8. **<u>Visual Environment Provisions</u>:** In all zoning districts, except Single-Family Residential Districts, the following visual environmental provisions shall apply:

   A. In order to ensure an adequate and pleasant natural environment, a reasonable sum of money shall be budgeted and used by the owners and developers to purchase and install mature-sized trees, shrubbery, grass, and other suitable landscaping materials upon the ground. Plans for the installation of such landscaping shall be subject to the review and approval of the Plan Commission; and

   B. All yard areas shall be landscaped, screened, and fenced with planting and shrubbery and approved fencing material in accordance with the plans approved by the Plan Commission. Prior to the issuance of Occupancy Permits, said landscaping improvements shall be completed or a sum of money shall be placed in escrow in accordance with the escrow policy of the Village.

9. **<u>Performance Standards</u>:** Any use established in the ORI and M-1 Districts, after the effective date of this Ordinance, shall be so operated as to comply with the Performance Standards governing: (a) noise; (b) vibration; (c) air pollution; (d) fire and explosion hazards; and (e) glare–as set forth hereinafter.

   Uses in ORI Office and Restricted Industrial District shall be governed by the Category A Performance Standards described below, and uses in the M-1 General Manufacturing District shall be governed by the Category B Standards. Uses in the commercial and business districts shall be governed by Category B Standards with regard to glare. Uses already established on the effective date of this Ordinance shall be permitted to be altered, enlarged, expanded or modified, provided that the additions or changes comply with said Performance Standards.

   A. <u>Noise</u>

      For the purpose of measuring the intensity and frequency of sound, noise shall be measured with a sound level meter and impact noise analyzer, meeting the applicable standards of the American National Standards Institute (ANSI S1.4-1971 and ANSI S1.11-1966). The instrument shall be set to the A-weighted response and the meter to the slow response.

      1) <u>Maximum Permitted Sound Levels</u>: The following table specifies the noise limits that apply on or beyond adjacent lot lines or zone boundaries outside the user's property. Noises shall not exceed the maximum sound levels specified in the table, except as designated below. Where more than one specified sound level applies, the most restrictive shall govern. Measurements may be made at points of maximum noise intensity.

Category	Maximum Permitted Sound Levels

A	65 dBA at Lot Line
B	65 dBA at Zone Boundary

In any residential zone, the weighted sound level shall not exceed 55 dBA during the hours of 7:00 a.m. to 10:00 p.m., and shall not exceed 45 dBA during the hours of 10:00 p.m. to 7:00 a.m.; however, these levels may be exceeded by 10 dBA for a single period no longer than fifteen (15) minutes in any one day.

For impact noise levels, the maximum sound levels described above, increased by 20 dB, shall apply. For purposes of this Ordinance, impact noise shall be considered to be those noises whose peak values, as measured on the impact noise analyzer are more than 6dB higher than the values indicated on the sound level meter.

Noises not under the direct control of an industrial operation (such as motor vehicles, excavation equipment, or other independent transportation facilities) are excluded from the above limitations.

B. Vibration

No activity or operation shall cause or create earth borne vibrations in excess of the displacement values given below. Ground-transmitted vibrations shall be measured with a seismograph or complement of instructions capable of recording vibration displacement, particle velocity, or acceleration and frequency simultaneously in three mutually perpendicular directions. Measurements may be made at points of maximum vibration intensity.

1) Vibration Level Restrictions: The maximum peak permitted particle velocities, measured at the adjacent lot line or any point along a residential district boundary line, shall not exceed the following:

Category	Maximum Peak Particle Velocity (in/sec*)
A	0.05 at Lot Line
B	0.10 at Zone Boundary

* In any residential zone, the peak particle velocity shall not exceed 0.02 inches per second during the hours 7:00 a.m. to 9:00 p.m., and shall not exceed 0.01 inches per second during the hours 9:00 p.m. to 7:00 a.m. The maximum particle velocity shall be the maximum vector sum of three mutually perpendicular components recorded simultaneously. Particle velocity may also be expressed as 6.28 times the displacement in inches multiplied by frequency in cycles per second.

For the purpose of this Ordinance, steady state vibrations are vibrations which are continuous, or vibrations in discrete impulses more frequent than sixty (60) per minute. Discrete impulses which do not exceed sixty (60) per minute shall be

considered impact vibrations. Impact vibrations shall be limited to values no more than twice as high as those specified for the maximum peak particle velocities permitted above.

C. Air Pollution

In all zoning districts, any activity, operation, or device which causes or tends to cause air pollution shall comply with the Illinois Air Pollution Control Regulations and the Performance Standards governing smoke, steam, particulate matter, toxic matter, and odor as herein set forth.

1) Smoke: The emission of smoke from all stacks, chimneys, processes, and devices shall not exceed the limitations described below.

Category	Smoke Emissions Permitted
A	No visible smoke from any source of air pollution except once during an eight (8) hour period when smoke up to Ringelmann No. 2 may be permitted for an aggregate of three (3) minutes.
B	Smoke emissions shall not exceed Ringelmann No. 1 or an equivalent opacity of twenty (20) percent. However, smoke up to Ringelmann No. 2 will be permitted for an aggregate of three (3) minutes in any eight (8) hour period.

2) Steam: The emission of visible steam (condensed water vapor) from all stacks, chimneys, processes, and devices shall not exceed the limitations described below. For the purpose of this regulation, visible steam is defined as a plume of condensed water vapor droplets having an equivalent opacity of sixty (60) percent or greater.

Category	Steam Emissions Permitted
A	No visible steam (except as the direct result of a combustion process) permitted.
B	No visible steam (except as the direct result of a combustion process) permitted within five hundred (500) feet of a residential district.

3) Particulate Matter: The total emission of particulate matter from all stacks, vents, chimneys, flues, and openings of all sources of air pollution on a lot shall not exceed the following limitations:

Category	Total Particulate Matter Emission Limit (pounds per hour per acre of lot)
A	1.0
B	5.0

The emission of suspended particulate matter (windblown emissions) from all stacks, vents, chimneys, flues, openings, storage piles, fugitive sources, and open sources on a lot shall not exceed the following limitations measured across lot lines or district boundaries as indicated below. Suspended particulate matter shall be measured at ground level or habitable elevation, whichever is more restrictive. The limitations shall apply to the contribution by the sources on a lot, over and above background levels.

Category	Suspended Particulate Matter Limitation (above background micrograms per cubic meter)	
	Measured Across	24-Hour Sample
A	Lot Lines	50
B	District Boundary	100

4) Toxic Matter: The emission of toxic matter from all stacks, vents, chimneys, flues, openings, storage piles, fugitive sources and open sources on a lot shall not exceed the following limitations measured across lot lines or district boundary lines as indicated below. Measurement shall be taken at ground level or habitable elevation and shall be a twenty-four (24) hour sample. Threshold Limit Value (TLV) of toxic materials adopted by the American Conference of Governmental Industrial Hygienists shall be employed, except when air quality standards for such toxic materials have been adopted by the State of Illinois, in which case the latter shall apply. If a toxic material is not listed, the applicant shall satisfy the Zoning Administrator that the proposed levels will be safe to the general population.

Category	Toxic Matter Emission Limitation	
	Measured Across	Percent of TLV
A	Lot Lines	2.5
B	District Boundary	2.5

5) Odorous Matter: The emission of odorous matter from all sources on a lot shall not exceed the following limitations across lot lines or district boundaries, as indicated below. Measurement shall be at ground level or habitable elevation, whichever is more restrictive.

Category	Odorous Matter Emission Limitation	
	Measured Across	Odor Units Per Cubic Foot
A	Lot Lines	4
B	District Boundary	4
All	Residential District Boundary	1

D. Fire and Explosion Hazards

In all districts, any activity involving the manufacture, utilization, or storage of flammable, combustible, and/or explosive materials shall be conducted in accordance with the regulations herein set forth.

1) Detonable Materials: Activities involving the storage, utilization, or manufacture of materials or products which decompose by detonation shall be permitted only in accordance with the regulations of each Performance Standard category.

Such materials shall include but are not limited to all primary explosives such as lead azide, lead styphnate, fulminates and tetracene; all high explosives such as TNT, RDX, HMX, PETN, and picric acid; propellants and components thereof such as nitrocellulose, black powder, boron hydrides, hydrazine, and its derivatives; pyrotechnics and fireworks such as magnesium powder, potassium chlorate, and potassium nitrate; blasting explosives such as dynamite and nitroglycerine, unstable organic compounds such as acetylides, tetrazoles, and ozonides; strong unstable oxidizing agents, such as perchloric acid, perchlorates, chlorates, and hydrogen peroxide in concentrations greater than thirty-five (35) percent; and nuclear fuels, fissionable materials and products and reactor elements such as Uranium 235 and Plutonium 239.

(a) Uses subject to Category A standards involving the storage, utilization, or manufacture of materials or products which decompose by detonation are permitted up to five (5) pounds inventory of such materials.

(b) Uses subject to Category B standards involving the storage, manufacture, or utilization of materials and products which decompose by detonation are permitted up to five (5) pounds inventory of such materials. The storage and/or utilization (but not manufacture) of materials and products which decompose by detonation may be allowed an inventory in excess of five (5) pounds only as special exception.

2) Flammable Solids: In both ORI and M-1 Districts, the storage, utilization, or manufacture of solid materials or products ranging from incombustible to moderate burning is permitted.

The storage, utilization, or manufacture of solid materials or products ranging from free or active burning to intense burning is permitted, provided either of the following conditions is met:

(a) Said materials or products shall be stored, utilized, or manufactured within completely enclosed buildings having no less than two- (2) hour fire resistant exterior walls and protected with an automatic fire extinguishing system; or

(b) Said material, if stored outdoors, will be no less than fifty (50) feet to the nearest lot line.

3) Flammable Liquids and Gases: Uses subject to Category A standards involving the storage, utilization, or manufacture of flammable liquids shall be permitted a maximum inventory in accordance with the following table, except that the storage of finished products in original sealed containers of fifty-five (55) gallons or less shall be unrestricted. Spacing and location of storage tanks shall conform with the current Flammable and Combustible Liquids Code of the National Fire Protection Association, Code NFPA-30.

Category Standards	Total Capacity of Flammable Materials Permitted (Gallons*)	
	Above Ground	Below Ground
Category A Standards **Flash Point, Closed Cup Tester**		
140°F or Higher	50,000	100,000
Above 73°F but below 140°F	25,000	100,000
Below 73°F	5,000	100,000
Category B Standards	Unrestricted	Unrestricted

* When flammable gases are stored, utilized, or manufactured and measured in cubic feet, the quantity in cubic feet at standard temperature and pressure permitted shall not exceed thirty times the quantities listed above. Tank spacing and diking shall conform to the applicable NFPA Code, except as noted above.

A dike or drainage area shall be provided for all above-ground tanks in conformance with Code NFPA-30.

The diked area or drainage area shall be no less than two (2) times the largest dimension of the diked area or drainage area from the nearest property line. For below-ground tanks, the specified distance shall be two (2) times the largest lateral tank dimension. For example, for a rectangular dike or tank, the largest dimension is measured along the diagonal.

In the M-1 General Manufacturing District the standards for flammable liquids and gases shall be the same for uses subject to Category A standards, as outlined herein, except:

1. The inventory of flammable liquids or gases shall be unrestricted in capacity; and
2. For flammable gases, the appropriate NFPA Code shall be applied in place of NFPA-30.

However, minimum distances from district boundaries, shall be two (2) times

the maximum dimension of the diked area or drainage area, as specified above.

E. Glare:

Any operation or activity permitted within the commercial and industrial districts which produces glare at night shall be conducted so that direct and indirect illumination from the source of light on the lot shall not cause illumination in excess of one-half (1/2) foot candle when measured in a residential district. Flickering or intense sources of light shall be controlled or shielded so as not to cause a nuisance across lot lines.

Illumination levels shall be measured with a photoelectric photometer, having a spectral response similar to that of the human eye, following the standard spectral luminous efficiency curve adopted by the International Commission on Illumination.

Uses in all business and commercial districts shall be governed by the Category B standards. Uses subject to Category A and Category B Performance Standards shall limit the use of light sources and illuminated surfaces within five hundred (500) feet of, and visible in, a residential district to comply with the light intensities indicated below.

Source	Maximum Intensity of Light Sources	
	Category A	Category B
Bare Incandescent Bulbs	15 watts	40 watts
Illuminated Buildings	15-foot candles	30-foot candles
Back-lighted or Luminous Background Signs	150-foot lamberts	250-foot lamberts
Outdoor Illuminated Signs and Poster Panels	25-foot candles	50-foot candles
Any Other Unshielded Sources/Intrinsic Brightness	50 candles per square centimeter	50 candles per square centimeter

10. **Site Development Standards for Industrial Uses**

A. No improvements shall be constructed, erected, placed, altered, maintained, or permitted on any building site until plans and specifications of the proposed improvements have been approved by the Industrial and Commercial Commission of the Village of Tinley Park. Such plans and specifications shall be drawn to scale and shall show, among other things: plot layout and all exterior elevations; materials and colors; signs and landscaping; number and size of parking spaces; driveways; grading, easements, and utilities; proposed building use; number of employees (approximately); and such other information as may be requested by said Commission.

B. All buildings and improvements shall be constructed and maintained in accordance with the following standards:

1. No building or structure shall be erected nearer than fifty (50) feet to any existing street right-of-way, or nearer than twenty-five (25) feet to the side property lines of any building site;

2. Building construction and design shall be used to create a structure with four (4) equally attractive sides of high quality, rather than place all emphasis on the front elevation of the building while neglecting or down grading the aesthetic appeal of the side and rear elevations of the building;

3. All on-site electrical telephone and other utility lines shall be underground and shall not be exposed on the exterior of any building or structure;

4. All loading docks must be located at least sixty (60) feet from the front lot line. No trucks, or portion thereof, shall be allowed to park in any street while loading or unloading;

5. Any outside storage for equipment, raw materials, semi-finished and finished products, waste, or refuse must be located to the rear of the principal building and shall be screened from streets and adjoining property by a wall, solid fence, or hedge at least eight (8) feet in height.

6. There shall be maintained on each site facilities for parking and passenger loading and unloading sufficient to serve the business conducted thereon without using adjacent streets. Parking areas and access drives and loading areas shall be paved with an impervious surface such as asphalt or concrete and shall be graded to assure proper drainage. No parking shall be permitted within ten (10) feet of the right-of-way line of any street, and no more than twenty-five (25) percent of the area between the front setback line and the street right-of-way line shall be used for parking areas and access drives.

7. Every site on which a building or structure is placed shall be landscaped according to plans approved in writing by the Industrial and Commercial Commission. Such landscaping plan shall include information regarding other customary landscape treatment for the entire site. Further, it shall be the responsibility of the owner of the building site to landscape and maintain the area between the lot lines and the street pavement adjacent to the owner's building site. Landscaping shall be installed within sixty (60) days of the completion of construction or as soon thereafter as weather conditions permit.

8. The Industrial and Commercial Commission shall base its recommended approval (or disapproval) on compliance with the standards of the Tinley Park Zoning Ordinance and such other things as: the adequacy of site dimensions; the effect of the proposed location and use on the development or maintenance of improvements on neighboring sites; the proposed operations and uses; the effect upon neighboring sites of the topography, grade and finished ground elevations proposed for the site; coordination of landscaping within the site or with neighboring sites; and the facing of the main elevation with respect to nearby streets, the extent to which the design of

all proposed elevations is integrated.

11. **<u>Temporary Uses</u>:** Upon application to the Building and Planning Department's review and recommendation by the Zoning Administrator and issuance of a permit therefore, the following uses may be operated as temporary uses:

    A. Temporary building of yard for construction materials and/or equipment, both incidental and necessary to construction in the Zoning District: Each permit shall specify the location of the building or yard and the area of permitted operation. Each such permit shall be valid for a period of not more than six (6) calendar months and shall not be renewed for more than five (5) successive periods at the same location.

    B. Temporary office, both incidental and necessary for the sale or rental of real property: Each permit shall specify the location of the office and the area of permitted operation. Each such permit shall be valid for a period of not more than one (1) year and shall not be renewed for more than five (5) successive periods at the same location.

    C. Temporary signs shall be provided for in Section IX.D.7 of this Ordinance.

    D. Bazaar, dance and/or carnival; provided, however, that each permit shall be valid for a period of not more than seven (7) days; and provided, further, that a period of at least ninety (90) days shall intervene between the termination of one permit and the issuance of another permit for the same location.

    E. The sale of tropical plants; provided, however, that the applicant for the temporary business license and/or the sponsor of the sale must be a not-for-profit corporation in the Village of Tinley Park or other not-for-profit entity in the Village of Tinley Park, and further provided that any such permit shall be valid for a maximum period of thirty (30) days, no more than twice in any given calendar year, and a temporary business license may be issued not more than twice a year for the same location, applicant or entity.

    F. The sale of holiday trees, provided, that the applicant illustrates that the following criteria have been met:

        (1) That a temporary business license has been applied for and received;

        (2) That the sales must benefit a registered not-for-profit corporation within the Village of Tinley Park or other registered not-for-profit entity within the Village of Tinley Park, or a sponsor of a registered not-for-profit organization within the Village of Tinley Park which would receive a donation from the permit holder.

        (3) That a copy of a signed agreement with the not-for-profit organization has been submitted, indicating the type of not-for-profit status of the organization and the amount of the donation; and

        (4) That copies of a valid Department of Agriculture Nurseryman's Certificate and a valid Dealers Registration from the supplier of the trees have been submitted.

G. Parking Lot designated for a special event; provided, however, that each permit shall be valid only for the duration of the designated special event.

12. **Adult Regulated Uses:** In the development and execution of this Ordinance, it is recognized that there are some adult uses which, because of their very nature, are recognized as having serious objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances, thereby having a deleterious effect upon the adjacent areas.

    Special regulation of these uses is necessary to ensure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood. These special regulations are itemized in this Section. The primary control or regulation is for the purpose of preventing a concentration of these uses in any one area (i.e. not more than two such uses within one thousand (1,000) feet of each other which would create such adverse effects). Uses subject to these controls are as follows: Adult Book Store; Adult Motion Picture Theater; Adult Mini Motion Picture Theater; and Adult Entertainment Cabaret.

    A. The President and Board of Trustees may waive this locational provision if the following findings are made:

        (1) That the proposed use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this Ordinance will be observed;

        (2) That the proposed use will not enlarge or encourage the development of a "skid row" area;

        (3) That the establishment of an additional regulated use in the area will not be contrary to any program of neighborhood conservation nor will it interfere with any program of urban renewal; and

        (4) That all applicable regulations of this Ordinance will be observed.

    B. It shall be unlawful to hereafter establish any Adult Book Store, Adult Motion Picture Theater, Adult Mini Motion Picture Theater, or Adult Entertainment Cabaret within one thousand (1,000) feet of any area zoned for residential use or use by churches or schools. This prohibition may be waived if the person applying for the waiver shall file with the Zoning Board of Appeals a petition which indicates approval of the proposed regulated use by sixty (60) percent of the persons owning, residing or doing business within a radius of one thousand (1,000) feet of the location of the proposed use, the Petitioner shall attempt to contact all eligible locations within this radius, and must maintain a list of all addresses at which no contact was made.
    The Zoning Board of Appeals shall adopt rules and regulations governing the procedure for securing the petition of consent provided for in this section of the Ordinance. The rules shall provide that the circulator of the petition requesting a waiver shall subscribe to an affidavit attesting to the fact that the circulator personally witnessed the signatures on the petition and that the same were affixed to the petition by the person whose name appeared thereon.

C. The Zoning Board of Appeals shall not consider the waiver of location requirements set forth in this Section until the above described petition shall have been filed and verified.

D. In the application of the provisions of the Adult Regulated Uses, the following definitions shall apply:

1. "Specified Anatomical Areas" shall include:

a) Those that are less than completely and opaquely covered, including human genitals (pubic region), buttocks, and female breasts below a point immediately above the top of the areola; and

b) Human male genitals in a discernible turgid state, even if completely and opaquely covered.

2. "Specified Sexual Activities" shall include:

a) Human genitals in a state of sexual stimulation or arousal;

b) Acts of human masturbation, sexual intercourse, or sodomy; and

c) Fondling or other erotic touching of human genitals, pubic region, buttocks, or female breasts.

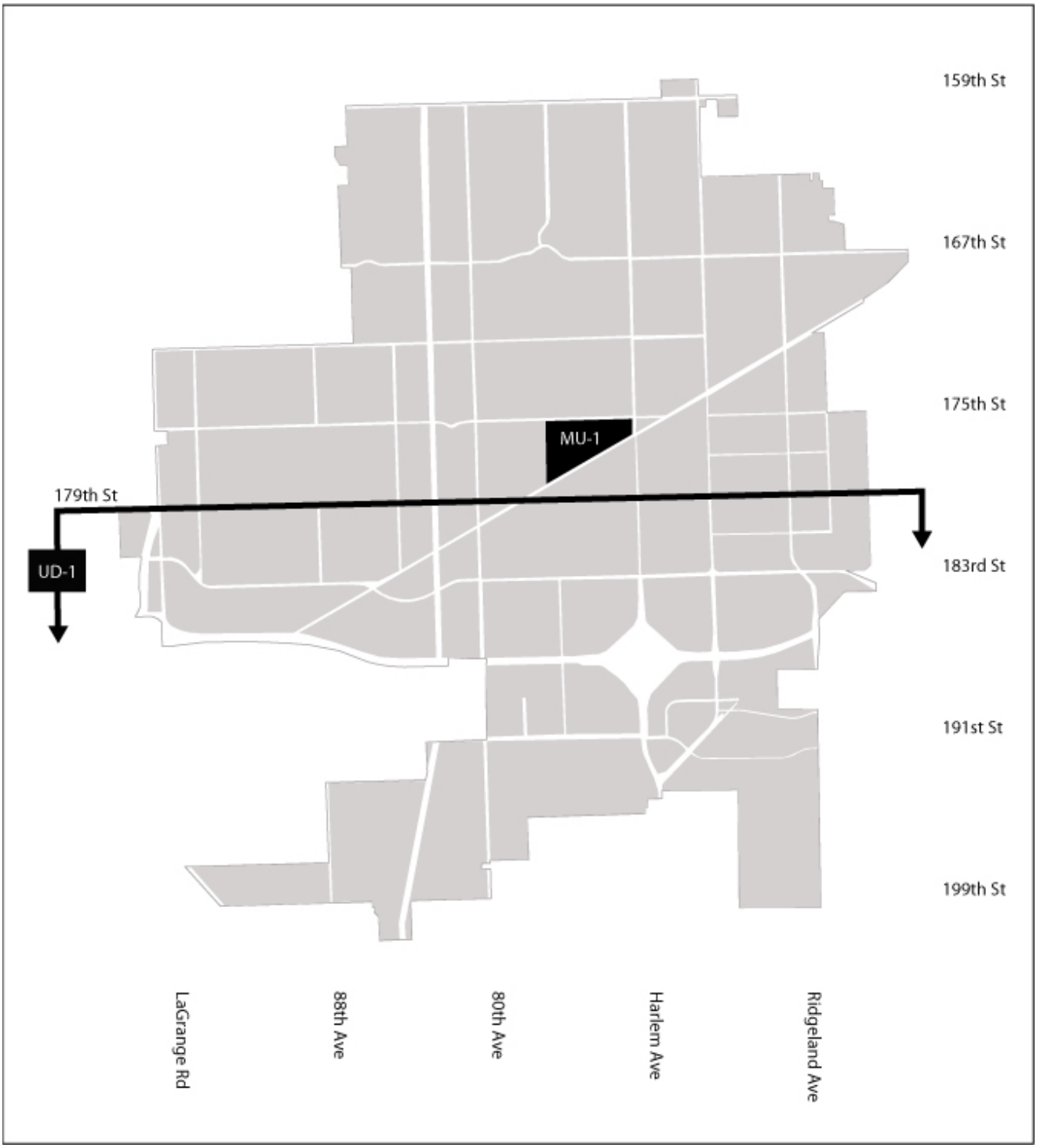
D. OVERLAY DISTRICT REGULATIONS

General:

Overlay Zoning Districts consist of regulations that address specific subjects that require special treatment in light of geographical characteristics and/or zoning policies. Where an Overlay District has been designated within the Village of Tinley Park, the regulations of that Overlay District shall supersede or supplement, as applicable, the regulations of the base zoning district(s).

<u>Map</u>:

The map below indicates the general locations of the existing Overlay Districts within the Village of Tinley Park.



1. **Mixed-Use Duvan Drive Overlay District:**

A. Description of District:

(1) Purpose and Intent:
This Overlay District is intended to provide for business and light industrial uses in the Duvan Drive Business Park along with some automobile related uses compatible with the area.

(2) Impact Area:

Generally located at the southwest corner of 175th Street and Duvan Drive, described as: That part of the northeast Quarter of Section 36, Township 36 North, Range 12 East of the Third Principal Meridian lying north of the northly Right of Way line of the Chicago, Rock Island and Pacific Railroad (excepting therefrom the west 1,534.60 feet of the east 2009.6 feet of the north 495.65 feet), all in Cook County, Illinois.

(3) Uses:

Section V(B) of this Ordinance contains a Schedule of Permitted Uses Table for the MU-1 Overlay District.

(4) Base Zoning:

The base zoning for this Overlay District is ORI Office and Restricted Industrial.

2. **Urban Design Overlay District:**

A. Description of District:

(1) Purpose and Intent:

This Overlay District is intended to establish and promote specific design standards concerned with the character and placement of non-residential buildings within the district, including parking and other accessory uses, as well as the role and nature of the spaces between the buildings and the public streets. The intent of this district is to create development patterns that accommodate the automobile, but are primarily designed to promote non-motorized and public transportation movements to, within, and among properties.

(2) District Boundaries and Regulated Area:

The district includes all properties abutting the north side of the 179th Street right-of-way and extending south, east, and west to the Village limits, both existing and future.

(3) Uses:

Unless otherwise noted, the use standards of the base zoning district shall regulate the uses allowed in this Overlay District. Section V(B) of this Ordinance contains a Schedule of Permitted Uses Table for each of the Village zoning districts.

(4) Applicability:

Unless otherwise noted, the regulations in Section V.D(2).d below shall apply to buildings with a building footprint below one hundred thousand (100,000) square feet. A building with a footprint over one hundred thousand (100,000) square feet shall follow the lot and bulk regulations established by the property's base zoning district classification and all other applicable regulations set forth herein.

B. Parking Lots and Drive-Thrus:

(1) Intent:

The intent is to create a streetscape that is defined by buildings rather than parking lots, loading facilities, trash storage areas, drive-thrus, or other service operations.

(2) Regulations:

a. Surface parking lots must be located to the rear or side of buildings. Parking cannot be located in the front yard.

b. Drive-thru facilities shall be located to the rear or side of a building of any size.

c. Loading and other service operations that are part of a building of any size must be screened from view of the street by a combination of plantings, a berm and/or fencing as outlined in the Village's Landscape Ordinance.

C. Access:

(1) Intent:

a. Each site must provide opportunities for the public to bike, walk, drive, or take public transportation to, among, and within the development while minimizing the conflicts between the these methods. The regulations below apply to developments and buildings of all sizes.

(2) Regulations:

a. A public sidewalk of no less than six (6) feet in width must extend across the front of the lot.
b. Non-motorized transportation improvements shall be completed on and around the property as outlined in the Village's Active Transportation Plan, as amended.

c. Direct access must be provided into the buildings from public sidewalks via a walkway.

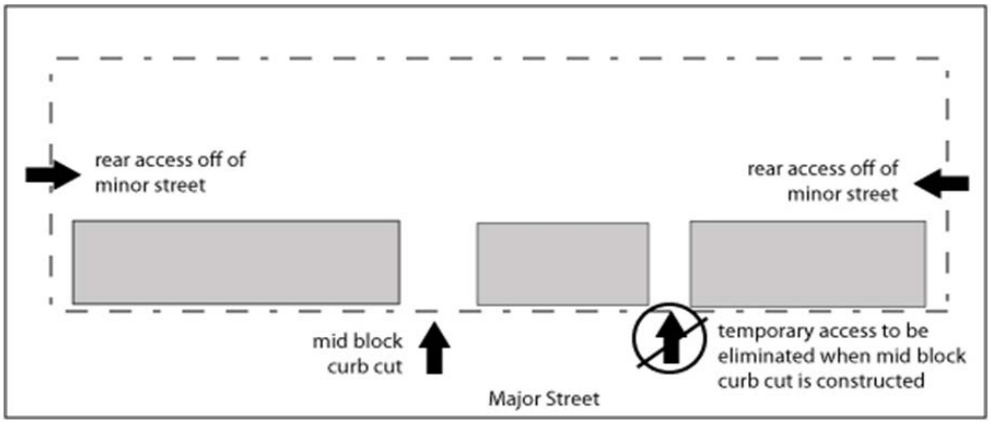
d. Each development shall include an approved pedestrian circulation system (sidewalks, pavement striping, etc.) that provides pedestrian linkages to and from public transportation, among buildings, among parking lots and buildings, and among adjacent uses.

e. Village approved and recorded cross-access easements are required among adjacent uses.

f. A maximum of one (1) curb cut shall be allowed per property.

g. When parking lots adjoin each other, vehicular access shall be provided in the rear of parcels via Village-approved drive aisles and recorded easements from neighboring properties. Unless otherwise recommended by the Plan Commission and approved by the Village Board, ingress and egress points on a block shall include access to the rear of the properties from the minor streets and a single mid block curb cut on the major street.

h. A maximum of one (1) temporary curb cut is allowed per property. The maximum width of a curb cut is thirty (30) feet, and no curb cut can be closer than one hundred (100) feet to an intersection, or be located within a dedicated turn lane. Temporary curb cuts will be allowed but must be eliminated when the permanent mid-block curb cuts are approved and constructed. A restrictive covenant shall be recorded against the property for which a temporary curb cut is provided, which covenant will require the elimination of the temporary curb cut, the demolition of the portion of the drive located in the right-of-way, and the reconstruction of the right-of-way to meet the Village's street and landscape standards. Financial security in a form and amount acceptable to the Village shall be provided to ensure that all required work is completed when the temporary curb cut is eliminated.



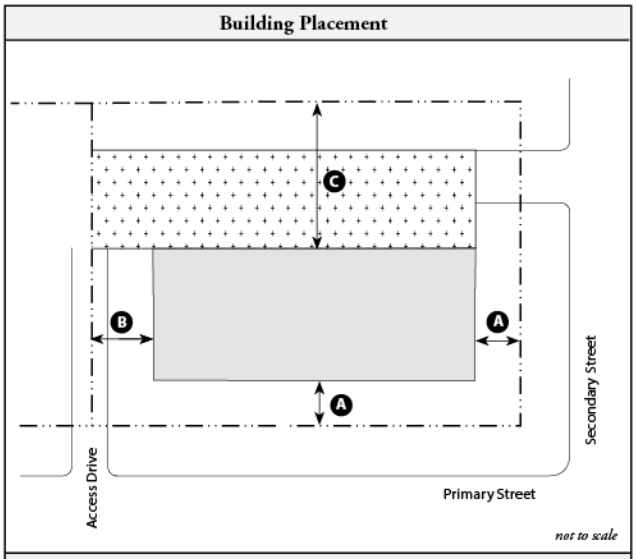
D. Dimensional Standards:

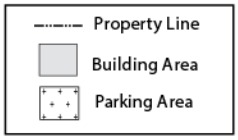
(1) Intent:
To provide a consistent and cohesive urban development pattern within the district by requiring buildings and public spaces, not the parking, to define the character of the area.

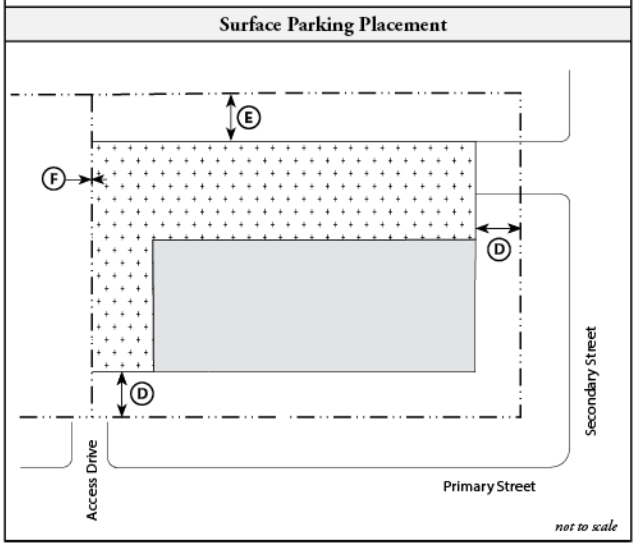
(2) Regulations:

The underlying property zoning for each individual building/property shall govern those lot and bulk standards not identified in the table below.

Building Setbacks		
Front Yard	20' max	A
Side Yard	10' min	B
Rear Yard	10' min	C
Parking Setbacks		
Front Yard	25' min	D
Side Yard	10' min	E
Rear Yard	0'	F
Outdoor Dining Setbacks		
All Yards	5'	
Accessory Structures		
Front Yard	20' max	
Side Yard	5'	
Rear Yard	5'	







E. Building Design & Signage:

(1) Intent:

Buildings shall incorporate a variety of elements (such as canopies and glass storefronts) to enhance the streetscape and the pedestrian environment.

(2) Regulations:

a. The main entrance to a building shall be oriented toward the major street, be prominent, and pedestrian accessible.

b. One-third (1/3) of the length of the property line along the main street frontage, excluding driveways, shall be occupied by the facade of the building or outdoor dining facilities.

c. Any storefront located on the elevation facing a public street shall remain seventy-five (75) percent transparent.

d. Additional wall signage on the rear facade, equal to that allowed on the front facade, will be permitted if all storefronts located on the elevations facing a parking zone remain fifty (50) percent or greater, transparent. If storefronts are less than fifty (50) percent transparent, than the wall signage on the rear facade can not exceed fifty (50) percent of that allowed on the front facade. When storefronts are not utilized, additional wall signage not to exceed seventy-five (75) percent of that allowed on the front facade shall be permitted.

F. Large Scale Development:

(1) Intent:

a. To maximize the potential for a pedestrian scaled, big box development that merges with neighboring uses by minimizing the impact of parking lots, drive-thrus, and national chain architecture.

(2) Regulations:

a. The following regulations shall apply to developments containing building footprints greater than one hundred thousand (100,000) square feet.

b. When provided, small buildings, or outlots, shall be oriented to screen the larger buildings and parking areas.

c. Parking areas between the larger buildings and the smaller buildings shall be designed in a manner to encourage cross-access and shared parking.

d. If a large building is located along a major or minor street, or an internal access road, the abutting facade(s) shall contain liner uses (uses that are housed in

structures that are attached or within the larger building and have a separate point of ingress and egress) or the entire wall shall include architectural detail such as fenestrations, display windows and other architectural features.

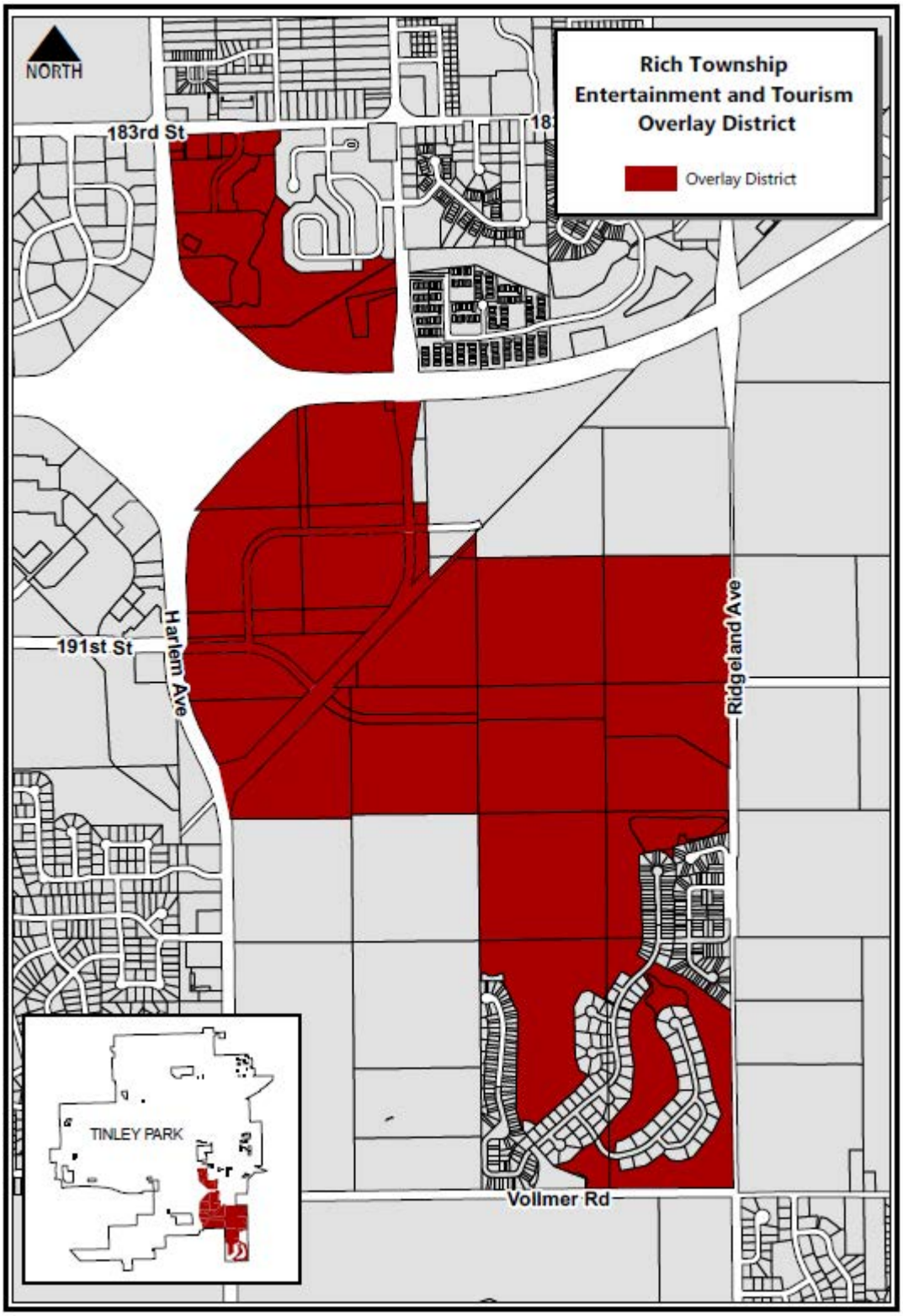
3. **Rich Township Entertainment and Tourism Overlay District:**

A. Description of District:

(1) Purpose and Intent:
This Overlay District is intended to provide unique use and district-wide signage requirements for the Rich Township Entertainment and Tourism District, which is an entertainment, shopping, dining, hotel, convention center, and concert venue oriented entertainment and tourism area located within the Village.

(2) District Boundaries and Regulated Area:
This district includes commercially-used and zoned properties and excludes residential and industrially-used or zoned properties (except it includes one residentially-zoned area, which is commercially-used (Golf Course)) located within the boundary described as: those areas of Rich Township south of 183rd Street, west of Ridgeland Avenue, east of Harlem Avenue (excepting properties in Rich Township directly adjacent to the west side of Harlem Avenue), and north of Vollmer Road within the corporate limits of the Village of Tinley Park.

It is the intention of this district to specifically exclude any residentially-used and industrially-used properties.


Rich Township
Entertainment and Tourism
Overlay District
Overlay District
NORTH
183rd St
191st St
Harlem Ave
Ridgeland Ave
Vollmer Rd
TINLEY PARK

(3) Uses:

In order to promote tourism and entertainment uses that promote the economic development of the Rich Township area, the uses below shall be considered applicable to the properties within the District Boundaries and shall supersede the existing permitted and special uses permitted by the Schedule of Regulations set forth in Section V.B (Schedule of Regulations, Table I). Additionally, the properties within this district are subject to the Urban Design Overlay set forth in Section V.D.2.

Permitted Principal Uses

Antique stores/malls
Automobile sales and rental with accessory automotive repair/service
Banks and banks with drive-through facilities
Bed and Breakfasts
Convention Centers
Concert venues
Event halls
Golf courses (any size, including miniature whether run for profit or by approved not for profit entities)
Hotels, motels, or motor inns
Indoor commercial recreation (any size)
Microbreweries, wineries, and distilleries
Medical or dental clinics (less than 7,500 square feet)
Offices, businesses and professional services (less than 1,393.5456 square meters)
Outdoor commercial recreation (any size)
Pharmacies without drive-through facilities
Retail uses and shopping centers
Restaurants and Restaurants with drive-through or drive-in facilities
Spas, day spas, beauty parlors
Service establishments, personal and pet related
Theaters, Performing Arts, and Entertainment uses (not including adult regulated entertainment)
Tourism-oriented businesses and accessory wayfinding signage
Transit and public transportation facilities, including passenger shelters
Wedding chapels
Publically sponsored special events

Special Uses

Automobile car washes
Automobile service stations
Automobile repair shops and body shops
Currency exchanges
Daycare facilities and centers
Flea markets
Funeral homes and mortuaries
Outdoor display of goods
Pharmacies with drive-through facilities
Planned Unit Developments

Public utility and governmental uses
Medical or dental clinics (greater than 7,500 square feet)
Offices, businesses and professional services (greater than 15,000 square feet)
Taverns
Temporary uses, as recommended by the Plan Commission and approved by the Village Board
Other similar and compatible uses to those allowed as "Permitted Uses" and "Special Uses" as recommended by the Plan Commission and approved by the Village Board

Prohibited Uses
Adult regulated uses
Billboards and off-site signs (except as allowed by this Section)
Animal hospitals, kennels, and pounds
Building materials sales, storage, and millwork
Contractor's offices and shops - Plumbing/heating/air-condition service businesses
Churches, synagogues, mosques, and religious organizations
Clubs, memberships, not including retail clubs
Educational facilities (technical, vocational, elementary, secondary)
Educational facilities (college/university/junior college – campus or satellite)
Fraternal, philanthropic and eleemosynary uses
Frozen food lockers
Fruit and vegetable stands
Gun dealers and gun ranges, not including sporting stores that sell guns as an ancillary use
Heavy equipment sales and rental
Industrial and manufacturing uses
Medical marijuana dispensaries
Self-storage facilities
Thrift stores or resale shops

(4) Applicability:
Unless otherwise noted, the regulations of this Overlay District will apply to all properties located within the District boundaries.

B. Signage:

(1) Intent:

a. It is intent of this ordinance to differentiate the needs of signage for this unique tourism, shopping, and entertainment area, which may require larger wayfinding signage, larger commercial signage, and special allowances for variable electronic message center signs than permitted in the remainder of the community due to unique economic and taxation challenges within Rich Township. The unique needs of this district, that create a differentiation from the rest of the Village serve as the reasons for establishing the boundaries of the district, include:

i. Interstate highway-orientation of this district;
ii. Desire of the Village to promote the tourism and entertainment aspects of the district;
iii. Greater wayfinding needs for entertainment/tourism-based districts;
iv. Coordination amongst district businesses to promote this district as a particular node of unique commercial activity;
v. Significant traffic counts expected for concerts, special events, and certain shopping seasons; and
vi. The unique economic development and redevelopment needs of the district within Rich Township, Cook County.

An existing non-conforming sign, once used for the amphitheater, exists along I-80 that is currently not used. The Village finds that it is in its best interest to consider an adaptive reuse of the sign with appropriate regulations.

b. It is also the specific intent of the signage within this district to serve only the licensed businesses and special events that are physically located within the District and to serve the needs of the tourists within the Rich Township Entertainment and Tourism District.

c. It is not the intent of the signage within this district to create off-site signage opportunities or billboard-oriented signage within the community.

(2) Regulations:

a. District Freestanding Entrance Sign

i. One (1) freestanding sign with a total height of no more than 80 feet (measured from the adjacent grade) will be allowed for the purposes of serving the entire District with interstate-oriented signage. This sign shall be placed on one single property that is immediately adjacent to the I-80 Interstate and must be located within the boundaries of the District.
ii. The sign must contain a static panel denoting only the name of the District and this panel should be not less than 20% of the total sign face area of the sign.
iii. The sign may contain a dynamic variable electronic message sign (DVEMS). The total sign face area of this portion of the sign may not exceed 1,300 square feet per side (two sides maximum). The DVEMS must comply with all the standards for DVEMS/electronic message centers outlined under Section IX (Sign Regulations) of the Zoning Ordinance.

iv. The freestanding sign may contain only one district name static panel and the DVEMS. There can be no other permanent or temporary signs attached to this freestanding sign unless granted a Variation by the Village.

v. The DVEMS portion of the sign may only contain the following:
   a. Advertising of licensed businesses that have a physical location within the District;
   b. Promotion of special events (in particular amphitheater concerts, special events, and sales promotions) located on properties within the District;
   c. Promotion of community sponsored events within the Village that support tourism (parades, festivals, athletic events);
   d. Emergency notices, special wayfinding notices, traffic control notices, and any other public service notices as deemed necessary by the Village of Tinley Park or the Illinois Department of Transportation.

vi. The DVEMS portion of the sign is expressly prohibited from displaying the following:
   a. Advertising products and services for a business that does not hold a business license in the Village and/or does not occupy a physical location in the Village (for example, CarMax can advertise, but Ford Motor Company or General Motors cannot advertise);
   b. Advertising individual products or sales items within a business located within the district (for example, CarMax can advertise their business, but not individual cars for sale);
   c. Out-of-Rich Township District commercial advertising.

vii. The freestanding sign must meet the requirements for architectural compatibility and landscape as set forth in Section IX of the Village Zoning Ordinance. A site plan and elevation plan will be required to be approved by the Village prior to the sign receiving building permits. The sign cannot be operational prior to building permit approval.

viii. Any changes to this sign, including a sign face change, must comply with the provisions of this Zoning Ordinance and must be approved by the Village Board. The “District Name” panel, required by this ordinance, may not be changed without the express consent of the Village.

ix. The sign and any part of the freestanding sign structure must be appropriately maintained and the DVEMS portion of the sign must also be maintained and operational in accordance with Section IX of the Village’s Zoning Ordinance. If the sign ceases operation or becomes a public nuisance, the Village may require its demolition. If the sign is damaged due to an act of God, the sign may not be altered from its original condition other than through the approval of the Village.

b. Wayfinding Signs

i. Intent: The Village of Tinley Park intends to develop a municipal wayfinding program to benefit the businesses within the Rich Township Entertainment and Tourism District and the Village as a whole. This wayfinding will direct tourists and visitors to the district and showcase the major entertainment and tourism-oriented businesses within the District, the downtown, and other entertainment and tourism-oriented areas of the Village.

ii. The Village shall provide signage of various sizes and design within the public right of way for wayfinding, consistent with a comprehensive wayfinding program. This wayfinding program shall be permitted by right and shall not require the permission of adjacent property owners or business owners, as the Village Board will have final approval of any comprehensive wayfinding program.

iii. The Village's wayfinding program shall be documented through right-of-way permits.

iv. Individual businesses may not provide wayfinding signage outside of the limits of their property that may conflict with or compete with the municipal wayfinding program.

SECTION VI

NONCONFORMING USES

A. NONCONFORMING BUILDINGS, STRUCTURES, AND USES

Any building, structure, or use which existed lawfully at the time of the adoption of this Comprehensive Amendment, and which becomes nonconforming upon the adoption of this amendment or of any subsequent amendment thereto, may continue only in accordance with the following regulations:

1. **Continuance of Use:** Any legal, nonconforming building or structure may be continued in use provided there is no physical change in the use other than necessary maintenance and repair, except as otherwise provided herein.

2. **Repairs and Alterations:** Ordinary repairs and alterations may be made to a nonconforming building or structure, provided that no structural alterations shall be made in or to such building or structure, all or substantially all of which is designed or intended for a use not permitted in the district in which it is located, except those required by law, or except to make the building or structure, and use thereof, conform to the regulations of the district in which it is located.

3. **Additions and Enlargements:** A nonconforming building or structure, all or substantially all of which is designed or intended for a use not permitted in the district in which it is located, shall not be added to or enlarged in any manner unless such nonconforming building or structure, and use thereof, including all additions and enlargements thereto is made to conform to all the regulations of the district in which it is located.

4. **Moving:** No nonconforming building or structure shall be moved in whole or in part to any other location unless every portion of such structure, and the use thereof, is made to conform to all the regulations of the district into which it is moved.

5. **Damage and Destruction:** A building or structure, all or substantially all of which is designed or intended for a use which is not permitted in the district in which it is located, and which is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration to the condition in which it was before the occurrence will exceed fifty (50) percent of market value shall not be restored unless said building or structure, and the use thereof, shall conform to all regulations of the district in which it is located. In the event that such damage or destruction is less than fifty (50) percent of the market value, no repairs or reconstruction shall be made unless such restoration is started within one (1) year from the date of the partial destruction and is diligently prosecuted to completion.

6. **Abandonment of Use:** A building or structure, or portion thereof, in which the use has ceased by abandonment on the effective date of this Comprehensive Amendment or thereafter, shall not thereafter be occupied or used, except by a use which conforms to the use regulations of the district in which it is located.

7. **Change of Use:** Whenever the nonconforming use of a building or structure has been discontinued or is proposed to be changed, any further use of such building or structure must conform to the use regulations of the district in which it is located.

8. **Sale or Lease of Nonconforming Building, Structure, or Use:** If a nonconforming building or structure is either sold, leased, or otherwise disposed of to a new owner or tenant, or if an assignment of the beneficial interest in a nonconforming building or structure is made, such building or structure must be removed within ninety (90) days. If the ownership or management of a nonconforming use is changed, such nonconforming use must be immediately ceased.

B. NONCONFORMING USE OF LAND

Where, at the effective date of adoption of this Comprehensive Amendment, lawful use of land exists that is made no longer permissible under the terms of this Ordinance as enacted, or any amendments thereto, such use may be continued so long as it remains otherwise lawful, subject to the following provisions and the remaining provisions of this Section, including Subsection C below:

1. No such nonconforming use shall be enlarged or increased nor extended to occupy a greater area of land or building area than was occupied at the effective date of adoption or amendment of this Ordinance;

2. No such nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of this Ordinance; and

3. The nonconforming use of land shall not be changed to any other use except to a use permitted in the zone in which the land is located.

C. TERMINATION AND REMOVAL OF NONCONFORMING BUILDINGS, STRUCTURES, AND USES

The period of time during which nonconforming uses of buildings, structures, or land may continue or remain shall be limited from the effective date of this Comprehensive Amendment or any amendments thereto which causes the use to be nonconforming. Every such nonconforming use shall be completely removed from the premises at the expiration of the period of time specified below:

1. All nonconforming signs, billboards, and outdoor advertising structures shall be removed in accordance with Section IX,F of this Ordinance;

2. Any nonconforming structure that was erected, converted, or structurally altered in violation of the provisions of the Ordinance which this Ordinance amends shall not be validated by the adoption of this Comprehensive Amendment, and such violations, or any violations of this Ordinance may be ordered removed or corrected by the proper officials at any time; and

3. Any nonconforming use in any business or industrial district shall be entirely discontinued with any change in occupancy.

D. CERTIFICATION OF NONCONFORMING USE

Any nonconforming use which existed lawfully at the time of adoption of this Comprehensive Amendment, and which remains nonconforming upon the adoption of this amendment or of any subsequent amendment thereto, may be continued, provided that a Certificate of Nonconformance is obtained from the Building Department. The obligation for obtaining such certificate rests solely with the owners or interests of the nonconforming use.

Failure to obtain a Certificate of Nonconformance within a period of six (6) months from the date of adoption of this Ordinance will require the amortization of the nonconformance in accordance with the procedures of this Ordinance. This does not negate the option of applying for conversion to a Special Use as provided for herein.

E. CONVERSION TO SPECIAL USE

Any nonconforming use may be converted to a permitted Special Use by the granting of a Special Use Permit, as provided for in this Ordinance.

This conversion may occur only when it is shown that the nonconforming use is providing a particular service to the residents of Tinley Park and that the use is not detrimental to the Village as a whole or to adjacent properties.

SECTION VII

PLANNED UNIT DEVELOPMENTS

Planned Unit Developments are intended to encourage the most imaginative and best possible design of building forms and site planning for tracts of land where a unitary plan would best adapt to the natural and physical characteristics of the site. Under this procedure, well planned residential, commercial, industrial, and other types of land use, individually or in combination, may be developed with complete design flexibility. Planned Unit Developments are of such a size and character that they may create their own environment. Although Planned Unit Developments are Special Uses subject to the Special Use provisions of this Ordinance (see Section X,J) (except as otherwise provided in this Section VII), they are also substantially different from other Special Uses so that specific and additional standards and exceptions are necessary to regulate these developments. Therefore, to assist the Tinley Park Plan Commission in their review and processing of Planned Unit Developments and to govern their recommendations and the action of the Village Board of Trustees, the following regulations are hereby established:

A. PURPOSE

The regulations contained in this Section are established to facilitate and encourage the construction of imaginative and coordinated developments and to provide relief from the subdivision and zoning requirements which are designed for conventional developments, but which may inhibit innovation of design and cause undue hardship with regard to developing a parcel of land to its best possible use. These regulations are further established to provide for developments incorporating a single type or a variety of related uses which are planned and developed as a unit; to assure adequate open space for recreation and other community purposes; to protect residential areas from undue traffic congestion; to encourage the most efficient use of land, which will result in more economic networks of utilities, streets, and other facilities; and thus to promote the general welfare to the community.

B. PROCEDURE

A Planned Unit Development shall be granted as a Special Use in accordance with the following procedures, and may depart from the normal procedure, standards, and other requirements of the other Sections of this Ordinance. Applications shall be made on forms provided by the Village and shall be accompanied by the required plats and documents.

1. **Pre-Application Conference:** Prior to the official submittal of an application for consideration of a Planned Unit Development, the developer shall meet informally with the Developmental Committee for a preliminary discussion as to the scope and nature of the proposed development, the types of uses proposed, and the approximate land allocations contemplated for each of the uses, and to obtain general information and direction from the committee relative to the long range plans of the Village. The

developer shall be prepared at that time to present any conceptual plans, maps, sketches, or other information that may be necessary to clearly explain the proposed Planned Unit Development.

2. **Application For Concept Approval:** The purpose of the Concept Plan Application is to establish a frame of reference for the Village to consider the merits of a proposed Planned Unit Development as it relates to the Comprehensive Plan and to afford a basis for determining whether or not the Village would look favorably toward a Special Use of the property to accommodate a Planned Unit Development of the general nature being proposed. It is intended that the proposal submitted will be in preliminary conceptual form and that following the approval, the developer will proceed with preparing detailed plans for the subject property.

   a. Procedure: The required procedure for review of the Conceptual Plan shall be:

      (1) Following the pre-application conference with the Developmental Committee, the developer shall submit, in writing, a request for a Special Use Permit for a Planned Unit Development. The letter shall be addressed to the Chairman of the Plan Commission requesting that the proposed development be placed on the agenda of the Plan Commission for preliminary discussion. The Plan Commission shall consider the proposed development at its next regular meeting, or at a special meeting which may be set for the specific purpose of allowing the developer to make a presentation of his plans. Said meeting may be continued from time to time for the purpose of reviewing and processing the application;

      (2) The application for concept approval for a Planned Unit Development shall include sufficient supporting data, plans, or information to indicate the extent and nature of the proposed development. In its review, the Plan Commission shall transmit copies of the required plans and documents to the proper individuals or groups concerned with the technical aspects and implications of the proposed development for comment and recommendations. The Plan Commission shall, thereafter, review the application and forward its recommendation to the Village Board;

      (3) The President and Village Board, after receipt of the Conceptual Plan from the Plan Commission, shall review the proposed plan and recommendations of the Plan Commission and, within a period of thirty (30) days, shall approve, approve with modifications, or disapprove the application. The Village Board may require such special conditions as they may deem necessary to ensure conformance with the intent of the planning objectives of the Village and the stated purposes of the Planned Unit Development; and

      (4) The granting of the concept approval portion of the Planned Unit Development by the President and Village Board of Trustees shall constitute an acceptance of the specific content of the Conceptual Plan, and shall indicate the general acceptance of the Village Board of Trustees to approve a preliminary plan that carries out, refines, and implements the concepts expressed in the application. The

Preliminary Plan and Final Plats shall be submitted in accordance with the requirements contained herein.

b. Submission Requirements: The submission of an application for concept approval shall include the following:

(1) A written application for review of a Planned Unit Development on forms provided and in the manner prescribed by the Village;

(2) Sufficient supporting data, plans, or information to indicate the extent and nature of the proposed development; and

(3) A statement of planning objectives to be achieved by the Planned Unit Development. This statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices of the developer.

3. **Preliminary Plan Approval:** The purpose of the Preliminary Plan submission is to obtain tentative approval and/or commitments from the Village that the plans, design, and program that the developer intends to build and follow are acceptable, and that the developer can reasonably proceed into final detailed architecture, engineering, surveying, and landscape architecture in anticipation of Final Plan Approval and subsequent construction. This is a relatively detailed submission that assures the developer that his plan is acceptable and that he can invest the money necessary to prepare Final Plans with the assurance that the Final Plat and Final Plans will be accepted if they substantially conform to the Preliminary Plans. It is at this stage that final modifications, adjustments, and interpretations are made in the Conceptual Plan.

a. Procedure: The required procedure for review of the Preliminary Plan shall be:

(1) Following approval of the Conceptual Plan, the developer shall file with the Village Clerk a formal application requesting a Special Use Permit for a Planned Unit Development. The application shall be accompanied by a fee which shall be established by the President and Village Board of Trustees;

(2) The developer shall prepare Preliminary Plans incorporating the recommendations made at the time the Conceptual Plan was approved and shall provide sufficient supporting data, plans, or information to indicate the extent and nature of the proposal and that the project is ready for a Public Hearing. The detailed data shall be in accordance with the submission requirements outlined herein. Five (5) copies of all required information shall be submitted;

(3) Copies of the preliminary Planned Unit Development should be sent to the Village's Planner, Engineer, Director of Public Works, or other municipal departments concerned and to the appropriate school, park, and fire districts providing required public facilities and services for their review, comments, and recommendations.

Written comments and recommendations shall be returned to the Plan Commission within thirty (30) days unless said period is extended by the Commission, and, if possible, prior to any Public Hearing thereon. In any event, such written comments and recommendations shall be presented to the Plan Commission prior to its decision to recommend the granting or denial of the Planned Unit Development;

(4) The Plan Commission shall hold a Public Hearing on the application for a Planned Unit Development in accordance with the procedures of Section X,J of this Ordinance;

(5) Following the Public Hearing and review of the preliminary Planned Unit Development Plan and supporting data for conformity to these regulations, the Plan Commission shall, within thirty (30) days, unless an extension is requested by the Petitioner, recommend approval, modification, or disapproval, and the reasons therefore, or indicate why a report and recommendation cannot be rendered to the Board of Trustees within this time period;

(6) The Village Board shall thereafter approve, approve with modification, or disapprove the Development Plan and application upon determination that said plan complies with the standards herein set forth. Such action shall be taken within a period of sixty (60) days after receipt of the Plan Commission's recommendation, unless an extension is requested by the Petitioner. In the case of approval, or approval with modification, the Board of Trustees shall pass an Ordinance granting the Special Use and indicate their approval on the plan. The Board of Trustees may require such special conditions as they may deem necessary to ensure conformance with the intent of all Comprehensive Plan elements and the stated purposes of the Planned Unit Development provisions of this Ordinance; and

(7) Approval of a preliminary Planned Unit Development Plan shall not constitute approval of the Final Plat. Rather, it shall be deemed an expression of approval to the layout submitted on the Preliminary Plan as a guide to the preparation of the Final Plat which will be submitted for approval by the county and subsequent recording upon the fulfillment of the requirements of these regulations and conditions of the preliminary approval, if any. The Final Plat shall be approved if it conforms with the Preliminary Plan.

The Preliminary Plan and Final Plat may be filed and approved simultaneously, or the Final Plat may be filed and approved without a Preliminary Plan if all of the land is to be developed at one time, and if all requirements hereof are met. In the latter case, a Public Hearing conforming to all statutory requirements shall be required during the Final Plat procedure.

No Building Permit shall be issued for any structure until the Final Plat has been filed, approved, and recorded.

b. Submission Requirements: The applicant shall present to the Plan Commission such other exhibits and written information as may be necessary to describe and illustrate in detail the specific plans for the proposed development of the project. This information shall include, but not necessarily be limited to, the following:

(1) An accurate boundary line survey showing bearings and distances, a legal description of the property, satisfactory evidence of ownership, and a location map showing the relationship of the proposed Planned Unit Development to adjacent properties and to the Village of Tinley Park;

(2) A Site Plan of the proposed development showing the location and arrangement of all proposed land uses, residential lots, and buildings, including the height and number of floors of all buildings, both above and below finished grade; the building setbacks from the development boundaries and adjacent buildings, streets, roads, alleys, and other public ways; the proposed traffic circulation pattern including the location and width of all streets, driveways, and entrances to parking areas; all proposed open space areas, including common open space, dedicated open space, and developed recreational open space. The Preliminary Plan may be drawn in a freehand sketch form provided it accurately depicts the detail and character of the proposed development;

(3) A plan or statement detailing the exact manner of improving developed recreational open space and all covenants, restrictions, and conditions pertaining to the use, maintenance, and operation of common open spaces;

(4) A statement, in tabular form, of the anticipated residential density and the total number and type of dwelling units contemplated, the estimated population, the percentage of the tract which is to be occupied by structures, and other impervious surfaces, and in the case of commercial uses, the total gross leaseable floor area of all commercial uses and the off-street parking and loading;

(5) Topographic data including existing contours at vertical intervals of not more than two (2) feet and locations of water courses, floodplains, marshes, wooded areas, and isolated trees having a diameter of one (1) foot or more;

(6) Subsurface soil conditions;

(7) Existing and proposed streets adjoining subject property and a preliminary traffic analysis providing information on the existing road network and future improvements deemed necessary to service the development;

(8) Utilities on and adjacent to subject property, including a preliminary engineering study providing information on existing and proposed sanitary sewer, storm sewer, water, and other utilities necessary to adequately service the development;

(9) A general landscape and grading plan showing the typical landscape treatment proposed, the type and size of plant material contemplated, and a description of earth

sculpturing, berming, and other aesthetic features as may be requested by the Plan Commission;

(10) A market analysis with evidence owing the need and feasibility of the proposed development. In addition, the Petitioner may be required to show evidence of capability to implement the general type of development proposed;

(11) A school and tax impact study indicating the impact of the development on the local taxing bodies;

(12) A preliminary outline of proposed protective covenants, including provision for the organization and financing of the property owner's association, where appropriate;

(13) The names of adjoining subdivisions or the names of record owners of adjoining parcels of non-subdivided land;

(14) Name of the proposed development (if available), of the owner(s) and developer, and the designer of the Preliminary Site Plan; and

(15) A preliminary development schedule indicating the approximate dates when construction of various stages of the development can be expected to begin and be completed.

4. **Final Plat Approval:** The purpose of the Final Plat is to designate with particularity the land subdivided into conventional lots as well as the division of other lands–not so subdivided–into common open space and building sites. The Final Plat is intended as a document to be recorded and shall be substantially in accordance with the approved Preliminary Plan. If desired by the developer, the Final Plat may be submitted in stages, provided, however, that each stage reflects the approved Preliminary Plan and is in conformance with all the requirements of these regulations.

a. Procedure: The required procedure for approval of a Final Plat shall be:

(1) Following approval of the Preliminary Plan, the developer shall prepare and submit to the Plan Commission a Final Plat to be approved and recorded as a Planned Unit Development Plat;

(2) Upon receipt of all the plans and data required for final approval, the Plan Commission shall review the Final Plat and supporting documents and certify that the plat is in conformance with these regulations and in agreement with the approved Preliminary Plat. If the plat is not in conformance, the Plan Commission shall indicate the reasons therefore and transmit a copy of its findings to the Board of Trustees within thirty (30) days, unless an extension is requested by the Petitioner; and

(3) After receipt of the Final Plat from the Plan Commission, the President and Village Board of Trustees shall, within a period of sixty (60) days, approve or disapprove the Final Plat. However, no Building Permit shall be issued until the final Planned Unit Development Plat and supporting documents have been recorded with the county Recorder of Deeds, and proof of filing is provided to the Village.

The Planned Unit Development project shall be developed only according to the approved and recorded Final Plat and all supporting data. The recorded Final Plat and supporting data together with all recorded amendments shall be binding on the applicants, their successors, and assigns and shall limit and control the use of premises and location of structures in the Planned Unit Development project as set forth therein.

If construction on the proposed Planned Unit Development, or stage or unit of said development last approved has not begun within one year from the date the Final Plat was approved by the Village Board, the authorization shall become null and void and all rights thereunder shall lapse. Upon written application, filed prior to the termination of the one-year time limit, the Village Board may authorize a single extension of the time limit for a further period of not more than twelve (12) months without a public notice.

b. Submission Requirements: The submission for Final Plat Approval shall include:

(1) A detailed Site Plan prepared at a scale of not less than 1" = 100' showing the physical layout and design of all streets, easements, rights-of-way, lots, blocks, common open space, all off-street parking and loading areas, and the exact location of structures and uses;

(2) The plat shall show all radii, internal angles, points of curvatures, tangent bearings, and length of arcs; location, dimensions, and purpose for all easements; all block, lot numbers, and lines, with accurate dimensions in feet and hundredths; names of all streets; and the location of all buildings and setback lines accurately dimensioned;

(3) The description and location of all survey monuments erected in the Planned Unit Development, the scale shown graphically, date, and north point;

(4) All parcels of land to be dedicated for public use or reserved for the use of all property owners with the purpose indicated;

(5) Preliminary building plans, including floor plans and exterior elevations;

(6) Storm drainage and engineering plans for sanitary sewer and water lines, including easements for underground utilities;

(7) Proposed lighting system for streets, public areas, and common open space;

(8) A general Landscape Planting Plan and Grading Plan;

(9) Estimates of cost of installation of all proposed improvements, confirmed by a registered Illinois engineer;

(10) Final drafts of legal agreements and documents including copies of any easements, deeds of dedication, and other legal documents necessary for the transfer of land and improvements to public and common ownership, restrictive covenants, and a copy of the Articles of Incorporation of the property owner's, merchant's or industrial owner's association, if any;

(11) An accurate legal description and boundary line survey of the area proposed for development in the application for Final Plan Approval, plus satisfactory evidence of ownership;

(12) A final construction schedule, indicating the estimated date scheduled by the applicant for final completion of construction work on required public facilities, land improvements, and on all buildings and private facilities within the proposed Planned Unit Development; and

(13) A completion bond in a sum sufficient to cover the full cost of required public facilities and land improvements; or in lieu of a bond, a deposit of cash; or other negotiable securities or guarantee acceptable to the Village Board of Trustees, all as required by the Ordinance; if a surety bond or other guarantee is posted, it shall have good and sufficient surety thereupon and shall comply with the Ordinance, and be in such form as approved by the Village Attorney; the amount of such deposit or bond shall be based upon the confirmed estimate of cost herein above provided for, and in an amount as required by Ordinance.

5. **Recording of Final Plat:** Within thirty (30) days following the approval of the Final Plat for all or any portion of a Planned Unit Development or prior to the issuance of any Building Permit, the applicant shall record or cause the recordation of said approved plat with the county Recorder of Deeds.

   Upon approval of the Final Plan, the approved Planned Unit Development shall be delineated and designated by number on the Zoning District Map. A file, available for inspection by the public, shall be maintained by the Village Clerk for each Planned Unit Development so designated. The file shall contain a record of the approved development plan and all conditions authorized therein.

6. **Deviations and Changes:** Although Planned Unit Developments are Special Uses subject to the Special Use provisions of this Ordinance (see Section X,J) (except as otherwise provided in this Section VII), they are also substantially different from other Special Uses so that specific and additional standards and exceptions are necessary to regulate these developments.

No substantial deviation from plans so approved for the Planned Unit Development shall be permitted without the approval of the President and Village Board of Trustees. If either the developer or owner of the Planned Unit Development wishes to change such Planned Unit Development by deviating from the plans so approved, he or she shall make a written application to the Village for approval of the change. Such application shall be filed with the Director of Planning, who will then proceed to make a written determination of whether the change is a minor or a substantial deviation. If the Planning Director does not find the proposed deviation to be substantial, it shall be referred back to the Plan Commission for approval or denial. If the Planning Director finds the proposed deviation to be substantial, then it shall be referred to the Plan Commission for processing and action on the proposal in the manner as required for concept approval, including the holding of a Public Hearing thereon and a recommendation being sent to the Village Board of Trustees for final action. If the proposed deviation is referred back to the Plan Commission as not being a Substantial Deviation, it shall be acted upon by the Plan Commission. Any deviation, without the necessary approval, shall serve automatically to revoke the original approval and to void future action pursuant to the Planned Unit Development.

a. Substantial Deviation: Any changes which include increases in density, increases in the height and/or bulk of buildings, increases in the size or number of signs, major reductions in the size of the proposed buildings, increases or major decreases in the number of buildings and/or lots, reductions in the amount of proposed open space, changes in the development schedule, any roadway changes, or changes in the final governing agreements, provisions or covenants, or other changes which change the concept or intent of the development, shall be deemed a substantial deviation.

b. Minor Changes: The Plan Commission, or the Village Planner, if authorized by the Village Board, may approve minor changes in the Planned Unit Development which do not change the concept or intent of the development, without going through the preliminary approval steps. Minor changes shall be any changes not defined as a substantial deviation.

C. STANDARDS AND CRITERIA FOR PLANNED UNIT DEVELOPMENTS

No Planned Unit Development shall be authorized by the Village Board unless the following standards and criteria are met:

1. **General Provisions For All Planned Unit Developments:**

   a. The site of the proposed Planned Unit Development is not less than five (5) acres in area, is under single ownership and/or unified control, and is suitable to be planned and developed, or redeveloped, as a unit and in a manner consistent with the purpose and intent of this Ordinance and with the Comprehensive Plan of the Village;

   b. The Planned Unit Development will not substantially injure, or damage the use, value, and enjoyment of the surrounding property, nor hinder or prevent the

development of surrounding property in accordance with the Land Use Plan of the Village;

c. The uses permitted in the development are necessary or desirable and that the need for such uses has been clearly demonstrated;

d. The proposed development will not impose an undue burden on public facilities and services, such as sewer and water systems, police, and fire protection;

e. The proposed development can be substantially completed within the period of time specified in the schedule of development submitted by the developer;

f. The street system serving the Planned Unit Development is adequate to carry the traffic that will be imposed upon the streets by the proposed development, and that the streets and driveways on the site of the Planned Unit Development will be adequate to serve the residents or occupants of the proposed development;

g. When a Planned Unit Development proposes the use of private streets, common driveways, private recreation facilities, or common open space, the developer shall provide and submit, as part of the application, the method and arrangement whereby these private facilities shall be operated and maintained;

h. The general development plan shall contain such proposed covenants, easements, and other provisions relating to the bulk, location, and density of residential buildings, non-residential uses and structures, and public facilities as are necessary for the welfare of the Planned Unit Development and the Village. All such covenants shall specifically provide for enforcement by the Village of Tinley Park in addition to the landowners within the development;

i. The developer shall provide and record easements and covenants, and shall make such other arrangements as furnishing a performance bond, escrow deposit, or other financial guarantees as may be reasonably be required to assure performance in accordance with the development plan and to protect the public interest in the event of abandonment of said plan before completion; and

j. Any exceptions or modifications of the zoning, subdivision, or other regulations that would otherwise be applicable to the site are warranted by the design of the proposed development plan, and the amenities incorporated in it, are consistent with the general interest of the public.

2. **Residential Planned Unit Developments:**

a. The density of any Residential Planned Unit Development shall not exceed the density allowed in the district in which the Planned Unit Development is located, except the Plan Commission may recommend, and the Village Board may grant, an increase in the density up to but not more than twenty (20) percent, provided the

proposed development provides additional open space and amenities to compensate for the increased density. The Plan Commission, in determining the reasonableness of a proposed increase in the number of dwelling units per acre, shall take into consideration:

(1) The physical characteristics of the site that may make increased densities appropriate in the particular location;

(2) The amount, location, and proposed use of common open space;

(3) The location, design, and type of dwelling units proposed; and

(4) The provision of unique design features such as golf courses, lakes, swimming pools, underground parking, and other similar features within the Planned Unit Development, which require unusually high development costs and which achieve an especially attractive and stable development. Land within the Planned Unit Development, which is used for open space, may be included as gross area for calculations of density.

b. When a Planned Unit Development is proposed in a single-family residential zone, seventy (70) percent of all dwelling units proposed within the zone shall be intended for single-family occupancy. For the purpose of this Section, a townhouse shall be considered as a single-family dwelling;

c. No minimum lot area is required for individual buildings, except that individual lots for single-family detached dwellings, which may be provided within the overall Planned Unit Development, shall not be less than six thousand five hundred (6,500) square feet in area and single-family attached and semi-detached dwelling units not less than three thousand (3,000) square feet of lot area;

d. Not more than six (6) dwelling units shall be permitted in a single-family attached building. "Single-Family Attached Building" is defined as a building containing two or more single-family attached dwelling units joined at one or more points by one or more party walls or common facilities not including the walls of an enclosed courtyard or similar area;

e. When single-family attached dwellings are proposed within a Residential Planned Unit Development, the front or rear facade of a dwelling unit shall not be less than sixty (60) feet from the front or rear facade of another dwelling unit. The unattached side face of a single-family attached building shall not be less than twenty (20) feet from the side face of another such building and not less than forty (40) feet from the front or rear face of another such building or unit;

f. No dwelling unit shall be situated so as to face the rear of another dwelling unit unless adequate landscaping is provided to effectively create a visual separation;

g. Non-residential or local business-type uses (limited to those permitted in the B-1 Neighborhood Shopping District) may be included as part of a Residential Planned Unit Development when the Plan Commission finds that:

(1) Such business uses are beneficial to the overall Residential Planned Unit Development and will not be injurious to adjacent or neighboring properties;

(2) Such uses are not available within reasonable proximity of the subject area;

(3) Are gauged primarily for the service and convenience of the residents of the subject area; and

(4) Are designed as a unit of limited size and made an integral part of the proposed Residential Planned Unit Development.

h. Combination of business and multiple-family residential uses in one structure may be permitted in a structure provided that:

(1) The business uses are limited to personal services and convenience type uses intended solely for the purpose of serving those residing in the multiple-family complex; and

(2) No businesses are permitted on the same floor or above a floor used for residential purposes.

i. Ten (10) percent of the gross land area of a Planned Unit Development, or a minimum of seven hundred fifty (750) square feet per dwelling unit, whichever is greater, shall be developed for recreational open space; except that in multiple-family areas, the minimum square feet per dwelling unit shall be computed on the basis of two hundred (200) square feet for each efficiency and one (1) bedroom unit, three hundred fifty (350) square feet for each two (2) bedroom units, and five hundred fifty (550) square feet for each three (3) or more bedroom units. When private common open space is provided within a Planned Unit Development, such open space shall not be computed as part of the required minimum lot area, or any required yard, or any other structure. Open spaces proposed for either dedication to the public or common ownership by the residents of the Residential Planned Unit Development shall be retained as open space for park and recreational use for the life of the Planned Unit Development. A variety of open space and recreational areas is encouraged, including children's informal play in close proximity to individual dwelling units according to the concentration of dwellings, formal parks, picnic areas, playgrounds, areas of formal recreational activities such as tennis, swimming, golf, etc.;

j. Each Residential Planned Unit Development shall provide for the visual and acoustical privacy of each dwelling unit. Fences, walks, and landscaping shall be provided for the protection and aesthetic enhancement of property and the privacy of its occupants, screening of objectionable views, or uses and reduction of noise;

k. The pedestrian circulation system and its related walkways shall be insulated as completely as possible from the street system in order to provide separation of pedestrian and vehicular movements. This shall include, when deemed to be necessary by the Plan Commission, pedestrian underpasses or overpasses in the vicinity of schools, playgrounds, local shopping areas, and other neighborhood uses which generate a considerable amount of pedestrian traffic;

l. At least two (2) off-street parking spaces shall be provided for each dwelling unit, except as may be otherwise required. Such parking shall be provided convenient to all dwelling units (not more than three hundred (300) feet from the dwelling unit as measured along the shortest paved route). Driveways, parking areas, walks, and steps shall be well paved, maintained, and lighted for night use. Screening of parking and service areas shall be encouraged through ample use of trees, shrubs, hedges, and screening walls;

m. Access and circulation shall adequately provide for firefighting equipment, delivery trucks, furniture moving vans, refuse collection, and snow removal;

n. All Residential Planned Unit Developments shall provide for underground installation of utilities, including telephone and power, in both public and private rights-of-way. Provision shall be made for acceptable design and construction of storm sewer facilities, including water retention areas, grading, gutters, piping, and treatment of turf to handle stormwater, prevent erosion, and formation of dust;

o. All buildings within a Residential Planned Unit Development shall be set back not less than twenty-five (25) feet from a public dedicated street, and along the exterior boundaries not adjoining a street, there shall be a minimum setback of forty (40) feet plus one (1) foot for each additional foot that the building increases in height over thirty-five (35) feet;

p. A twenty (20) foot buffer including, but not limited to, solid fences, masonry walls, or plant materials, shall be provided so as to constitute the visual screening of all parking areas and outdoor activity areas from adjacent property or rights-of-way at ground level. Where a buffer already exists on the adjacent property line, or where parking areas or similar activity areas adjoin each other on adjacent properties, the buffer requirements may be waived by the Plan Commission; and

q. When the development is to be constructed in stages or units, a sequence of development schedules shall be provided showing the order of construction of each principal functional element of such stages or units, the approximate completion date for each stage or unit, and a cost estimate for all improvements within each stage or unit.

3. **<u>Commercial Planned Unit Developments</u>:**

a. A Commercial Planned Unit Development may be proposed for a single zoning lot or lots falling within any Business District in order to promote the cooperative development of shopping centers and business access points on to thoroughfares, to separate pedestrian and automobile traffic, to develop shopping centers of size and location compatible with market potential and adjoining land use, and to encourage harmonious architecture between adjacent commercial structures;

b. Uses permitted in a Commercial Planned Unit Development shall be as prescribed by the Plan Commission and may include uses not permitted by the use regulations of the district in which said development is located; however, the Plan Commission shall find that the uses permitted by such exception are necessary or desirable and are appropriate with respect to the primary purpose of the development;

c. Buildings and structures shall not cover more than thirty (30) percent of the lot area;

d. Retail sales and services, including storage of materials, shall be conducted or stored entirely within a wholly and permanently enclosed building or buildings which shall be of an architectural design compatible with surrounding uses and structures, unless otherwise recommended by the Plan Commission and approved by the Village Board;

e. A combination of business, office, and multiple-family residential uses in one structure may be permitted in a Commercial Planned Unit Development provided the structure contains at least two hundred (200) dwelling units or more; that the building is at least five (5) stories in height; that not less than one-half (1/2) of the floors are devoted to residential use; and that no business is permitted on the same floor or above a floor used for residential purpose, except that one penthouse-type commercial restaurant, may be permitted on the top floor or roof of such structure if recommended by the Plan Commission and approved by the Village Board;

f. Off-street parking, based upon five-and-one-half (5 1/2) car parking spaces per one thousand (1,000) square feet of gross leaseable area, shall be provided in all Commercial Planned Unit Developments, unless the Plan Commission recommends and the Village Board requires additional off-street parking. Such parking shall be paved, adequately lighted, and well drained. Where there are great expanses of blacktop pavement, trees and planted areas shall be introduced to take away the otherwise barren and unsightly appearance;

g. Where a combination of uses is planned, additional off-street parking spaces shall be provided unless the Plan Commission determines that individual parking spaces may adequately serve two (2) or more uses by reasons of the hours of operation of such uses;

h. At least ten (10) percent of the total lot area of the Commercial Planned Unit Development shall be provided for landscape purposes;

i. Where a Commercial Planned Unit Development adjoins the boundaries of adjacent residential, public open space, schools, churches, or other similar uses, the development shall be appropriately screened by fencing, landscaping, or both;

j. Ingress and egress shall be so designed as to minimize traffic congestion in the public streets, as well as the interior parking areas;

k. All Commercial Planned Unit Developments shall provide for underground installation of utilities;

l. Outside lighting shall be designed and placed so as not to be disturbing to adjacent residential areas; and

m. An economic justification or market analysis of the proposed commercial uses in the development shall be submitted unless otherwise waived by the Plan Commission.

4. **Industrial Planned Unit Developments:**

a. An Industrial Planned Unit Development may be proposed for any land located within an industrial district or in an area designated for industry in the Tinley Park Comprehensive Plan, in order to promote the establishment of industrial parks that will provide a desirable grouping of industrial buildings with integrated designs and a coordinated physical plan with sufficient open space to provide a park-like setting;

b. No minimum lot area is required, except that individual lots for a plant which may be provided within the overall Industrial Planned Unit Development shall not be less than one-half (1/2) acre in area nor less than one hundred (100) feet in width;

c. Individual lots may be designated on the plan, although this shall not be a requirement. In order to provide as much flexibility as possible and to adjust to the purchaser's exact requirements, only block sizes, street rights-of-way, utility and drainage easements, and common open space need to be shown;

d. Open outdoor storage shall be prohibited unless it is properly screened or fenced;

e. All employee and visitor parking, as well as truck loading, shall be provided entirely on the site (off-street) and shall be paved with an all weather surface; and

f. No parking shall be permitted in front yard areas, except that visitor parking may be provided if properly screened or landscaped, and only then when approved by the Plan Commission.

D. CONDITIONS AND GUARANTEES

Prior to the granting of any Planned Unit Development, the Plan Commission may recommend, and the Village Board of Trustees may stipulate, such conditions and restrictions upon the establishment, location, design, layout, height, density, construction, maintenance, aesthetics, operation, and other elements of the Planned Unit Development as deemed necessary for the protection of the public interest, improvement of the development, protection of the adjacent area, and to secure compliance with the standards specified in Section VII.C above. In all cases in which Planned Unit Developments are granted, the President and Village Board of Trustees may require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection with the approval of the Planned Unit Development are being, and will be, complied with.

SECTION VIII

OFF-STREET PARKING AND LOADING

A. OFF-STREET PARKING REQUIREMENTS

In all Zoning Districts, off-street parking requirements for the storage of motor vehicles for the use of occupants, employees, and patrons of the buildings hereafter erected, altered, or extended after the effective date of this Comprehensive Amendment, shall be provided as hereinafter prescribed.

1. **Existing Parking Facilities:** Off-street parking existing at the effective date of this Ordinance, which serves an existing building or use, shall not be reduced below, or if already less than, shall not be further reduced below the requirements for a similar new structure or use of that required under the provisions of this Ordinance.

2. **Location:** All permitted and required accessory off-street parking spaces, open or enclosed, shall be located on the same lot as the use to which such spaces are accessory, except that spaces may be provided within a radius of three hundred (300) feet from the lot boundary on land which is in the same ownership as the use to which they are accessory, subject to deed restrictions binding the owner and his heirs, successors, and assigns to maintain the required number of spaces available throughout the life of such use.

3. **Joint Parking Facilities:** Two or more buildings or uses may collectively provide the required off-street parking; however, the number of parking spaces shall not be less than the sum of the requirements for the various individual uses computed separately.

4. **Computation:** When determination of the number of off-street parking spaces required by this Ordinance results in a requirement of a fractional space, any fraction of one-half (1/2) or less may be disregarded while a fraction in excess of one-half (1/2) shall be counted as one (1) parking space.

5. **Size:** Each off-street parking space shall have a width of at least nine (9) feet and a length of at least eighteen-and-one-half (18 1/2) feet, exclusive of access drives or aisles, ramps, columns, or work areas. Such space shall have a vertical clearance of at least seven (7) feet.

6. **Access:** There shall be adequate provision for ingress and egress to all parking spaces. All off-street parking facilities shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movements. No driveway across public property or curb cut shall exceed a width of thirty (30) feet.

7. **<u>In Yards</u>:** No vehicle shall be parked in any front yard except upon a regularly constructed driveway. Parking lots may be allowed in the front yard if authorized by the Zoning Board of Appeals and provided that the parking is in accord with all other Ordinance provisions. Except in the R-4 District, a parking space that is open to the sky may be located in a required side or rear yard, but shall not be closer than five (5) feet to a lot line.

8. **<u>Parking for Places of Worship</u>:** The number of required off-street parking spaces may be eliminated or reduced if there exists, within five hundred (500) feet of the place of worship, public or private parking lots containing a sufficient number of off-street parking spaces to satisfy the requirements of the following table. The place of worship must provide the difference if the number of parking spaces in the private or public lots is below the number required. Any spaces provided in public or private lots must be shown to be available for worshipers on the day or days of greatest use.

9. **<u>Uses Not Specifically Mentioned</u>:** For those uses not specifically mentioned in the following table, the requirements for off-street parking facilities shall be in accordance with requirements designated by the Plan Commission, and in the case of Special Uses, as recommended by the Zoning Board of Appeals and required by the Village Board of Trustees.

10. **<u>Number of Parking Spaces Required</u>:** The amount of required off-street parking spaces for new uses or buildings, additions thereto, and additions to existing buildings, shall be determined in accordance with the following table:

REQUIRED PARKING SPACES

Uses	Minimum Required Off-Street Parking Spaces
Auditorium, Assembly Halls, Theatres	One (1) space for each four (4) seats.
Automobile Service Stations	One (1) space for each employee, plus three (3) spaces for each grease rack or service stall.
Banks and Other Financial Institutions	One (1) space for each two hundred (200) square feet of floor area, plus one (1) space for each two (2) employees. Drive-in establishments shall provide six (6) stacking spaces per teller or customer service area.
Barber Shops	Three (3) spaces for each barber chair.
Beauty Parlors	One (1) space for each fifty (50) square feet of floor area.
Bowling Area	Five (5) spaces for each bowling lane, plus required parking space for any bar, restaurant, or affiliated use.
Churches and Places of Worship	One (1) space for each four (4) seats, or for each ninety (90) lineal inches of seating space in the main place of assembly.
Dwellings, Single-Family	Three (3) spaces for each dwelling unit.
Dwellings, Two-Family and Multiple-Family	Two-and-one-half (2 1/2) spaces for each dwelling unit.
Drive-In Eating Establishments	One (1) space for each thirty (30) square feet of gross floor area, but not less than twenty (20) spaces.

Uses	Minimum Required Off-Street Parking Spaces
Eating or Drinking Place, Bar, Cocktail Lounge, or Indoor Entertainment	One (1) space for each three (3) seats, plus one (1) space for each employee.
Fast Food, Carry-Out	Minimum of five (5) spaces plus one (1) space for each employee.
Funeral Homes	Twenty (20) spaces for each chapel, plus one (1) space for each funeral vehicle kept on the premises.
Furniture and Appliance Stores	One (1) space for each six hundred (600) square feet of floor area.
Hospitals	One (1) space for each two (2) beds, plus one (1) space for each vehicle used in the conduct of the enterprise.
Industrial Establishments, Including Manufacturing and Assembly Plants	One (1) space for each two (2) employees, plus one (1) space for each vehicle used in the conduct of the enterprise.
Medical or Dental Office	Two (2) spaces for each office, examination room, or treatment room, plus one (1) space for each employee.
Motels, Hotels, and Inns	One (1) space for each unit, and one (1) space for each employee, plus required parking spaces for bar, restaurant, or affiliated use.
Motor Vehicle and Machinery Sales	One (1) space for each six hundred (600) square feet of floor area plus one (1) space for each employee.
Senior Housing: Independent Living Units	One-and-one-half (1 1/2) spaces per unit. For the purposes of this requirement, independent living units shall include, but not limited to, dwelling units defined under this Code as independent living units, congregate housing units, and senior apartments.
Senior Housing: Assisted Living Units	One-half (1/2) space per dwelling unit. For the purposes of this requirement, assisted living units shall include, but not limited to, dwelling units contained in nursing homes as defined under this Code.
Senior Housing: Mixed Housing Units	Mixed housing units providing a mixture of independent living units and assisted living units, including, but not limited to, units contained in facilities defined under this Code as continuing car retirement communities and rest homes: one-and-one-half (1 1/2) spaces per independent living dwelling it and one-half (1/2) space per assisted living dwelling unit.
Office/Business and Professional	One (1) space for each two hundred fifty (250) square feet of floor space.
Private Clubs and Lodges	One (1) space for each lodging room and one (1) space for each three (3) seats of designed seating capacity.
Retail Store or Personal Service Establishments	One (1) space for each one hundred fifty (150) square feet of gross leasable floor area, or when located within a planned shopping area, six and one-half (6 1/2) spaces per one thousand (1,000) square feet of gross leasable floor area.
Warehouse and Storage Buildings	One (1) space for each two (2) employees, plus one (1) space for each vehicle used in the conduct of the business.

B. OFF-STREET LOADING REQUIREMENTS

There shall be provided and maintained adequate off-street loading and unloading facilities in connection with any structure or use which is to be erected or substantially altered and which requires the receipt or distribution of material or merchandise by truck or similar vehicle. Said off-street loading shall be provided in accordance with the following requirements:

1. **Size and Location:** Each loading space shall be not less than twelve (12) feet in width, thirty-five (35) feet in length, and have a minimum vertical clearance of fourteen (14)

feet, and it shall be so located as to minimize traffic congestion. Off-street loading space may occupy all or any part of any required yard; however, no portion of a vehicle shall project into a street, sidewalk, or alley while being loaded or unloaded;

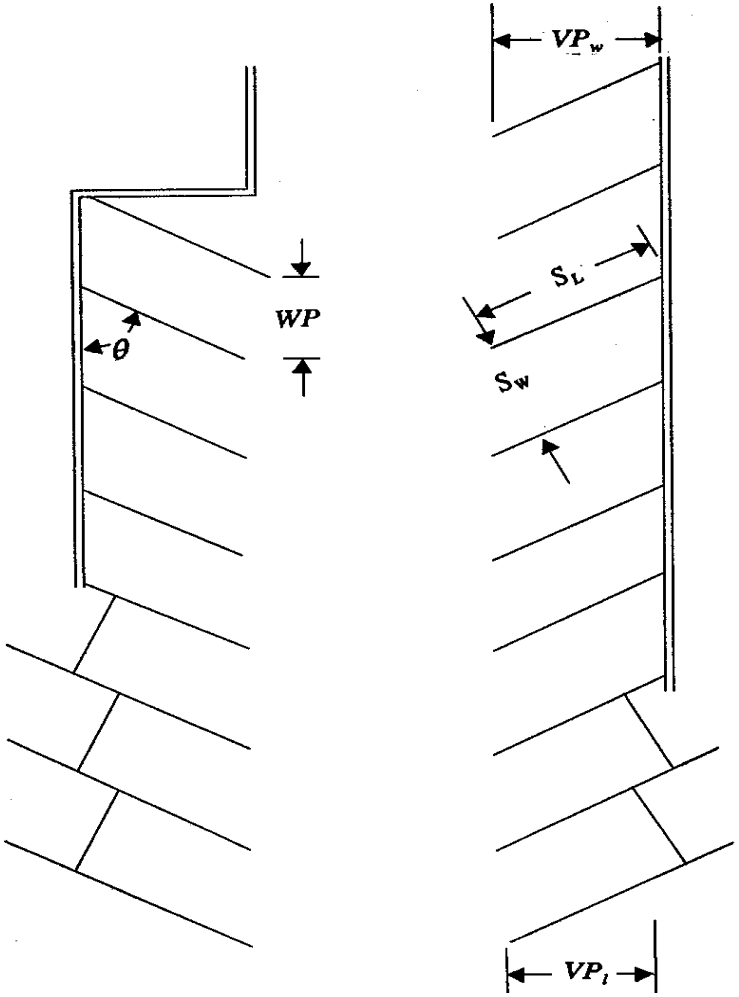
2. **Utilization:** Space allocated to any off-street loading spaces shall not, while so allocated, be used to satisfy the space requirements for any off-street parking facilities or portions thereof. An area adequate for maneuvering, ingress and egress, shall be provided in addition to the required loading space; and

3. **Required Number of Off-Street Loading Spaces:** The minimum amount of off-street loading space shall be provided, according to the following table:

Square Feet of Gross Floor Area	Required Number of Spaces
Up to 20,000	1
20,001 to 40,000	2
40,0001 to 70,000	3
70,001 to 120,000	4
120,001 to 200,000	5

For each additional one hundred thousand (100,000) square feet, one (1) additional loading space is required.

Table 1. Dimensional Elements of Parking Layouts



θ Parking angle

WP Stall width parallel to aisle

Vp_i Projected vertical length from interlock

Vp_w Projected vertical length from wall measured

S_L Stall length

S_W Stall width

Table 2. Parking Lot Dimension Guidelines **

S_w Basic Stall Width (feet)	*WP* Stall Width Parallel to Aisle	VP_w Stall Depth to Wall (feet)	VP_i Stall Depth to Interlock (feet)	*AW* Aisle Width (feet)
Two-Way Aisle -- 90 Degrees				
9.00	9.00	18.5	18.5	26
Two-Way Aisle -- 60 Degrees				
9.00	10.4	19.0	17.5	26
One-Way Aisle -- 75 Degrees				
9.00	9.3	19.5	18.5	22
One-Way Aisle -- 60 Degrees				
9.00	10.4	19.0	17.5	18
One-Way Aisle -- 45 Degrees				
9.00	12.7	17.5	15.5	15

**** Note: See Table 1 for description of Elements**

C. DEVELOPMENT AND MAINTENANCE OF PARKING AND LOADING AREAS

Every parcel of land hereafter used as a public or private parking area for five (5) or more cars, or as a loading area, including a commercial parking lot, shall be developed and maintained in accordance with the following requirements:

1. **Screening and Landscaping:** Off-street parking areas for five (5) or more vehicles, and off-street loading areas, shall be effectively screened on each side adjoining or fronting on property situated in a residential district, or any institutional premises by a fence and/or densely planted compact hedge, not less than four (4) feet nor more than seven (7) feet in height;

2. **Minimum Distances and Setbacks:** No off-street loading area or parking area, or part thereof, for five (5) or more vehicles, shall be closer than ten (10) feet to any dwelling, school, hospital, or other institution for human care located on an adjoining lot, or five (5) feet from any lot line;

3. **Surfacing:** Any off-street parking, or off-street loading area, shall be surfaced with an impervious surface. All areas shall be marked so as to provide for the orderly and safe loading, parking, and storage of self-propelled vehicles;

4. **Lighting:** Lighting used to illuminate any off-street parking or loading area, shall be so arranged as to reflect the light away from adjoining premises. Off-street parking facilities for multiple-family dwellings shall be adequately lighted;

5. **Drainage:** Any off-street parking area and off-street loading area shall be graded and drained so as to dispose of all surface water without detriment to surrounding uses; and

6. **Repair and Service:** No storage of any kind, nor any repair, dismantling, or servicing of any vehicles, equipment, materials, or supplies, shall be permitted within any required off-street parking and/or loading space.

D. ADDITIONAL REGULATIONS

1. **Submission of Plot Plan:** Any application for a Building Permit, or Certificate of Occupancy where no Building Permit is required, shall include therewith a plot plan, drawn to scale and fully dimensioned, showing all parking and loading facilities in compliance with this Ordinance.

2. **Control of Off-Site Parking Facilities:** In cases where parking facilities are permitted on a lot, other than the lot on which the building or use served is located, they shall be and remain in the same possession or ownership as the zoning lot occupied by the building or use to which the parking facilities are accessory. No such off-street parking facilities shall be authorized, and no occupancy permit shall be issued, until and unless the Zoning Board of Appeals has reviewed the plans, heard the applicant, and made

findings that the common ownership or possession of the zoning lot and the site of the parking facilities are reasonably certain to continue, and that the off-site parking facilities are reasonably certain to continue, and that the off-site parking facilities will be maintained at all times during the life of the proposed building or use.

SECTION IX

SIGN REGULATIONS

A. PURPOSE

The standards used in displaying signs can significantly affect the public safety as well as the value and economic stability of adjoining properties. However, a reasonable display of signs is necessary as a public service and to the conduct of competitive commerce and industry. Therefore, the purpose of this Section is to establish minimum standards for the display of signs of all types. Also, the standards contained in this Section are intended to reduce distractions which may increase traffic accidents, eliminate hazards caused by signs overhanging or projecting over public rights-of-way, relieve traffic congestion, and encourage a more attractive environment in which to live and do business.

B. APPLICABILITY OF SIGN REGULATIONS AND PERMITS REQUIRED

1. **Applicability:** No sign shall be permitted on a lot unless:

    a. The sign is accessory to a lawfully established use;

    b. The sign is erected, constructed, and displayed in conformance with the provisions of this Section and other applicable provisions of the Ordinance; and

    c. Written authorization to erect the sign has been received from the owner or his agent.

2. **Permits Required:** No sign shall be erected, altered, relocated, or changed (i.e. face change) without a permit issued by the Building Department except as otherwise provided herein. Where Electrical Permits are required, they shall be obtained at the same time as the Sign Permit. A permit application shall be made upon forms provided by the Building Department and shall include the following information:

    a. Name, address, email address, and telephone number of the applicant and/or management company;

    b. Location of the building, structure, or parcel of property to which, or upon which, the sign is to be attached or erected;

    c. Position of the sign in relation to nearby buildings, structures, street's grade, easements, and overhead utilities, dimensioned on a Plat of Survey;

    d. Two copies of plans and specifications showing method of construction, location, and support sealed by a registered architect or structural engineer;

e. Sketch showing sign faces, exposed surfaces, and proposed message thereof accurately represented in scale as to size, proportion, and color (color elevations);

f. Name of person, firm, corporation, or association erecting the sign;

g. Written consent of the owners of the building, structure, or land on or to which the sign is to be erected; and

h. Such other information as the Building Inspector shall require to show full compliance with this and all other laws and Ordinances of the Village.

i. Indicate building/tenant frontage and Gross Floor Area (GFA) of building and/or tenant space.

3. **Issuance of Permits:** It shall be the duty of the Building Inspector, who shall be the enforcing officer, upon the filing of an application for a permit, to examine such plans and specifications, the premises upon which it is proposed to erect the sign or other advertising structure, and other data; and if it shall appear that the proposed structure is in compliance with all the requirements of this Ordinance and all other Ordinances of the Village, he shall then issue the permit. If the work authorized under the permit has not been completed within six (6) months after date of issuance, the said permit shall become null and void.

4. **Permit Fees:** Every applicant, before being granted a permit hereunder, shall pay the following permit fee for each sign to the Village Clerk:

   a. One (1) dollar per square foot of facing, but no less than fifteen (15) dollars for all signs requiring a permit, other than temporary signs, canopies, awnings, or marquees;

   b. Fifty (50) dollars for a temporary sign other than those described in Section IX.D.6; and

   c. One hundred (100) dollars for a canopy, awning, or marquee.

5. **Bond:** Each person maintaining a projecting sign prior to the effective date of this Code shall file with the Village Clerk a bond or indemnify the Village for any loss, damage, or liability which may result from the construction or maintenance of such a sign.

6. **Interpretation and Construction:** Where there is a conflict between provisions of this Section and the Building Code, this Section shall prevail. However, if there is a conflict between any provisions of this Section, the more restrictive shall prevail.

C. GENERAL PROVISIONS

1. **Conformance with Electrical Code:** All signs, in which electrical wiring and connections are required, shall conform to the applicable provisions of the Chicago Electrical Code, as amended and incorporated by reference by the Village of Tinley Park.

2. **Wind Pressure and Dead Load Requirements:** Any sign or advertising structure, as defined in this Ordinance, shall be designed and constructed to withstand a wind pressure of not less than thirty (30) pounds per square foot of net surface area and to receive dead loads as required in the Building Code or other Ordinances of the Village of Tinley Park.

3. **Signs Conflicting with Traffic Signs:** In order to obtain and secure traffic safety, no sign shall be erected or maintained in such a manner as to be likely to interfere with, obstruct the view of, or be confused with any other authorized traffic sign, signal, or device, as determined by the Chief of Police. Accordingly, no sign, marquee, canopy, or awning shall make use of the words "Stop", "Go", "Look", "Slow", "Danger", or a similar word, phrase, symbol, or character, or employ any red, yellow, orange, green, or other colored lamp in such a manner as to interfere with, mislead, or confuse traffic.

4. **Flashing Light:** No sign shall have blinking, flashing, or fluttering lights, or other illuminating device which has a changing light intensity, brightness, or color; rotating beams, beacon, or flashing illumination resembling an emergency light shall not be used in connection with any sign display.

5. **Illumination:** The light from any illuminated sign shall be so shaded, shielded, or directed that the light intensity or brightness will not be objectionable to surrounding areas. No exposed reflective-type bulb or incandescent lamp which exceeds fifteen (15) watts shall be used on the exterior surface of any sign so as to expose the face of the bulb, light, or lamp to and public street or adjacent property. Where illumination of a sign is permitted, such light shall not be projected toward or onto properties located in a residential district and shall be kept to a minimum during non-business hours.

6. **Glass Limitation:** Any glass forming part of a sign shall be safety glass. In case any single pane of glass has an area exceeding three (3) square feet, it shall be wired glass.

7. **Obstructions to Doors, Windows, or Fire Escapes:** No sign shall be erected, relocated, or maintained so as to prevent free ingress to or egress from any door, window, or fire escape. No sign of any kind shall be attached to a standpipe or fire escape. Also, no sign shall be placed so as to obstruct the view of cash registers or other valuable items accessible to the public by a police officer or other public safety designate.

8. **Unsafe or Unlawful Signs:** If the Building Inspector shall find that any sign is unsafe, insecure, or a danger to the public, or has been constructed, erected, or maintained in violation of the provisions of this Section, he shall give written notice to the permittee

thereof. If the permittee fails to remove or alter the structure so as to comply with the standards herein set forth within ten (10) days after such notice, then the President and Board of Trustees, on the recommendation of the Building Inspector, may declare such sign to be a public nuisance and direct the removal of such sign as required by law.

9. **Maintenance Required:** The owner of a sign shall be required to maintain it in a neat and attractive condition. The sign and sign supports must be kept painted to prevent rust, rot, or deterioration. If they become rusted, rotted or deteriorated, they must be immediately repaired or replaced.

10. **Removal of Obsolete Signs:** Any sign which no longer identifies a bona fide business conducted or a product sold on the premises where said sign is located, shall be taken down immediately upon termination of business use and removed by the owner, agent, or person having the beneficial use of the building, structure, or property upon which said sign may be found. Upon failure to comply with this provision, the President and Board of Trustees, on the recommendation of the Zoning Administrator, may declare such sign to be a public nuisance and direct the removal of such sign as required by law. If the sign to be removed is located on a multi-panel freestanding sign, the panel must be completely replaced with a plain panel consistent in color to the existing panels.

11. **Exemption:** The provisions and regulations of other provisions of this Section IX shall not apply to the following signs; provided however, no such exempt sign, excluding signs denoted in subparagraph "f" below, shall be placed within the public right-of-way, or so located to obstruct the view of traffic and further provided that such exempt signs must fully conform with the provisions of this Section C.11 and do not require a permit:

    a. "For Sale", "For Rent", or "Sold" signs, provided that they conform with the following provisions:

        (1) Number of Real Estate Signs: Not more than one real estate sign shall be erected on any premises, except when a premises is located on a corner lot, one (1) additional sign may be erected. Such sign(s) shall pertain only to the sale or lease of the property on which it is located;

        (2) Residential Zoning Districts: In areas zoned residential, no real estate sign shall exceed four (4) square feet in area. The top surface of the real estate sign shall not exceed four (4) feet in height;

        (3) Non-Residential Zoning Districts: In all Non-Residential Zoning Districts, no real estate sign shall exceed sixteen (16) square feet for each face for a total of thirty-two (32) square feet in area. The top surface of the real estate sign shall not exceed six (6) feet above the existing grade at the point of erection;

        (4) Real Estate Signs: Signs located on developed property in all zoning districts shall be erected perpendicular to the front side of any building and shall be placed no more than ten (10) feet from the front foundation wall;

(5) Vacant Property Real Estate Signs: Real estate signs on vacant properties in all zoning districts shall be erected perpendicular to the right-of-way and shall be placed no less than ten (10) feet from the property line;

(6) No real estate sign shall be an illuminated sign; and

(7) Signs shall be removed within seven (7) days after closing of the sale of the property.

b. Professional Name Plates: Shall not exceed two (2) square feet in area;

c. Bulletin Boards for Public, Charitable, or Religious Institutions: When the same are located on the premises of said institutions and are not over fifteen (15) square feet in area;

d. Occupational Signs: Denoting only the name and profession of an occupant in a commercial building or public institutional building and not exceeding two (2) square feet in area;

e. Memorial Sign or Tablet: With a maximum square footage of four (4) feet and a minimum distance of five (5) feet from the property line, containing the name of the building and date of erection, when cut into any masonry surface or when constructed of bronze or other noncombustible materials which are compatible with the architectural style of the building;

f. Address Signs: Not over one (1) square foot in area;

g. Temporary Window Signs: Provided that the maximum coverage does not exceed twenty-five (25) percent of the total window area, exclusive of doors. Signs shall not be placed on doors;

h. Bus Shelter Signs: Provided such signs shall not include information relating to the sale or consumption of any alcohol or tobacco products or any activity or product which contains statements, words, or pictures of obscene, indecent, or immoral character and which offend public morals of decency;

i. Political Campaign Signs: Signs announcing the candidates seeking public political office and other data pertinent thereto, not exceeding a total of thirty-two (32) square feet and sixteen (16) square feet for each face, for each premise. Such signs shall not be erected earlier than forty-five (45) days before the election and shall be non-illuminated. These signs shall be confined within private property with the permission of the property owner and removed within seven (7) days after the election;

j. Public Signs: Signs of a non-commercial nature and in the public interest, erected

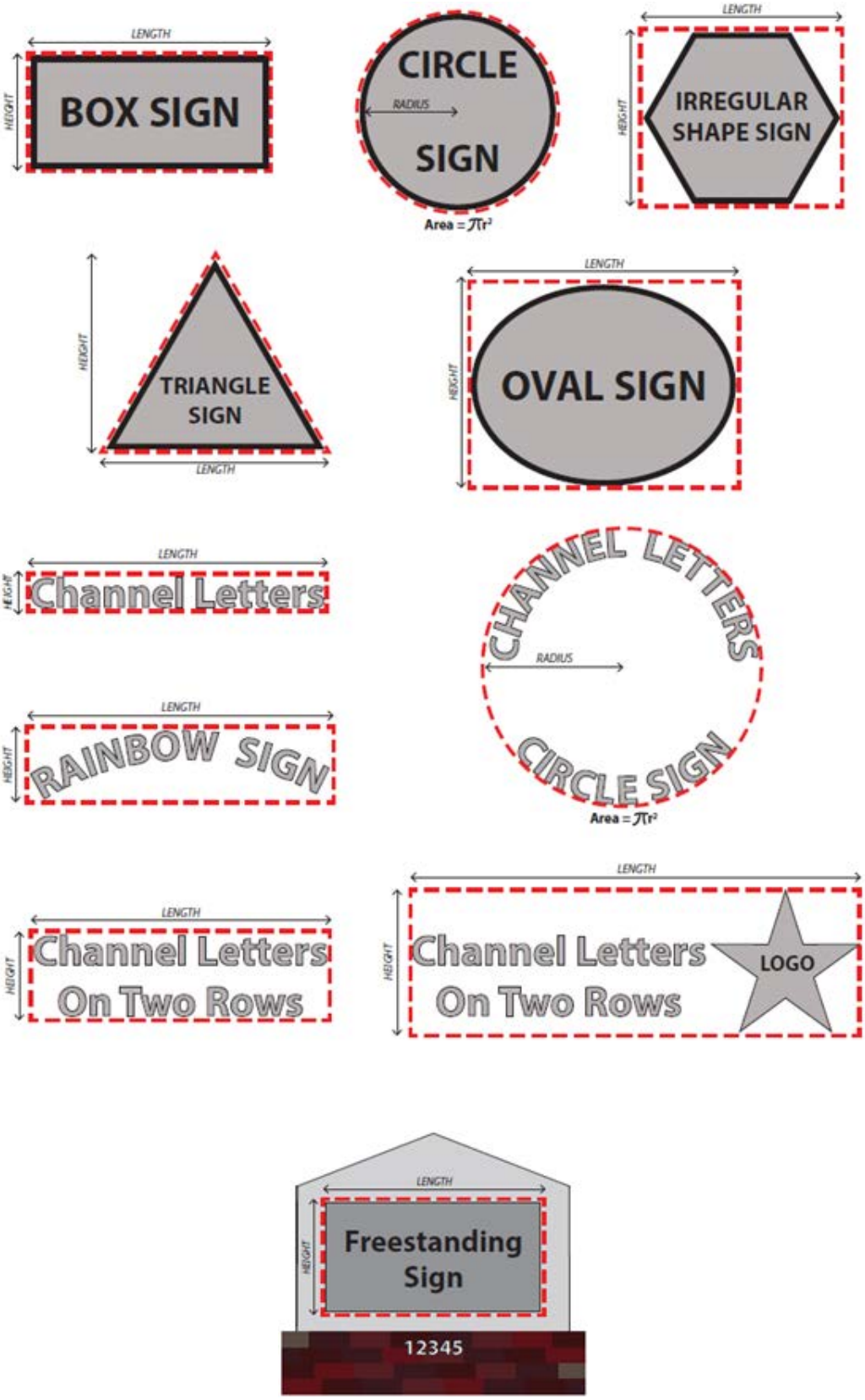
by, or on the order of, a public officer in the performance of his public duty, such as safety signs, danger signs, trespassing signs, traffic signs, memorial plaques, signs of historical interest, other municipal signs, legal notices, or railroad crossing, danger or such temporary emergency, or non-advertising signs as may be approved by the President and Board of Trustees; and

k. Integral Signs: Names of buildings, dates of erection, monumental citations, commemorative tablets and the like, when carved into stone, concrete, or similar material, or made an integral part of the structure.

D. DEVELOPMENT STANDARDS

1. **General Regulations:** These regulations apply to all signs except as provided in Section H. (Sign Regulations for Special Areas and Particular Uses).

   a. Sign Face Area: The area of a sign face shall be determined by calculating the area within a single continuous perimeter encompassing the entire advertising copy or art designed to attract attention. This shall include the extreme limits of characters, lettering, illustrations, ornamentation or other figures, together with any other material, design or color forming an integral part of the display. The area within the single continuous perimeter shall be calculated by determining the area of the smallest measurable square, circle, rectangle, or triangle within the single continuous perimeter, including the frame, border, or other material, which forms an integral part of the display and is used to differentiate such sign from the wall or background against which it is placed.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RADIUS
CIRCLE SIGN
Area = πr²
LENGTH
HEIGHT
RAINBOW SIGN
LENGTH
HEIGHT
Channel Letters
On Two Rows
LENGTH
HEIGHT
Channel Letters
On Two Rows
LOGO
LENGTH
HEIGHT
Freestanding Sign
12345

b. <u>Wall Signs</u>

i. Regulations for Wall Signs are determined by the linear distance of the building or tenant frontage. For uses in single tenant or multi-tenant buildings that do not face a public right-of-way, the allowable area for a wall sign shall be determined by the linear distance of the building frontage or tenant frontage limits which include the primary entrance. A maximum of two wall signs are allowed per building or tenant frontage, including buildings or tenants that have frontages on more than one right-of-way and whose entrance is not on the public right-of-way (Tenant A). In these situations a choice must be made on which right-of-way frontage a wall sign will be placed. If a tenant does not have frontage on a public right-of-way, only one wall sign is allowed (Tenant D & I). The size of the wall sign is determined by the linear frontage of the wall on which the wall sign is located.

ii. All wall signs shall be located on the same zoning lot as the use they identify.

iii. No wall sign shall extend above the top line of the face of the building, nor shall any wall sign project into the public right-of-way, or extend more than twelve (12) inches from the face of the building.

iv. Wall signs are not allowed for residential uses, including home occupations.

v. Businesses located within another business, without having a distinct secured entrance, are not eligible for a wall sign.

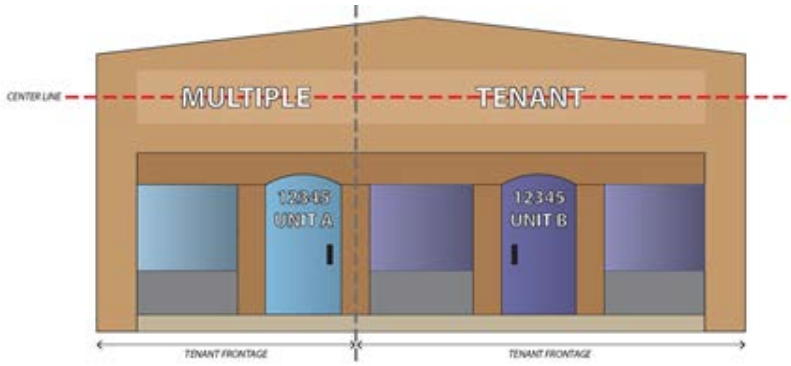
vi. When the sign background for individual letters is made of a color different from the color of the building, the entire area of contrasting color shall be measured and shall constitute the sign area if such area is larger than the geometric forms encompassing the sign message.

vii. No more than two lines of lettering shall be allowed on any wall sign.

viii. Location Requirements for Wall Signs:

1. Building with a Single Tenant: The location of the sign should be as close to the entrance of the business as possible. Effort shall be made to not conflict with the architectural elements of the building façade.

2. Building with Multiple Tenants: The location of the sign should be centered within the tenant's frontage limits along the building frontage of the business. Effort shall be made to not conflict with the architectural elements of the building façade. In cases where architectural elements conflict with centering the sign on the building frontage, the tenant shall locate the sign as close to the center of the building frontage as possible. All wall signs for multi-tenant structures must be placed in accordance with an established center line for all signs.



c. <u>Freestanding Signs</u>

i. Any permanent freestanding sign constructed in any residential, business, office or industrial district shall be architecturally compatible with the building(s) it identifies. Such architectural compatibility shall be determined by the Plan Commission through the Site Plan Approval process for new construction. Architectural compatibility for permanent freestanding signs constructed by an existing business or use shall be determined by the Zoning Administrator through the permit approval process. The following architectural guidelines shall be considered in the review of freestanding signs:

1. Same or similar materials (color, scale, finish) to the materials used for the principal building;

2. In harmony or consistent in design to the principal building;

3. Similar architectural treatments as on the principal building; and

4. Sign shall not block or obstruct architectural features of the principal building.

ii. Structural supports for a freestanding sign shall be fully enclosed and be equal in width to the sign face or wider; structure supports shall not be exposed to view. The base of the freestanding sign shall be designed to be an architectural enhancement to the sign.

iii. Any permanent freestanding sign constructed in any residential, business, office, or industrial district shall include extensive landscaping around the base of the sign to screen the base of the sign from view from the adjoining street and adjoining properties. The total area devoted to landscaping around the base of the sign shall be equal to two (2) square feet per each one (1) square foot of freestanding sign face area, but in no case shall the total area of landscaping be less than 20 square feet and need not be greater than 200 square feet. The landscape area shall contain well-maintained living landscape materials.

iv. No advertising or lettering of any type shall be permitted on the sign base except for the address.

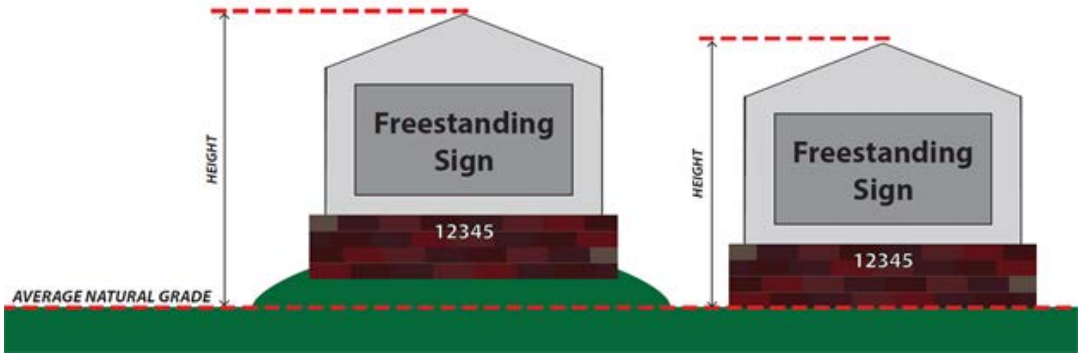
v. When two identical freestanding sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure, the total sign face area shall be the sign face area of one side of the sign. In all other circumstances, the sign face area of a freestanding sign shall be the total sign face area of all sign faces on the freestanding sign. Freestanding signs shall not project into, over or otherwise encroach upon a public right-of-way and must be located on private property in appropriate easements if necessary.

Calculating Sign Face Area
When A Freestanding Sign Has Multiple Faces

Total Sign Face Area = Sign Face A

Total Sign Face Area = Sign Face A + Sign Face B

vi. The height of a freestanding sign is a measurement of the full height of the sign, including the base or support structure and any design element surrounding or enclosing the sign face. The measurement includes the vertical distance from the adjacent existing, natural ground level to the top of the sign, including any decorative element, which may enclose the sign.



vii. All sign panels advertising individual businesses within a freestanding sign must be consistent in color, method of illumination, material, and design.

2. **Residential Zoning Districts (R-1, R-2, R-3, R-4, R-5, R-6, & R-7)**

Signs in residential districts shall be illuminated by non-flashing direct or indirect illumination from a source of artificial lighting customarily accessory to residential uses. Signs in multi-family districts shall include only the name and address of the building or the management company. Wall and freestanding signs shall be allowed in the residential districts in accordance with the following table:

SIGNS IN R-1, R-2, R-3, R-4, R-5, R-6, & R-7 ZONING DISTRICTS					
Land Use	**Sign Type**	**# of Signs**	**Allowable Sign Face Area**	**Maximum Letter Height**	**Maximum Height**
Residential	Wall Sign	*Prohibited*			
	Freestanding Sign	1 per entrance[1]; maximum of 2	5 SF	N/A	5’
Non-Residential & Institutional	Wall Sign	1 per building/tenant frontage; maximum of 2	½ SF per one (1) LF of building/tenant frontage; maximum of 60 SF per sign	36”	84”
	Freestanding Sign	1 per building frontage; maximum of 2	30 SF	N/A	6’

[1] *Per entrance to residential subdivision, residential community, or project.* SF= Square foot; LF= Linear foot

3. **Business Zoning Districts (B-1, B-2, B-3, & B-5)**

a. Wall Signs: Wall signs shall be restricted to the business or trademarked name and/or logo, principal product or service offered for sale on the premises, or a combination of these. Wall signs shall be allowed in the business districts (B-1, B-2, B-3, & B-5) in accordance with the following table:

WALL SIGNS IN B-1, B-2, B-3, & B-5 ZONING DISTRICTS				
Gross Floor Area	**# of Signs**	**Maximum Allowable Sign Face Area**	**Maximum Letter Height**	**Maximum Sign Height**
Up to 10,000 SF of GFA for business/tenant	1 per building/ tenant frontage; maximum of 2 wall signs	One (1) SF per one (1) LF of building/tenant frontage not to exceed 120 SF per sign.	30” (2.5’)	78” (6.5’)
10,001- 25,000SF of GFA for business/tenant	1 per building/ tenant frontage; maximum of 2 wall signs	One (1) SF per one (1) LF of building/tenant frontage not to exceed 120 SF per sign.	36” (3’)	84” (7’)
25,001-80,000 SF of GFA for business/tenant	1 per building/ tenant frontage; maximum of 2 wall signs	One (1) SF per one (1) LF of building/tenant frontage not to exceed 120 SF per sign.	48” (4’)	84” (7’)
Over 80,000 SF of GFA for business/tenant	1 per building/ tenant frontage; maximum of 2 wall signs	One (1) SF per one (1) LF of building/tenant frontage not to exceed 120 SF per sign.	96” (8’)	96” (8’)

GFA= Gross Floor Area; SF= Square foot; LF= Linear foot

b. Freestanding Signs

i. Buildings shall be allowed one (1) freestanding sign per public frontage but with a maximum of two (2) freestanding signs, except those businesses with lot frontages greater than five hundred (500) linear feet may have two (2) freestanding signs on the frontage(s) that are greater than five hundred (500) linear feet. Businesses with lot frontages greater than one thousand (1,000) linear feet may have up to three (3) freestanding signs on the frontage(s) that are greater than one thousand (1,000) linear feet. In no case shall freestanding signs be located closer than three hundred (300) feet apart.

ii. Freestanding signs are limited to ten (10) feet in height.

iii. The allowable sign area for freestanding signs shall be one (1) SF per 2.5 LF of lot frontage but determined in accordance with the following limitations:

Gross Floor Area	Maximum Allowable Sign Face Area
< 350,000 SF	60 SF
350,000-500,000 SF	100 SF
>500,000 SF	125 SF

4. **Business Zoning Districts (B-4)**

a. Wall Signs: Wall signs shall be restricted to the business or trademarked name and/or logo, principal product or service offered for sale on the premises, or a combination of these. Wall signs shall be allowed in the B-4 districts in accordance with the following table:

WALL SIGNS IN B-4 ZONING DISTRICTS			
# of Signs	**Maximum Allowable Sign Face Area**	**Maximum Letter Height**	**Maximum Sign Height**
1 per building/ tenant frontage; maximum of 2 wall signs	One-half (1/2) SF per one (1) LF of building/ tenant frontage not to exceed 60 SF per sign.	30” (2.5’)	78” (6.5’)

SF= Square foot; LF= Linear foot

b. Freestanding Signs:

i. Buildings shall be allowed one (1) freestanding sign per public frontage for a maximum of two (2) freestanding signs per building.

ii. Freestanding signs are limited to ten (10) feet in height.

iii. The allowable sign area for freestanding signs shall be one (1) SF per 2.5 LF of lot frontage but determined in accordance with the following limitations:

Gross Floor Area	Maximum Allowable Sign Face Area
< 350,000 SF	40 SF
350,000-500,000 SF	100 SF
>500,000 SF	125 SF

5. **Office and Restricted Industrial (ORI) and General Manufacturing (M-1) Zoning Districts**

a. Wall Signs: Wall signs shall be restricted to the business or trademarked name and/or logo. Wall signs shall be allowed in the ORI and M-1 Districts in accordance with the following table:

WALL SIGNS IN ORI & M-1 ZONING DISTRICTS			
# of Signs	**Maximum Allowable Sign Face Area**	**Maximum Letter Height**	**Maximum Sign Height**
1 per building/ tenant frontage; maximum of 2 wall signs	One-half (1/2) SF per one (1) LF of building/tenant frontage not to exceed 120 SF per sign.	36” (3’)	84” (7’)

SF= Square foot; LF= Linear foot

b. Freestanding Signs:

i. Buildings shall be allowed one (1) freestanding sign per public frontage but with a maximum of two (2) freestanding signs per building.

ii. Freestanding signs are limited to ten (10) feet in height.

iii. The allowable sign area for freestanding signs shall be one (1) SF per 2.5 LF of lot frontage but determined in accordance with the following limitations:

Gross Floor Area	Maximum Allowable Sign Face Area
< 350,000 SF	60 SF
350,000-500,000 SF	80 SF
>500,000 SF	80 SF

iv. The name of the center/building and address must be included on the freestanding sign.

6. **Prohibited Signs:**

The following signs are specifically prohibited:

a. Billboards;

b. Roof signs;

c. Projecting signs;

d. Pennants, streamers, and festoon lights, or portable signs unless authorized by the Zoning Administrator for a specific number of days under the direction of the Village Board of Trustees;

e. Manually changeable message signs, provided that manually changeable automobile service station gasoline rate signage shall be permitted subject to Section IX.D.1.d of this Ordinance for a period of three (3) years from the date of passage of this Ordinance;

f. Signs which contain statements, words, or pictures of obscene, indecent, or immoral character and which offend public morals or decency;

g. Miscellaneous advertising devices, other than signs which conform to the provisions of this Ordinance, shall not be allowed unless approved by the Village Board;

h. Signs in conflict with traffic signals;

i. Portable signs (freestanding or on wheels);

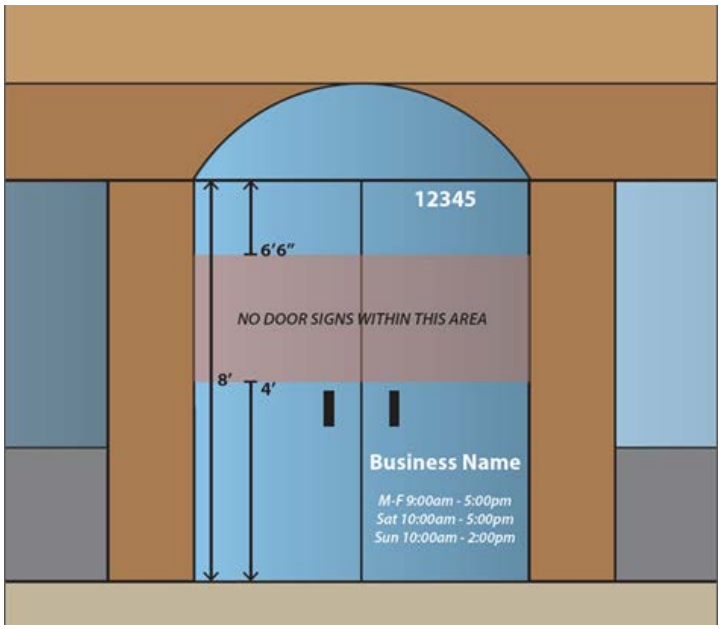
j. Neon or Other Illuminated Tubing Signs: Illuminated tubing (such as neon) may be provided as an architectural enhancement subsequent to approval by the Plan Commission upon Site Plan Approval for new construction. Existing uses may provide illuminated tubing as an architectural enhancement subsequent to approval from the Zoning Board of Appeals through the variation procedure as outlined in Section X.G of this Ordinance;

k. Signs advertising the sale of fireworks as defined in Section 95.50 of the Tinley Park Code of Ordinances, or of other items whose sale, use or possession is unlawful in the Village notwithstanding certain exceptions; and

l. Any string of lights outlining property lines, open sales areas, door, windows, or wall edges of any buildings. This prohibition does not apply to the display of holiday decorations for any publicly recognized holiday.

m. Vehicle Signs or signs attached, affixed or painted on vehicles or trailers that are parked in a public right-of-way, public property or private property for the purpose of advertising a product, a service or directing people to a business or activity located on the same or nearby property, unless the vehicle with vehicle signs, as defined herein, is used during business hours for deliveries or an activity related to the subject business, except in no case shall said vehicle with vehicle signs, as defined herein, park in a public right-of-way, public property or private property in close proximity to the subject business during non- business hours of the subject business.

n. Door Signs, except individual letters affixed to the door of a business indicating the business name and business hours of operation only; letters must be of one consistent color, a maximum of four (4) inches in height and may only be affixed to the door at a height 4’ and below, or at 6.5’ and above. Logos are not permitted as part of a door sign. Addresses may be affixed on the door but at a height of 6.5’ or above.



o. Off-premise signs.

7. **<u>Temporary Signs</u>:**

The following signs may be allowed and shall require a permit:

a. Pennants or streamers specially approved by the Zoning Administrator or his designee after showing that the pennants or streamers are an integral part of a campaign or program for the promotion of a specific product or event, and then only for the location and period of time designated by the Zoning Administrator or designee;

b. Temporary signs not to exceed a total of thirty-two (32) square feet and sixteen (16) square feet for each face. Signs shall be non-illuminated. Each permit shall specify the location of the sign on the property or building along with a rendering of the statements or pictures proposed. Each permit shall be valid for a period of one (1) month in any six (6) month period and may be renewed at the discretion of the Building Department;

c. A sign shall no longer be considered a temporary sign if said sign is in place for a time period exceeding one (1) month, without expressed written consent from the Zoning Administrator or designee;

d. The Zoning Administrator or designee shall reserve the right to limit the number of temporary signs on a property or building; and

e. <u>For Sale, Rent, or Lease Signs</u>: Signs advertising the availability of a business or commercial site or building for sale, rent, or lease, provided that such a sign shall not exceed sixteen (16) square feet per face. If a multi-faced sign or more than one sign is erected, the combined areas of all signs shall not exceed thirty-two (32) square feet

in total area. Such sign(s) shall be removed within seven (7) days after a sale is closed or a lease or rental agreement is signed. For shopping centers, real estate or leasing information may be displayed on the main shopping center identification sign if the total area of such information does not exceed twenty-five (25) percent of the sign display area.

8. **Construction Signs:** A sign identifying the architects, engineers, contractors, and other individuals or firms involved with the construction, but not including the advertisement of any product, and announcing the character of the building enterprise, or the purpose for which the building is intended, up to a maximum area of twelve (12) square feet in Residential Zoned Districts and sixteen (16) square feet in all other districts and shall require a permit. The sign shall be confined to the site of the construction, and shall be removed within fourteen (14) days after the beginning of the intended use of the project.

9. **Electronic Message Centers (EMC) and Signs, and Dynamic Variable Electronic Message (DVEM):**

   General Regulations: These regulations apply to all electronic message signs except as provided in Section H. (Sign Regulations for Special Areas and Particular Uses).

   a. Electronic message centers shall be located on a freestanding sign as defined herein, and shall not be constructed upon or mounted to any other type of building or structure;

   b. Freestanding signs containing electronic message centers shall conform to all other regulations applicable to freestanding signs as regulated by the zoning district of the subject property;

   c. Changes of images shall be instantaneous and shall not use blinking, fading, rolling, shading, dissolving, or similar effects as part of the change, nor shall the images and messages displayed on the dynamic display sign flash or blink. They must be static, complete in themselves, without continuation in content to any other sign and must remain visible for at least an eight (8) second interval before being reset or replaced with another message, content or image;

   d. Transition between messages must be a minimum of two (2) seconds;

   e. The electronic message center portion of a freestanding sign shall comprise no more than fifty (50) percent of the total sign face area of the freestanding sign;

   f. Electronic message signs shall use automatic level controls to reduce light levels at night and under cloudy and other darkened conditions, in accordance with the following:

      i. All electronic message signs shall have installed ambient light monitors, and shall at all times allow such monitors to automatically adjust the brightness level of the sign based on ambient light conditions.

ii. Maximum brightness levels for electronic or digital display signs shall not exceed 5000 nits when measured from the sign's face at its maximum brightness during daylight hours.

iii. Maximum brightness levels for electronic, digital display signs shall not exceed 500 nits when measured from the sign's face at its maximum brightness, between sunset and sunrise, as those times are determined by the National Weather Service.

iv. Written certification from the sign manufacturer must be provided at the time of application for a building permit certifying that the light intensity of the sign has been preset not to exceed the illumination levels established by this Ordinance, and that the preset intensity level is protected from end user manipulation by password protected software or other approved method.

v. Electronic message signs must be equipped with a dimmer control and a photo cell which constantly keep track of ambient light conditions and adjust sign brightness accordingly.

g. Audio speakers in association with such signs are prohibited.

h. Any electronic message sign that malfunctions, fails, or ceases to operate in its usual or normal programmed manner, causing motion, movement, flashing or any similar effects, shall be restored to its normal operation conforming to the requirements of this ordinance within 24 hours.

i. Electronic message signs shall not display any type of animation, flashing text, or symbols, and other attention getting display styles;

j. The illumination from an electronic message center shall not encroach onto or create a visual nuisance to residential properties; and

k. Properties with freestanding signs containing electronic message centers shall not be permitted to have any other type of temporary signage, including but not limited to "For Sale", "For Rent", or "For Lease" signs.

l. The Village of Tinley Park may request public service announcements related to community events to be displayed upon signs with electronic message centers. Additionally, the Village may exercise its police powers to protect public health, safety, and welfare by requiring emergency information to be displayed upon signs with electronic message centers. Upon notification, the sign operators shall promptly display specific messages as provided by the Village.

E. SIGN REGULATIONS FOR BREMENTOWNE SHOPPING CENTER

1. **Signs Permitted:** Each commercial tenant or enterprise within the subject district shall be permitted to erect signs which meet the requirements outlined in Sections 2, 3, and 4 of the following sign regulations:

2. **Shopping Center Fascia Signs:**

   a. Each tenant shall furnish and erect on the canopy or the brick parapet above the storefront of his leased permission illuminated sign to identify the tenant doing business on the premises;

   b. Signs shall not be used for advertising other than that which is implicit in "identifying the tenant" nor shall "brand names" be used except when a brand name coincides with the name of the tenant's store. Advertising symbols or logo types may be used only as specifically provided in Section IV;

   c. Canopy and parapet signs shall be surface mounted and shall employ illuminated channel type letter signs internally illuminated by neon-type diffused by plastic facing material. There shall be no neon or florescent tubes or incandescent bulbs exposed to view;

   d. Letters shall have metal sides and backs or on plastic facing material and shall not project more than six (6) inches. Metal sides shall be painted to match the metal canopy. Letter face material shall be a minimum of three-sixteenth (3/16) inch-thick Plexiglas with a one-inch metal trim cap. The trim cap shall be painted the same color as the letter's metal sides;

   e. Lettering shall be permitted in either one or two rows, but not mixed. One column letters shall be a maximum of thirty (30) inches in height with a minimum of a five (5) inch border space at the bottom and top. Two column letters shall fall within a thirty (30) inch band and be a maximum of twelve (12) inches in height, with a minimum border space of five (5) inches at the top and bottom. Notwithstanding the foregoing, one symbol and/or no more than two capital letters may extend to thirty-six (36) inches. All signs are to be composed to fit into the three (3) foot four (4) inch sign board along the metal canopy, or a three (3) foot four (4) inch band along the brick parapet of the buildings, whichever is applicable;

   f. The signs shall not extend any more than seventy (70) percent of the leased premises and shall be centered on the fascia;

   g. Letter color shall be per tenant design;

   h. Each individual letter shall be illuminated and powered only by remote transformers located behind the building fascia panel. The electrical conduit for the tenant signage shall be provided and installed by the landlord. The electrical wire and

hook-up shall be provided and installed by the tenant. As part of the tenant's electrical work, he shall include a seven-day device to control parapet, canopy, and under canopy signs so that hours of illumination can be determined in accordance with the overall shopping center policy;

i. No flashing, moving, rotating, or marking type of lights shall be allowed;

j. Valances or signs painted on glass storefronts will not be permitted except as outlined in Section IX.E.3 below;

k. No paper signs shall be permitted to be applied to the interior or exterior faces of the storefront glass or other material; and

l. The total sign area for any tenant with less than twenty-five thousand (25,000) gross square feet of floor area shall not exceed one-and-one-half (1 1/2) square feet per one (1) linear foot of store frontage for stores facing 159th Street and not more than one (1) square foot per one (1) linear foot of store frontage for stores facing Oak Park Avenue. The total sign area of any tenant with twenty-five thousand (25,000) or more gross square feet of floor area shall not exceed two (2) square feet per one (1) linear foot. Buildings or tenant spaces with double exposure (i.e. buildings or tenant spaces facing two separate public rights-of-way), shall be allowed an additional twenty (20) percent of signage, over and above what is allowed by this amendment. For purposes of this amendment, a building or tenant space shall be deemed to have double exposure, if, and only if, the front of the business (that face of the buildings or space which is listed as the commonly known address for the property) and a side immediately adjacent to the front have direct exposure to a public right-of-way.

3. **Other Signs:**

a. Door Signs:

(1) Door sign content shall be limited to the business name only; and

(2) Door signs shall be composed of four (4) inch-high (maximum) individual letters adhered to the door glass.

b. Address Signs:

(1) Address signs shall be composed of four (4) inch-high (maximum) individual numbers cleanly adhered to the transom glass; and

(2) Address numbers shall be centered on the transform glass.

c. Monument Signs:

(1) Two (2) freestanding monument-type signs identifying the shopping center and its major tenants shall be permitted;

(2) The sign shall not exceed two hundred eighty (280) square feet per side nor shall it exceed twenty-eight (28) feet in height; and

(3) No pylon or other freestanding signs shall be permitted within the limits of the shopping center except as a recommended by the Plan Commission and approved by the Village Board.

d. Mall Entrance Signs:

(1) One (1) single face wall-mounted illuminated box sign identifying the businesses located within the enclosed mall area may be permitted at each entrance (north and south) to the mall area;

(2) The sign shall be affixed to the face of the building (as approved by the Plan Commission) and shall not exceed seventy-two (72) square feet in the area nor shall it exceed twelve (12) feet in length; and

(3) Sign area faces shall be of white Lexan and letter color shall be the same to coordinate with the colors use in the shopping center.

4. **Approvals Required:**

a. **All signs shall require written approval by the landlord and the Village of Tinley Park prior to fabrication**. The tenant shall cause the sign company to submit a detailed drawing, in triplicate, to the landlord. The landlord will then review the drawings and return copies marked to indicate approval of the necessary documents. No sign shall be erected by any tenant except in accordance with the drawing bearing the landlord's final approval and only after the issuance of a sign permit by the Village of Tinley Park;

b. It is recognized that upon occasion it may be the desirable to include advertising symbols or logo types in the sign work of a particular tenant. Further, it may be that such standard units will not fit every criteria stated above. Therefore, if a tenant desires to include such devices in its sign, a drawing of the entire sign whereon a waiver of one or more of the criteria is requested shall be submitted, and if the landlord considers the entire sign to be suitable and in harmony with the whole shopping center, a waiver will be granted subject to the approval of the Village of Tinley Park;

c. A permit shall be secured from the Village of Tinley Park prior to the installation of any new signs within the Brementowne Shopping Center;

d. Upon vacating his leased premises, each tenant is responsible for removing his sign

letters and repairing the building fascia to its condition prior to that tenant's sign installation, which shall include patching, painting, and removal of all sign electrical conduits and boxes. Any aforementioned repairs not provided by the tenants shall be undertaken by the landlord and deducted from the tenant's security deposit and/or backcharged to the tenant; and

e. Non-illuminated signs will not be permitted.

5. **<u>Applicability of Sign Regulations</u>:**

a. The above sign regulations shall only apply to the Brementowne Shopping Center;

b. All signs shall comply with the above regulations and Section IX.B and IX.C of the Sign Regulations of the Tinley Park Zoning Ordinance; and

b. No variance shall be permitted to the regulations of Sections IX.B., IX.C, or IX.E for signs in Brementowne Shopping Center except as agreed by the Bremen Theaters and Menard's Home Improvement Center as approved at the time of Plan Commission approval and thereafter as recommended by the landlord and approved by the Village of Tinley Park.

F. NONCONFORMING SIGNS

Signs existing at the time of the enactment of this Ordinance and not conforming to its provisions shall be regarded as nonconforming signs which may be continued for a period of time not exceeding the remaining, or undepreciated useful life of such sign, based on the formula used in the depreciation schedule in the income tax returns of the owner of such sign, or any other reasonable formula which will provide an adequate period for the depreciation of the sign, not exceeding five (5) years beyond the effective date of these regulations or upon the change of use or ownership of the business or property.

Any change to an existing legal nonconforming sign, including a sign face change, shall require such sign to comply in its entirety immediately with all the provisions of this Zoning Ordinance, including Section IX.

G. REVOCATION OF PERMITS

Signs existing at the time of the enactment of this Section IX, or any amendment thereto, or at the time of annexation to the Village of the property on which they are located and not conforming to the provisions of this Section IX, shall be regarded as nonconforming signs. Nonconforming signs shall be of two types–either a legal nonconforming sign or an illegal nonconforming sign.

The Building Commissioner may revoke any permit issued by the Building Department if

the holder thereof fails to comply with any provision of this Section.

1. Legal nonconforming signs are signs which were lawful when constructed and become nonconforming at the time of enactment of this Section IX, or any amendments thereto, or the annexation of the property on which they are located to the Village and such signs shall be subject to amortization in accordance with the provisions hereof.

2. Any signs which, when erected and installed, were not in full compliance with the terms of this Section IX, as amended, or any applicable laws or ordinances of the legal entity having jurisdiction thereof if erected and installed prior to annexation to the Village of the property on which they are located, including those signs prohibited under Section IX.D.6 hereof, shall be considered unlawful or illegal nonconforming signs which shall be required to be removed immediately upon enactment of this Section IX, or any amendment thereto, or annexation of the property on which they are located to the Village.

3. All lawful nonconforming signs, other than signs which are prohibited under the provisions of Section IX.D.6 hereof, may be continued for a period of time not exceeding the remaining or undepreciated useful life of such signs, based on the formula used in the depreciation schedule on the income tax returns of the owner of such sign, or any other reasonable formula which will provide an adequate period for the depreciation of the sign, not exceeding three (3) years beyond the effective date of these regulations.

4. Any change to an existing legal nonconforming sign, including a sign face change, shall require such sign to comply in its entirety immediately with all the provisions of this Zoning Ordinance, including this Section IX.

H. SIGN REGULATIONS FOR SPECIAL AREAS AND PARTICULAR USES

1. I-80 Corridor: For properties that directly abut the right-of-way of Interstate 80 between the boundaries of 183rd Street, 191st Street, Ridgeland Avenue, and the westernmost boundary of the Village of Tinley Park (the "I-80 Corridor"), will be allowed additional wall signage over the maximum allowable wall signage in a particular zoning district. The amount of additional wall signage shall be limited to no more than four (4) percent of the building face area that most directly faces Interstate 80. Such signage shall be limited to wall signs only which shall be mounted on the building face directly facing I-80 only.

2. Automobile Service Stations: Each service station shall be allowed to display, in addition to signs permitted under Section IX of this ordinance, one double-faced gasoline rate sign not to exceed twenty (20) square feet in area. Said sign shall be attached to the main identification sign.

I. DEFINITIONS

The following signs supplement definitions provided in Section II.

Area, Freestanding Sign Face: The area within a single continuous perimeter encompassing the entire advertising copy of art designed to attract attention. This shall include the extreme limits of characters, lettering, illustrations, ornamentation or other figures, together with any other material, design or color forming an integral part of the display, however it shall not include any structural or framing element lying outside the limits of the sign face and not forming an integral part of the display.

Area, Wall Sign Face: The area within a single continuous perimeter encompassing the entire advertising copy of art designed to attract attention. This shall include the extreme limits of characters, lettering, illustrations, ornamentation, or other figures, together with any other material, design, or color forming an integral part of the display.

Floor Area, Gross: The Gross Floor Area is the sum of the gross horizontal areas of the floors within outside walls of a building including basements, elevator shafts, and stairwells at each story; floor space used for mechanical equipment, penthouse, half story, and mezzanine or interior balcony, and the gross floor area of any and all accessory buildings.

Frontage, Building: The facade of the building that faces a public right-of- way, and/or includes the primary entrance to the business.

Frontage, Tenant: The portion of the facade of the building that includes only the individual tenant's premises that faces a public right-of- way and/or includes the primary entrance to the tenant space.

Frontage Limits, Tenant: The width of the tenant space as measured along a portion of the total building's frontage.

Height, Freestanding Sign: The vertical distance from the top of the sign including the support structure and any decorative design element, to the average adjacent natural grade. If the ground at the base is augmented in a manner that adds height to the sign but not the surrounding buildings, the height shall be measured from the nearest paved travel way.

Height, Wall Sign: The greatest vertical dimension of the single continuous perimeter line used to define the sign area.

Institutional Uses: Public, charitable, educational, or religious uses. Also, traditional non-residential uses that are typically allowed for residentially zoned properties, such as nursing homes, congregate elderly housing, convalescent home, public library, hospital, transit facility, medical use in a residential zoning district, childcare center in a residential zone, or cemetery.

Nit: A unit of luminance or visible-light intensity, commonly used to specify a level of brightness. The nit is a comparatively small unit of brightness with 1 Nit equal to .29185396 foot candles.

Sign: A Sign may be a name, identification, description, illustration, display, or device which is affixed to, painted, or represented upon a structure or land and which directs attention to a product, place, activity, person, institution, or business. A Sign shall also include a Permanent Sign located within a building in such a manner as to be viewed or intended for view primarily from the exterior of the building or entrance to the use. For the purpose of definition, a Sign may be single-face or double-face.

Sign, Advertising: An Advertising Sign is a structure, including a Billboard, on which is portrayed information that directs attention to a business, commodity, service, or entertainment, or other activity not related to use on the lot upon which the sign structure is located.

Sign, Box: A translucent back-lit panel enclosed within a frame.

Sign, Business: A Business Sign is a sign that directs attention to a business, commodity, service, entertainment, or other activity conducted on the lot upon which such sign is located.

Sign, Door: A sign affixed or painted on an entrance door located on the building frontage that includes information other than the address of the business.

Sign, Flashing: A Flashing Sign is an illuminated sign on which the artificial light is not maintained constant, or stationary in intensity or color, at all times when such a sign is in use. For the purpose of this Ordinance, a revolving, illuminated sign shall be considered a Flashing Sign.

Sign, Freestanding: Any sign supported wholly or in part by some structure other than the building or buildings housing the use to which the sign pertains. Freestanding signs shall also include Ground, Monument, and Pylon Signs.

Sign, Dynamic Variable Electronic Message (DVEM): Also called an electronic message or digital sign that is a fixed or changing display/message composed of a series of lights that may be changed through electronic means, and may involve a specialized form of silver casting in which multimedia content is displayed. A DVEM sign usually consists of a computer or playback device connected to a large, bright digital screen such as an LCD or plasma display. These signs display moving images and/or display of text in digital formats over the internet or on television or similar transmission device. DVEM signs shall also include Tri-Vision Signs.

Sign, Identification: An Identification Sign is 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, Roof: A sign erected, constructed, supported or maintained in whole or part upon or above the highest point of the roof line, parapet, or fascia of the building. For buildings with a hip, gambrel, or gable roof this would be above the eave line; for mansard roofs, this would be above the deck line for the roof, for flat roofs it would be above the edge of the wall.

Sign, Tri-Vision: A three-message sign that consists of triangular prisms placed inside a frame. The prisms rotate 120^0, each showing a new message of advertisement and/or information. As implied, three individual images, or messages, can be displayed on a Tri-Vision sign.

Sign, Vehicle: Any advertising or business sign attached to a transportation vehicle for the purpose of identification or advertising a business, public or quasi-public institution.

Sign, Wall: A Wall Sign is a Sign that is affixed to an exterior wall of any building, which shall project not more than eighteen (18) inches from the building wall or parts thereof.

Sign, Way-finding: A coordinated design of signs located in the public right-of-way that exclusively conveys information about a specific location within the community by providing a visual identity, orientation or information about that destination.

SECTION X

ADMINISTRATION AND ENFORCEMENT

A. ZONING ADMINISTRATOR

1. **Designation of Position:** The Zoning Administrator shall be designated by the President and Board of Trustees and charged with the responsibility of administering and enforcing this Ordinance.

2. **Duties:** The Zoning Administrator shall:

   a. Review and approve all Building Permits, Zoning Permits, Business Licenses, and Variation Requests relating to zoning matters;

   b. Examine or approve an application pertaining to the use of land or structures when the application conforms with the provisions of this Ordinance;

   c. When requested by the President or Village Board, or when the interest of the Village so requires, make investigations and render written reports;

   d. Approve Zoning Certificates and such other notices or orders as may be necessary and make and maintain comprehensive records thereof;

   e. Make inspections of structures and uses of land to determine compliance with the terms of this Ordinance, and where there are violations, initiate action to secure compliance;

   f. Receive from the Village Clerk all notices for appeals, variations, amendments, and Special Use Permits which have been referred by the Village Clerk to the Zoning Board of Appeals or other appropriate reviewing body;

   g. Maintain all zoning records which are a part of the administration of this Ordinance and keep all such records open to public inspection, but not for removal from this office;

   h. Inform the Village Attorney of all violations and all other matters requiring prosecution or legal action;

   i. Initiate, direct, and review from time to time, a study of the provisions of this Ordinance, and make reports of his recommendations to the Zoning Board of Appeals, the Plan Commission, and the Village Board of Trustees; and

   j. Discharge such other duties as may be assigned to him by the Village Board or as may be placed upon him by this Ordinance.

B. ZONING CERTIFICATES

1. Applications for Zoning Certificates shall be accompanied by building layout plans in triplicate, drawn to scale, and fully dimensioned, adequate to show the shape, area, and dimensions of the lot to be built upon, the location, the ground area, height, and bulk of existing and proposed structures, and, if residential, the number of dwelling units each structure is designed to accommodate, location, and number of off-street parking and off-street loading spaces, and such other information as may be required by the Zoning Administrator for the proper enforcement of this Ordinance. Wherever a structure or use is of a type for which this Ordinance requires off-street parking on a ratio to the number of employees, the number of employees on which the parking requirement is based shall be shown on the application. One copy of such plans shall be returned to the owner when such plans shall have been approved by the Zoning Administrator. The lot and location of the building thereon shall be staked out on the ground before construction is started.

2. No permit pertaining to the use of land or structures shall be issued by any officer, department, or employee of the Village of Tinley Park unless the application for such permit has been examined by the Zoning Administrator indicating that the proposed structure or use complies with the provisions of this Ordinance. Where no other permit is required for the use of land, this zoning authorization shall be construed as the permit to use the land.

3. An application for a permit, pertaining to the use of land or structures which requires compliance with the provisions of this Ordinance respecting Performance Standards, shall be signed by the landowner or a corporate officer, or authorized representative of the owner or corporation, certifying that the structure and the proposed use thereof complies with the applicable Performance Standards of the district in which it is located. Such certificate shall contain sufficient information and detail to enable the Zoning Administrator to determine that the proposed structure and use can and will be in compliance with the applicable Performance Standards. The Zoning Administrator shall, within fifteen (15) working days following receipt of such application and certificate, approve and authorize or deny the issuance of a Zoning Certificate. Approval also indicates that the application complies with other relevant provisions of this Ordinance. Such authorization shall thereafter be valid for all purposes for a period of one (1) year, and, if incomplete at that time, may be extended for successive one (1) year periods by requests in writing to, and written authorizations for, such extensions from the Zoning Administrator.

C. OCCUPANCY PERMITS

1. Subsequent to the effective date of this Ordinance, no change in the use or occupancy of land, nor any change of use or occupancy in an existing building, except solely for single-family dwelling purposes, shall be made, nor shall any new building be occupied for any purpose until a certificate has been issued by the Building Commissioner. Every Certificate of Occupancy shall state that the new occupancy complies with all

provisions of this Ordinance.

2. A record of all Certificates of Occupancy shall be kept on file in the office of the Zoning Administrator, and copies shall be furnished on request to any person having a proprietary or tenancy interest in land or in a building affected by such Certificate of Occupancy.

3. No permanent Certificate of Occupancy for a building or addition thereto, constructed after the effective date of this Ordinance, shall be issued until construction has been completed and the premises have been inspected and certified by the Building Commissioner to be in full and complete compliance with the plans and specifications upon which the Zoning Certificate was issued.

4. Administrative Occupancy Permits will be required to be obtained by the sponsoring agency of a group home prior to its opening. An agency would qualify for a permit if they met the following criteria:

   a. The application demonstrates that he has obtained required state licensing or certification to operate the proposed group home; and

   b. The proposed group home is not located within the same block, nor closer than eight hundred (800) feet to another such facility in the R-1 through R-4 Residential Zoning Districts and no closer than six hundred (600) feet in the R-5 through R-7 Residential Zoning Districts, as measured from the nearest property line.

D. PROCEDURE IN CASE OF VIOLATIONS

Whenever there is found a violation of the terms of this Ordinance, the Zoning Administrator shall, at once, issue written notice to the owner and any other party responsible, specifying the nature of the violation and citing the provisions of the Ordinance which are violated, and said owner and any other party shall at once take appropriate steps to correct said violation. In case of failure by the owner or other responsible party to correct the violation within a reasonable time, the Zoning Administrator shall issue an Occupancy Certificate certifying such compliance.

E. ZONING BOARD OF APPEALS

1. **Creation and Membership:** There shall be a Zoning Board of Appeals consisting of seven (7) members appointed by the President and approved by the Board of Trustees of the Village of Tinley Park. One of said members shall be designated the Chairman of said Zoning Board of Appeals at the time of his appointment. The members of the Zoning Board of Appeals appointed pursuant to the provisions of a prior Zoning Ordinance of the Village of Tinley Park in office at the time of the adoption of this Ordinance, shall continue as members of the Zoning Board of Appeals for the remainder of the term for which they were appointed and until their successors are appointed and

qualified, and the Chairman of said Zoning Board of Appeals in office at the time of adoption of this Ordinance, shall continue as such Zoning Board Chairman for the remainder of the term for which he was appointed and until his successor is appointed and qualified. At the expiration of the respective terms of office of the present members and thereafter, the members of the Zoning Board of Appeals shall be appointed by the President and Board of Trustees for staggered terms of five (5) years each as provided in the Illinois Municipal Code and until their respective successors are duly appointed and qualified. The Chairman of the Zoning Board of Appeals or, in his absence, the Acting Chairman, may administer oaths and compel the attendance of witnesses. The President and the Board of Trustees of the Village of Tinley Park shall have the power to remove any member of said Zoning Board of Appeals for cause and after a Public Hearing. Vacancies upon said Zoning Board of Appeals shall be filled for the unexpired term of the member whose place has become vacant by appointment made by the President and Board of Trustees of the Village of Tinley Park. The word "Board", when used in this Section hereafter, shall be construed to mean the Zoning Board of Appeals.

2. **Meetings and Rules:** All meetings of the Board shall be held at the call of the Chairman and at such times as such Board may determine. All hearings conducted by said Board shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent, or failing to vote, indicating such fact, and shall also keep records of its hearings and other official actions. Findings of Fact shall be included in the minutes of each case of a requested variation, and the reasons for recommending or denying such variation shall be specified. Every rule or regulation, every amendment or repeal thereof, and every order requirement, decision, or determination of the Board shall be filed immediately in the office of the Board and shall be a public record. The Board shall adopt its own rules of procedure not in conflict with this Ordinance or with the Illinois statutes in such case made and provided, and may select or appoint such officers as it deems necessary.

3. **Jurisdiction:** The Board shall have the following jurisdiction and authority:

   a. It shall be its duty to hear and decide appeals where it is alleged there is error of law in any order, requirement, decision, or determination made by the Zoning Administrator in the enforcement of this Ordinance; and

   b. In hearing and deciding appeals, the Board shall have the power to:

      (1) Permit the extension of a district where the boundary line of a district divides a lot held in a single ownership at the time of the passage of this Ordinance;

      (2) Interpret the provisions of this Ordinance in such a way as to carry out the intent and purpose of the plan, as shown upon the map fixing the several districts, accompanying, and made a part of this Ordinance, where the street layout actually on the ground, varies from the street layout as shown on the map aforesaid;

      (3) Permit the reconstruction of a nonconforming building which has been damaged by explosion, fire, act of God, or public enemy to the extent of more than fifty (50) percent of its assessed value, where the Board finds some compelling

necessity requiring a continuance of the nonconforming use, and the primary purpose of continuing the nonconforming use is not to continue a monopoly;

(4) Extend the period within which a nonconforming business or industrial use is to be removed from a dwelling district and nonconforming industrial buildings in any business or commercial district when the owner or owners can furnish substantial proof that the building was so extensively remodeled, reconstructed, or structurally altered after the original construction that it practically resulted in a new building, but such extension of the period shall not exceed twenty (20) years from the date of such remodeling, reconstruction, or structural alteration;

(5) Waive the parking requirements in the shopping, business, or industrial districts whenever the character or use of the building is such as to make unnecessary the full provision of parking facilities, or where such regulations would impose an unreasonable hardship upon the use of the lot, as contrasted with merely granting an advantage or a convenience; and

(6) Permit a variation in the yard requirements of a district where there are unusual and practical difficulties or unnecessary hardships in the carrying out of these provisions due to an irregular shape of the lot, topographical, or other conditions, provided such variation will not seriously affect any adjoining property or the general welfare.

c. Whenever a property owner can show that a strict application of the terms of this Ordinance relating to the use, construction, or alteration of buildings or structures or the use of land will impose hardship, it shall be within the power of the Board to recommend such variations of the strict application of the terms of this Ordinance as are in harmony with its general purpose and intent, but only when the Board is satisfied that a granting of such variation will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship or difficulty so great as to warrant a variation from the Comprehensive Plan as established by this Ordinance, and at the same time the surrounding property will be properly protected; and

In consideration of all appeals and all proposed variations to this Ordinance, the Board shall, before making any variation from the Ordinance in a specific case, first determine that the proposed variation will not impair an adequate supply of light and air to an adjacent property, or unreasonably increase the congestion in public streets, or increase the danger of fire, or endanger the public safety, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals, or welfare of the inhabitants of the Village of Tinley Park. The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirements, decision, or determination of the Zoning Administrator, or to decide in favor of the applicant any matter upon which it is authorized by this Ordinance to render a decision; and

Nothing herein contained shall be construed to give or grant to the Board the power

or authority to alter or change the Zoning Ordinance or the Zoning District Map, such power and authority being reserved for the President and the Board of Trustees of the Village of Tinley Park in the manner hereinafter provided.

d. "Notwithstanding anything to the contrary herein, it shall be within the power of the Board to permit a variation from the requirements hereunder in connection with the location, construction requirements, and other provisions relating to fences, pools, decks, and sheds where there are unusual and practical difficulties or unnecessary hardships in the carrying out of these which seriously affect any adjoining property or the general welfare and further provided that no variation shall be granted which would allow a fence to be more than ten (10) feet in front of the building setback line(s), (there being two building setback lines on corner lots). Pursuant to the provisions of 11, 13, 5 of the Illinois Municipal Code, the decision of the Board as to any such variation in the requirements regarding fences, pools, decks, and sheds shall be final and such power is hereby vested in the Board; provided, however, if the affected property owner or any nearby property owners who are affected by the decision, object to the decision of the Board, any such interested property owner may appeals the decision of the Board to the Village Board for final decision. In other words, the Board's decision is final, unless appealed to the Village Board. Any such appeals to the Village Board shall be made in writing and shall be filed with the Village Clerk within fourteen (14) days of the decision of the Board. If no such appeal is timely made, the decision of the Board shall be final. If such an appeal request is timely made, the Village Board shall adopt an appropriate Ordinance either affirming the decision of the Board, reversing the decision, or affirming it with modifications. Any such Ordinance of the Village Board shall be in the form of an Ordinance either granting or denying the requested variation, with or without conditions."

F. APPEALS

An appeal to the Zoning Board of Appeals may be made by any person, firm, or corporation, or by an office, department, board, or bureau aggrieved by a decision of the Zoning Administrator under this Ordinance, in accordance with Illinois statutes and the following:

1. An application for any appeal shall be filed with the Director of Planning within twenty (20) days of the date of the action from which the appeal is being filed, and thereafter the Director of Planning shall forward such application to the Board for processing and also shall forward to the Zoning Administrator a Notice of Appeal specifying the grounds thereof, and also shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

2. An appeal shall stay all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the Board, after the Notice of Appeal has been filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order which may be

granted by the Board or by a court of record on application and on notice to the officer from whom the appeal is taken, and on due causes shown.

3. The Board shall fix a reasonable time, not to exceed ninety (90) days, for the hearing of the appeal, and give due notice thereof to the parties and decide the same within a reasonable time. The Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination that in its opinion ought to be made on the premises, and, to that end, shall have all the powers of the officer from whom the appeal was taken.

G. VARIATIONS

1. **Authority:** Except as specifically provided below in Section X.G.5 and above in Section X.E.3.B.(6), and X.E.3.D, the Village Board of Trustees shall decide all applications for variations of the provisions of this Ordinance after a Public Hearing held before the Board. The Board shall, except as provided in Section X.G.5 below, hold a Public Hearing upon all applications for variations and, except as provided in Section X.E.4 above, report its recommendations to the Village Board of Trustees for action. The Board shall not approve where it has final decision-making power, nor shall it recommend where it does not, any variation unless the Board has made Findings of Fact specifying the reason or reasons for recommending or approving the variation. Such findings shall be based upon the standards hereinafter prescribed. Also, where the Village Board decides whether to grant a variation hereunder, no variation shall be granted by the Village Board without such Findings of Fact. If a request for a variation, however, is combined with a request for rezoning, a Special Use Permit or a Planned Unit Development, then the Plan Commission of this Village shall have jurisdiction over such request, shall conduct a Public Hearing thereon, and shall make the Findings of Fact and recommendation to the Village Board in the same manner and under the same standards and procedures as set forth herein for the Board.

2. **Initiation:** An application for a variation may be made by any person, firm, or corporation, or by an office, department, board, bureau, or commission requesting or intending to request application for a Building Permit, Zoning Certificate, or Occupancy Certificate. The filing fee for a variation on a residentially-zoned property shall be one hundred fifty (150) dollars. The filing fee for a variation on a non-residentially zoned property shall be two hundred (200) dollars.

3. **Application for Variation and Notice of Hearing:** An application for a variation shall be filed with the Director of Planning, who shall forward a copy of same, without delay, to the Board or Plan Commission, as the case may be. The application shall contain such information as the Board or Plan Commission may require. No more than ninety (90) days after the filing of such application, a hearing shall be held on the application. Notice of such hearing shall be published at least once, not more than thirty (30) days nor less than fifteen (15) days before the hearing date, in a newspaper published within the Village, and if there is none, then in a newspaper of general circulation within the

Village. The published notice may be supplemented by such additional form of notice as the Board or Plan Commission may require.

4. **Standards for Variations:** The Board or Plan Commission, as the case may be, shall not recommend a variation of the regulations of this Ordinance, as authorized herein, unless it shall have made Findings of Fact, based upon the evidence presented to it, in each specific case that:

   a. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located;

   b. The plight of the owner is due to unique circumstances;

   c. The variation, if granted, will not alter the essential character of the locality; and

   d. For the purpose of implementing the above rule, the Board or Plan Commission shall also, in making its determination whether there are practical difficulties or particular hardships, take into consideration the extent to which the following facts favorable to the applicant have been established by the evidence:

      (1) The particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;

      (2) The conditions upon which the petition for a variation is based would not be applicable, generally, to other property within the same zoning classification;

      (3) The purpose of the variation is not based exclusively upon a desire to make more money out of the property;

      (4) The alleged difficulty or hardship has not been created by the owner of the property, or by a previous owner;

      (5) The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and

      (6) The proposed variation will not impair an adequate supply of light and air to an adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

   e. The Board or Plan Commission may recommend, and the Village Board of Trustees may require, such conditions and restrictions upon the premises benefited by a variation as may be necessary to comply with the standards set forth in this Section

to reduce or minimize the injurious effect of such a variation upon other property in the neighborhood, and better to carry out the general intent of this Zoning Ordinance.

5. **Authorized Variations:** From the regulations of this Zoning Ordinance shall be approved (where it has final decision-making power) or recommended (when it does not) by the Board, or the Plan Commission if applicable, only in accordance with the standards set out in this Section, and may be granted only in the following instances, and in no others:

   a. To permit, without the necessity of a Public Hearing, up to a twenty (20) percent reduction in the front, side, or rear yard required by this Ordinance. A greater variation may be recommended, but only after a Public Hearing as required by law;

   b. To permit the use of a lot or lots for use otherwise prohibited solely because of insufficient area or width of the lot or lots;

   c. To permit the same off-street parking facility to qualify as required facilities for two or more uses provided the substantial use of such facility by each use does not take place at approximately the same hours of the same days of the week;

   d. To reduce, without the necessity of a Public Hearing, the applicable off-street parking or loading facilities required by not more than one (1) parking space or loading space, or twenty (20) percent of the application regulations, whichever number is greater. A greater variation may be recommended, but only after a Public Hearing as required by law;

   e. To increase the gross area of any sign;

   f. To extend the period of time a nonconforming use may continue or remain; and

   g. Permit the reconstruction of a nonconforming building which has been damaged by explosion, fire, act of God, or public enemy to the extent of more than fifty (50) percent of its assessed value, where the Board finds some compelling necessity requiring a continuance of the nonconforming use, and the primary purpose of continuing the nonconforming use is not to continue a monopoly.

6. **Other Variations:** Other than those listed above may be granted by the Village Board, but only after a Public Hearing as set forth herein for an authorized variation, and a report from the Board or Plan Commission recommending for or against the variation.

7. **Required Vote:** The concurring vote of four (4) members of the Village Board of Trustees or three (3) members of the Village Board of Trustees and the President shall be necessary to reverse the recommendation of the Board or Plan Commission on any requested variation.

H. AMENDMENTS

1. **Authority:** The regulations imposed and the districts created under the authority of this Ordinance may be amended from time to time by Ordinance in accordance with the applicable statutes of the State of Illinois. An amendment shall be granted or denied by the Village Board of Trustees only after a Public Hearing before the Plan Commission and a report of its findings and recommendations has been submitted to the Village Board.

2. **Initiation:** Amendments may be proposed by the Village Board of Trustees, Plan Commission, Zoning Board of Appeals, or by any person, firm, or corporation having a freehold interest, an option to purchase, or any exclusive possessory interest which is specifically enforceable on the land which is described in the application for an amendment.

3. **Application for Amendment and Public Hearing:** An application for an amendment shall be filed with the Director of Planning. Such application shall be forwarded, without delay, by such Director to the Plan Commission, with a request to hold a Public Hearing. Notice shall be given of the time and location of the hearing, not more than thirty (30) days nor less than fifteen (15) days before the hearing date, by publishing a notice thereof at least once in one or more newspapers published within the Village of Tinley Park, or if no newspaper is published therein, then in one or more newspapers with a general circulation within the Village of Tinley Park.

4. **Decisions:** The Village Board, upon report of the Plan Commission and without further Public Hearing, may grant or deny any proposed amendment, or may refer it back to the Plan Commission for further consideration. In case a written protest against any proposed amendment signed and acknowledged by owners of twenty (20) percent of the frontage proposed to be altered, or by the owners of twenty (20) percent of the frontage immediately adjoining or across the alley therefrom, or by owners of twenty (20) percent of the frontage directly opposite the frontage to be altered is filed with the Village Clerk, the amendment cannot be passed except on the favorable vote of two-thirds (2/3) of all members of the Village Board of Trustees.

I. PLAN COMMISSION

1. **Jurisdiction:** The Plan Commission of the Village of Tinley Park, which has been duly established, is the Plan Commission referred to in this Ordinance, and shall have the following duties under this Ordinance:

    a. To receive and review all applications for amendments and Special Uses and to submit reports of findings and recommendations to the Village Board of Trustees;

    b. To receive, hear, and recommend to the Village Board matters dealing with the granting of Planned Unit Developments;

c. To initiate, direct, and review from time to time, studies of the provisions of this Comprehensive Amendment and to make reports of its recommendations to the Village Board of Trustees, not less frequently than once each year;

d. To hold any Public Hearings required by law to be held on any of the foregoing matters; and

e. To hear and decide all matters upon which it is required to pass under this Ordinance.

2. **Meetings and Rules:** All meetings of the Plan Commission shall be held at the call of the Chairman and at such times as such Commission may determine. At all hearings conducted by said Plan Commission under this Comprehensive Amendment, the Chairman, and, in his absence, the Vice Chairman, shall have the power to administer oaths. All testimony by witnesses at any hearing provided for in this Comprehensive Amendment shall be given under oath. The Plan Commission shall keep minutes of its proceedings, and shall also keep records of its hearings and other official actions. A copy of every rule or regulation, every Special Use, and every recommendation, order, requirement, decision, or determination of the Plan Commission under this Ordinance, shall be filed in the office of the Village Clerk and shall be a public record. The Plan Commission shall adopt its own rules and procedures, not in compliance with this Ordinance or with applicable Illinois statutes.

J. SPECIAL USES

1. **Purpose:** The development and execution of the Zoning Ordinance is based upon the division of the Village into districts, within which districts the use of land and buildings and the bulk and location of buildings and structures in relation to the land are substantially uniform. It is recognized, however, that there are Special Uses which, because of their unique characteristics, cannot be properly classified in any particular district or districts without consideration, in each case, of the impact of those uses upon neighboring land and of the public need for the particular use at the particular location. Such Special Uses fall into two categories:

   a. Uses publicly operated or traditionally affected with a public interest; and

   b. Uses entirely private in character, but of such nature that their operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities.

2. **Authority:** Special Use Permits may be authorized or denied by the Village Board of Trustees, but only after a Public Hearing has been held, in the manner prescribed herein for amendments to this Ordinance, and a written report outlining the findings and recommendations of the Plan Commission has been prepared and submitted to the Village Board. All Special Use requests shall be heard by the Plan Commission including requests for Planned Unit Developments.

3. **Initiation:** An application for a Special Use may be made by any person, firm, or corporation having a free-hold interest, an option to purchase, or any exclusive possessory interest which is specifically enforceable on the land which is described in the application for a Special Use. The filing fee for a Special Use shall be four hundred (400) dollars.

4. **Application for Special Use:** An application for a Special Use shall be filed with the Director of Community Development on the form provided and shall be accompanied by such plans and data as specified by the Plan Commission.

5. **Standards:** No Special Use shall be recommended by the Plan Commission unless said Commission shall find:

   a. That the establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;

   b. That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;

   c. That the establishment of the Special Use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;

   d. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided;

   e. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and

   f. That the Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Board pursuant to the recommendation of the Plan Commission. The Village Board shall impose such conditions and restrictions upon the premises benefited by a Special Use Permit as may be necessary to ensure compliance with the above standards, to reduce or minimize the effect of such permit upon other properties in the neighborhood, and to better carry out the general intent of this Ordinance. Failure to comply with such conditions or restrictions shall constitute a violation of this Ordinance.

   g. The extent to which the Special Use contributes directly or indirectly to the economic development of the community as a whole.

6. **<u>Not Covenant Running with the Land</u>:**

Except as provided in Section VII.B.6 as to Planned Unit Developments, the approval of a Special Use, when granted, shall not run with the land or constitute a covenant running with the land, but instead shall expire automatically if:

a. There is a change in the use other than necessary maintenance and repair;

b. There is a change in the ownership of either the land and/or the business or use conducted on the land provided, however, if the change in ownership is to another member(s) of the immediate family (parents, siblings, or children), such shall not cause the automatic expiration of the Special Use;

c. The use is abandoned, closed, or terminated for a period in excess of sixty (60) days, provided; however, if the use is closed solely to make repairs, alterations, or remodeling such shall not cause the automatic expiration of the Special Use;

d. The use is not changed but the business/use commences operations under a different name (but not including merely in a change in the legal name of the owner, such as from Ltd. to LLC, provided that the actual owners of the entity do not change); or

e. The use operates under a franchise and the franchise is either revoked or terminated, or a new franchise is substituted (a mere change in the name of the franchise, e.g. from Kentucky Fried Chicken to KFC, without any other changes shall not cause an automatic expiration of the Special Use).

K. MAP AMENDMENT (REZONING)

An application to amend the official Tinley Park Zoning District Map, particular to one or more parcels of land, may be made by any person, firm, or corporation having a free-hold interest, an option to purchase, or any exclusive possessory interest which is specifically enforceable on the land which is described in the application to amend the Zoning District Map. The filing fee for a Map Amendment shall be four hundred (400) dollars.

L. TEMPORARY USE PERMITS

1. **<u>Authority</u>:** The Village Board of Trustees may authorize or deny a Temporary Use Permit for uses specifically described in Section V.C.11 of this Ordinance, but only after it has received a written report from the Zoning Administrator. Such report shall, among other things, indicate to what extent the proposed temporary use could affect the public health, safety, or general welfare of the Village and/or immediate neighborhood.

2. **<u>Application</u>:** An application for a Temporary Use Permit shall be filed with the Director of Community Development on the form provided and shall be accompanied by such other plans and information as may be specified or required by the Zoning Administrator.

3. **Conditions:** The Village Board may require that certain conditions relating to the public health, safety, or general welfare be complied with before the issuance of a Temporary Use Permit.

M. VILLAGE BOARD OF TRUSTEES

The Village Board of Trustees shall establish the standards, procedures, and content of this Ordinance and shall reserve certain matters of final decision to itself and delegate certain others matters to other individuals, boards, and commissions. Decisions of the Village Board shall be subject to judicial review as the law may provide.

1. **Jurisdiction:** The Village Board of Trustees of the Village of Tinley Park shall have the following duties under this Ordinance:

   a. To decide amendments and variations to this Ordinance after a Public Hearing and report by the Plan Commission;

   b. To decide on Special Use Permits after a Public Hearing and report by the Plan Commission;

   c. To decide on Planned Unit Developments after a Public Hearing and report by the Plan Commission;

   d. To make appointments to the Zoning Board of Appeals and to the Plan Commission; and

   e. To decide all other matters required by this Ordinance.

N. FEES

The Village Board shall establish a schedule of fees, charges, and expenses required for Building Permits, Zoning Certificates, Certificates of Occupancy, Variations, Special Use Permits, Temporary Use Permits, Amendments, Planned Unit Developments, and other matters pertaining to this Ordinance. Until all such required fees have been paid, no application for any of the above shall be deemed to have been filed and no action shall be taken on such application. All fees shall be paid to the Village Clerk and none shall in any event be refunded.

O. VIOLATIONS AND PENALTY

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or who resists enforcement of any provisions of this Ordinance, shall be

subject to a fine of not less than one hundred (100) dollars nor more than seven hundred fifty (750) dollars for each offense. Each day a violation is permitted to exist after notification thereof shall constitute a separate offense.

The owner or tenant of any building, structure, or land, and any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation, may each be found guilty of a separate offense and suffer the penalties herein provided.

Nothing herein contained shall prevent the Village from taking such other lawful action as is necessary to prevent or remedy any violation.

P. VALIDITY

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

Q. DISCLOSURE OF BENEFICIARIES OF A TRUST

The liabilities hereunder imposed on an owner shall attach to a trustee under a land trust, holding title to such building, structure, or premises without the right of possession, management, or control, unless said trustee in a proceeding under said provisions of this Ordinance discloses in a verified pleading or in an affidavit filed with the court, the name and last known address of each person who was a beneficiary of the trust at the time of the alleged violation and of each person, if any, who was then acting as agent for the purpose of managing, controlling, or collecting rents, as the same may appear on the records of the trust.

SECTION XI

EFFECTIVE DATE

This Comprehensive Amendment to the Tinley Park Zoning Ordinance shall be in full force and effect on and after its passage, approval, recording and publication as provided by law. This Ordinance shall be printed and published in pamphlet or book form.

Adopted by the President and Board of Trustees of the Village of Tinley Park on the 23 day of January, A.D., 1978.

APPROVED this 23rd day of January, 1978.

John T. Dan
Village President

ATTEST:

Attested and filed in the Village Clerk's office on the 23 day of January, 1978.

Frank W. German
Frank W. German
Village Clerk

SECTION XII
2011 LEGACY CODE

VILLAGE OF TINLEY PARK

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2011 LEGACY CODE

SECTION 1
INTRODUCTION

A. Purpose

The *Legacy Code* is intended to be used in conjunction with the *Legacy Plan*. The Tinley Park community set forth the *Legacy Plan* with a clear vision and preferred urban design arrangements for the downtown and beyond. The *Legacy Code* implements the *Legacy Plan* by codifying Tinley Park's vision with a purposefully specific and precise form-based approach.

This *Legacy Code* was created to strengthen the aesthetics and economics of the downtown by implementing the following principles, set forth in the *Legacy Plan*:

1. Preserve Tinley Park's unique historic heritage.
2. Ensure that new development respects the historic scale and character of downtown.
3. Building a strong economic future for Downtown Tinley Park.
4. Maximize the number of people living within walking distance of the train station.
5. Encourage building mass to peak at the downtown core.
6. Create a walkable downtown where pedestrians come first.
7. Create a connected roadway framework with small walkable blocks.
8. Promote a green downtown showcasing leadership in the preservation of natural resources and sustainable practices.
9. Position downtown as a focal point of the regional bike path system.

B. Intent

The *Legacy Code* is intended to allow for the continued function of contemporary land uses, while creating standards and design criteria for infill and redevelopment projects. The *Legacy Code* regulations have been developed to accomplish the goals of the *Legacy Plan* by:

1. Regulating building form to create a street wall of appropriately scaled buildings that address the street and create a pedestrian-oriented setting.

2. Prohibiting the placement of off-street parking in front yards in order to maintain the continuity of buildings along the street, minimize the views of parked cars, and provide adequate sidewalks and amenities for pedestrians and bicyclists.

3. Prohibiting drive-through facilities and other automobile related uses to encourage an environment where pedestrian comfort and safety comes first, residential homes can be established near the street, and curb cuts are minimized.

4. Regulating streets and rights-of-way to encourage landscaped streetscapes and complete streets that accommodate multiple modes of travel.

5. Concentrating commercial development in a walkable downtown core and transition areas outside the core to residential development to create a supportive neighborhood market.

6. Creating architectural standards to ensure that new buildings comply with the community's shared vision.

7. Create a review process that rewards compliance with the *Legacy Code* and *Legacy Plan* with a shortened review process.

C. Applicability

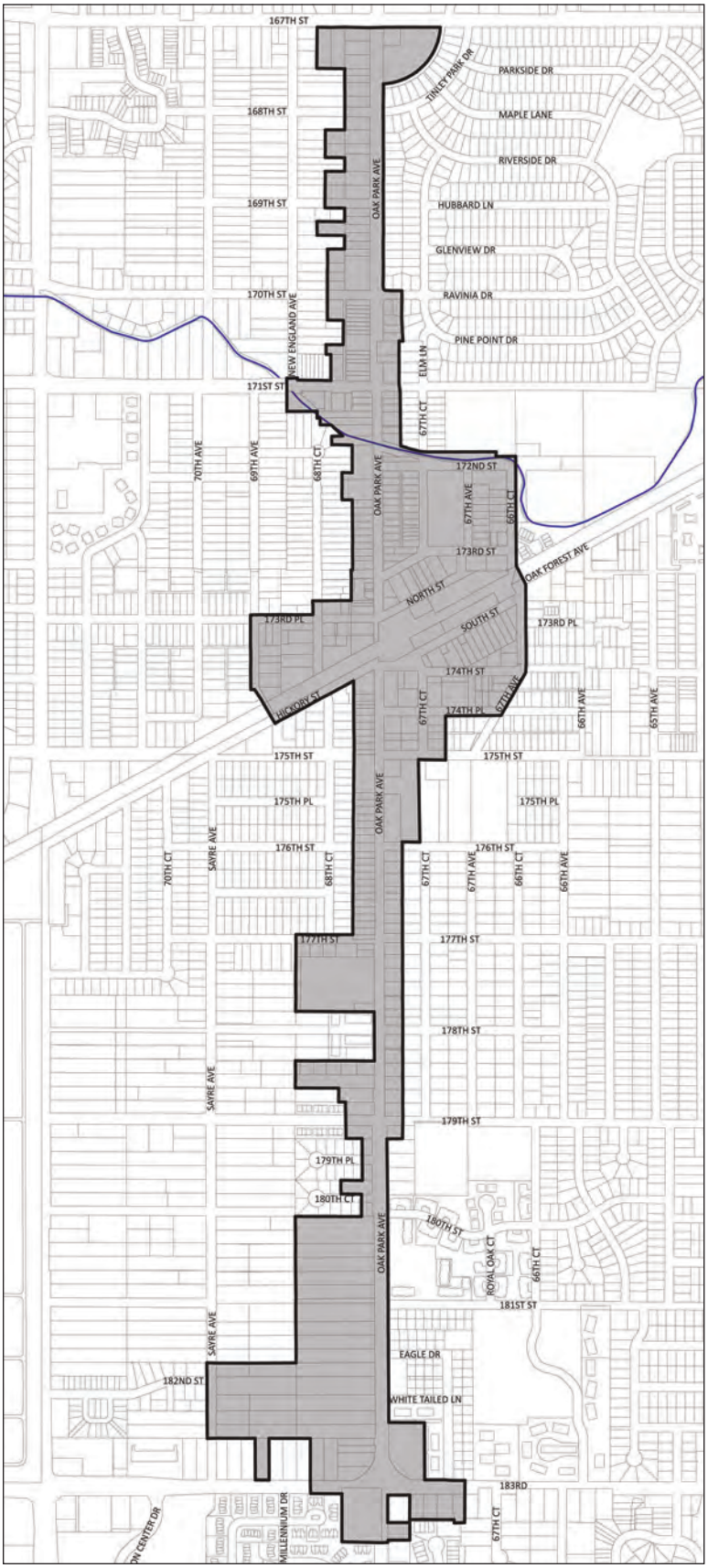


Figure 1.C.1 - Code Area Map

The *Legacy Code* shall apply to the area of land along Oak Park Avenue generally between 167th Street and 183rd Street, as depicted on the Code Area Map (Figure 1.C.1) and as designated on the official Zoning Map of the Village of Tinley Park.

The standards set forth in this section shall be applied to properties, and shall officially rezone properties, within the Legacy Code Area.

Where conflicts occur between the development standards or requirements in the Village's Zoning Ordinance, Subdivision Regulations, or Building Code and this section of the Zoning Ordinance, the regulations of this section of the Zoning Ordinance supersede.

Should this section of the Zoning Ordinance be found by Village staff to be silent on any matter that is otherwise provided for in any other section of the Zoning Ordinance, Subdivision Regulations, or Building Code, the applicable provisions of those sections shall apply.

D. Severability

Should any section or provision of this section of the Zoning Ordinance be declared to be unconstitutional or invalid, such decision shall not affect the validity of any other part of this section or Zoning Ordinance, as a whole.

E. How to Use the Code

1. Go to pages 6-7 to determine the zoning of the property

2. Refer to character district inset to determine what page to start at

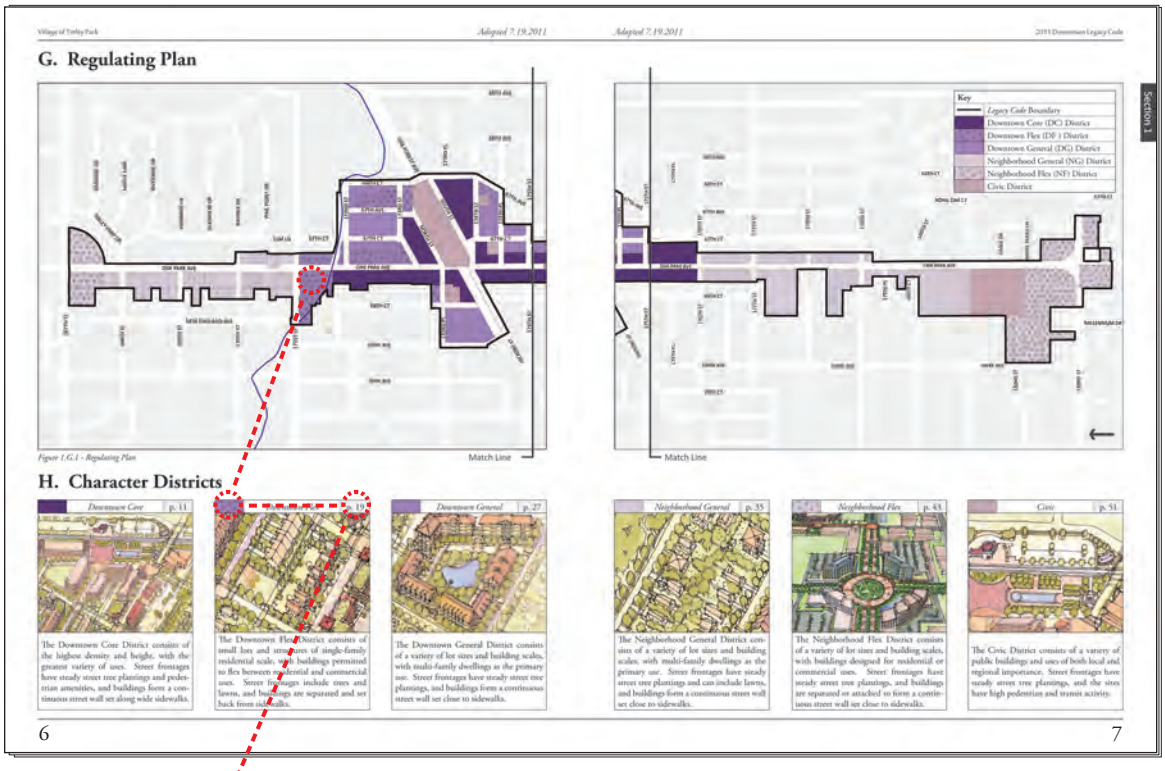


Figure 1.E.1

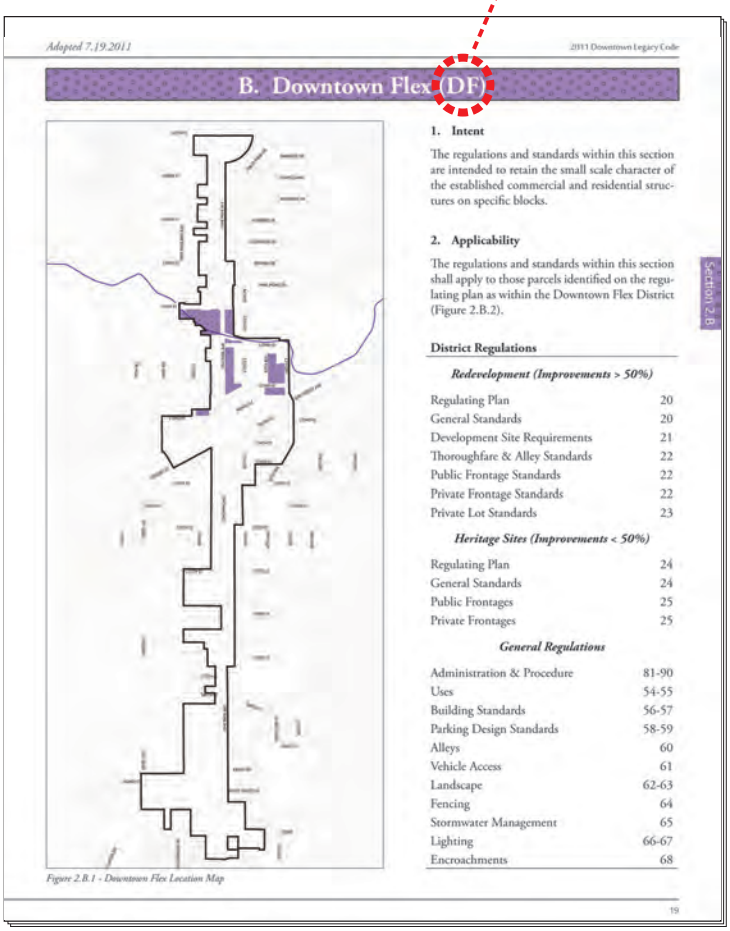


Figure 1.E.3

3. Each district is divided into two sections based upon the degree of improvements proposed:

Redevelopment
Those projects involving improvements **greater than 50%** of the property's market value.

Heritage Site
Those projects involving improvements **less than 50%** of the property's market value.

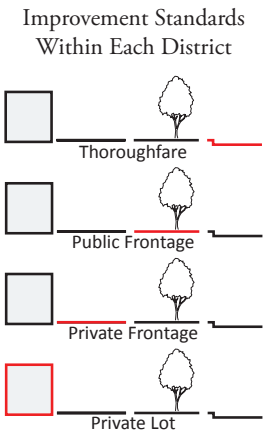


Figure 1.E.2

4. General Regulations apply to all districts:

Administration
Uses
Building Standards
Parking
Alleys
Vehicle Access
Landscaping
Fencing
Stormwater
Lighting
Signage

F. Process Overview

The following provides a concise overview of the general review process. The intent of this code is to reward those who strive to meet its standards and regulations. Therefore, the length of review time and number of meetings required to obtain project approval shall be based upon the degree of conformance to this code. Those changes involving existing structures will typically not require public meetings unless determined by Village staff that the nature of the modifications warrant review by Village Commissions and/or the Village Board. A complete description of the process and submission requirements is located on pages 81-90.

1. Existing Structures

Change of Use	Awnings
Change of Owner	Lighting
Landscaping	Facade Enhancements
Parking Lot Improvements	Collective & Shared Parking
Outdoor Dining	Parking Waivers
Signs	

Administrative Review

2. New Development, Redevelopment & Special Approvals

Precise Conformance	*Moderate Conformance*	*Non-Conformance & Special Approvals*
Site plan matches the development and redevelopment scenarios presented in the *Legacy Plan*, including use, site plan, massing, and architectural details. Proposal requires no variances from the *Legacy Code,* and needs no special approvals.	Site plan matches the spirit and intent of the *Legacy Plan*, but there are some qualitative differences that do not require a variance from the *Legacy Code,* and needs no special approvals.	Site plan does not meet the spirit or intent of the *Legacy Plan*, and/or requires a special approval, such as: a Special Use Permit, map amendment, and/or a variance from the *Legacy Code*.
1 Public Meeting ***Minimum***	**2 Public Meetings** ***Minimum***	**4 Public Meetings** ***Minimum***

Figure 1.F.1

G. Regulating Plan

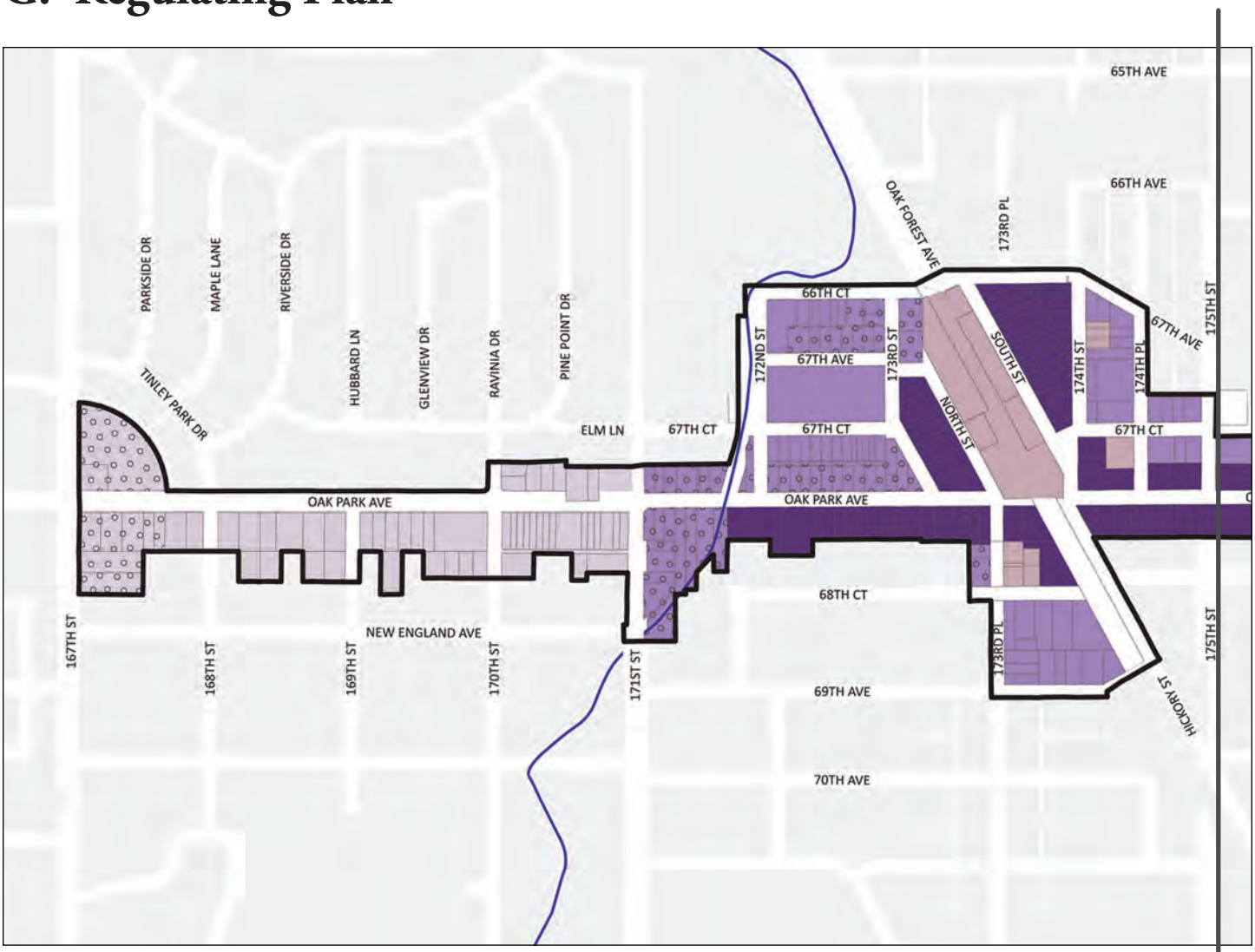
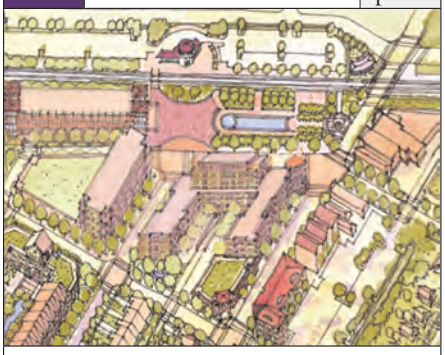


Figure 1.G.1 - Regulating Plan

Match Line

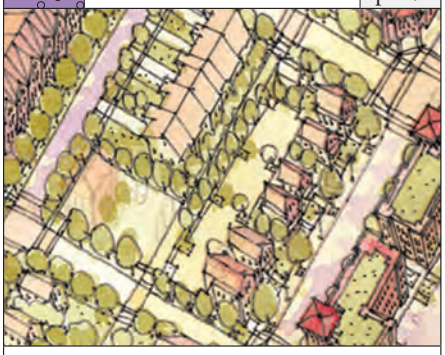
H. Character Districts

Downtown Core p. 11



The Downtown Core District consists of the highest density and height, with the greatest variety of uses. Street frontages have steady street tree plantings and pedestrian amenities, and buildings form a continuous street wall set along wide sidewalks.

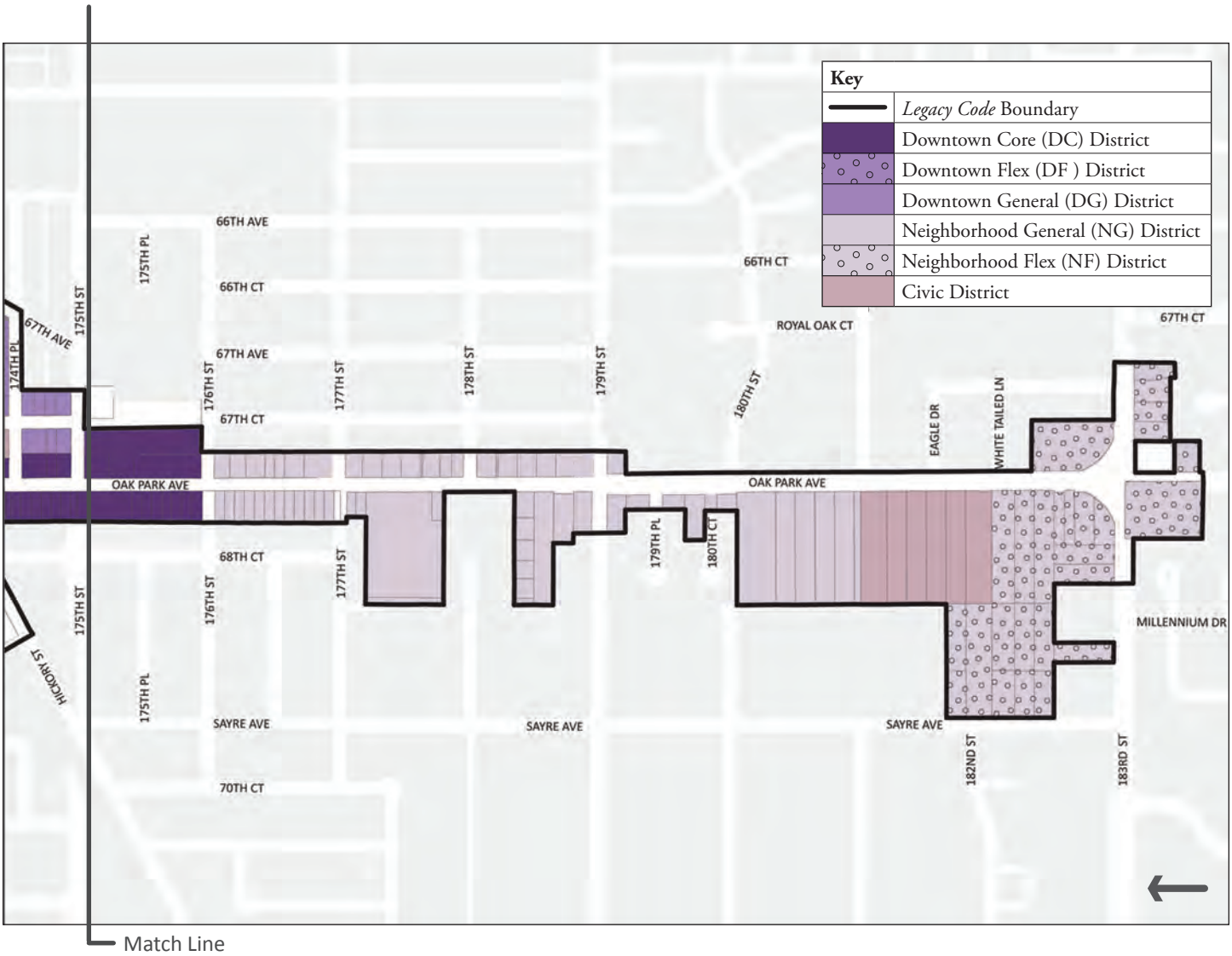
Downtown Flex p. 19



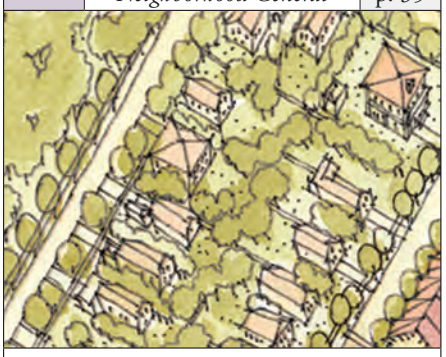
The Downtown Flex District consists of small lots and structures of single-family residential scale, with buildings permitted to flex between residential and commercial uses. Street frontages include trees and lawns, and buildings are separated and set back from sidewalks.

Downtown General p. 27

The Downtown General District consists of a variety of lot sizes and building scales, with multi-family dwellings as the primary use. Street frontages have steady street tree plantings, and buildings form a continuous street wall set close to sidewalks.

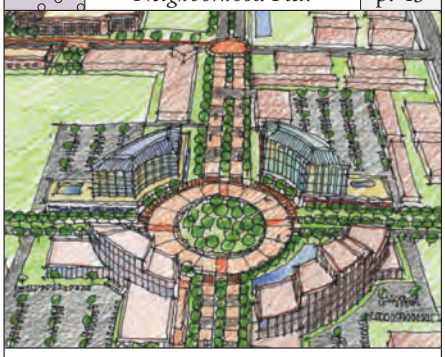


Neighborhood General p. 35



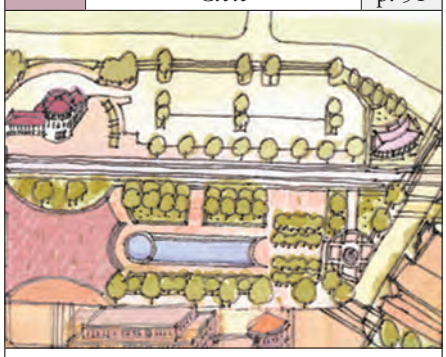
The Neighborhood General District consists of a variety of lot sizes and building scales, with multi-family dwellings as the primary use. Street frontages have steady street tree plantings and can include lawns, and buildings form a continuous street wall set close to sidewalks.

Neighborhood Flex p. 43



The Neighborhood Flex District consists of a variety of lot sizes and building scales, with buildings designed for residential or commercial uses. Street frontages have steady street tree plantings, and buildings are separated or attached to form a continuous street wall set close to sidewalks.

Civic p. 51



The Civic District consists of a variety of public buildings and uses of both local and regional importance. Street frontages have steady street tree plantings, and the sites have high pedestrian and transit activity.

2011 LEGACY CODE

SECTION 2
DISTRICT REGULATIONS

A. Downtown Core (DC)

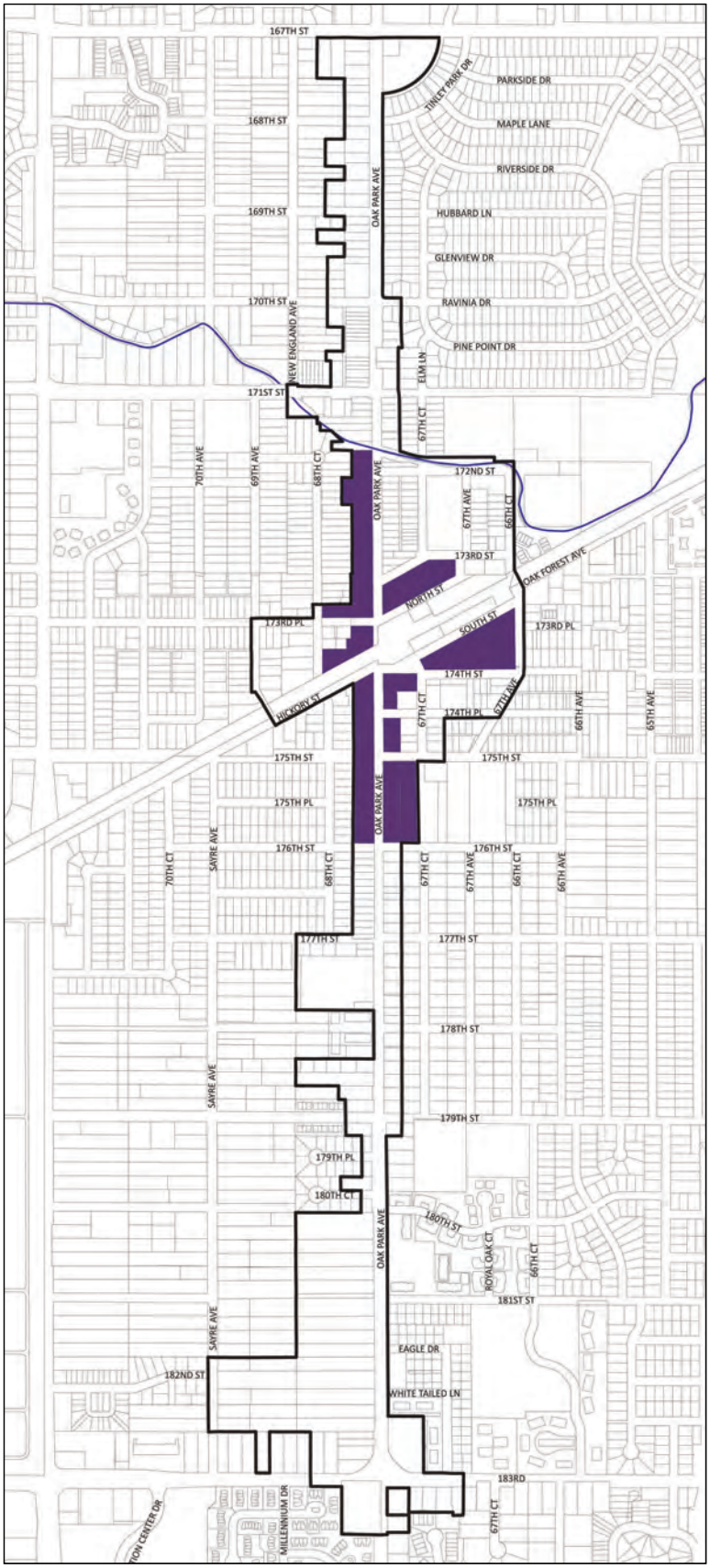


Figure 2.A.1 - Downtown Core Location Map

1. Intent

The regulations and standards within this section are intended to promote taller, mixed-use development in the vicinity of the Oak Park Avenue train station.

2. Applicability

The regulations and standards within this section shall apply to those parcels identified on the regulating plan as within the Downtown Core District (Figure 2.A.2).

District Regulations

Redevelopment (Improvements > 50%)

Regulating Plan	12
General Standards	12
Development Site Requirements	13
Thoroughfare & Alley Standards	14
Public Frontage Standards	14
Private Frontage Standards	14
Private Lot Standards	15

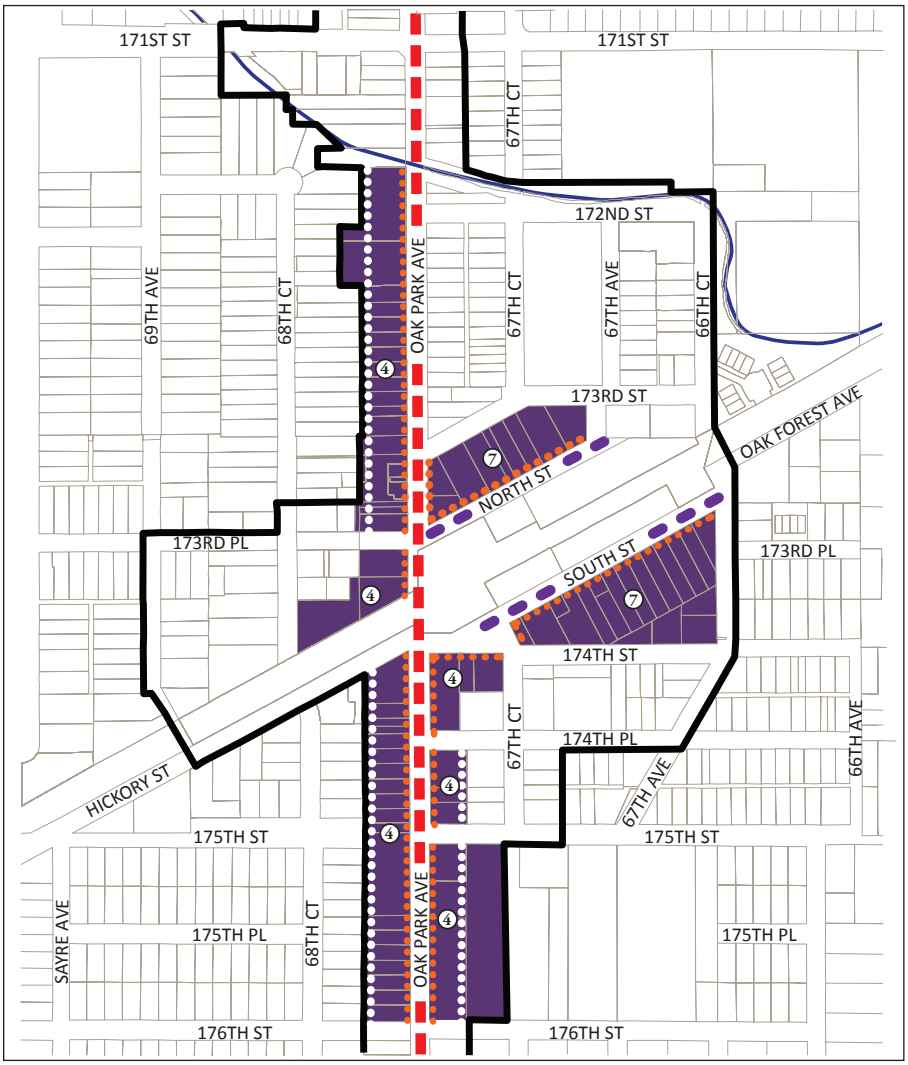
Heritage Sites (Improvements < 50%)

Regulating Plan	16
General Standards	16
Public Frontages	17
Private Frontages	17

General Regulations

Administration & Procedure	81-90
Uses	54-55
Building Standards	56-57
Parking Design Standards	58-59
Alleys	60
Vehicle Access	61
Landscape	62-63
Fencing	64
Stormwater Management	65
Lighting	66-67
Encroachments	68

3. Regulating Plan - Improvements > 50% (DC)



Key

	Legacy Code Boundary
	Downtown Core (DC) District
	Corridor Type A
	Corridor Type D
	Proposed *Legacy Plan* Alley
	Street Level Commercial Required
#	Allowable Building Height

Figure 2.A.2 - Downtown Core Regulating Plan

4. General Standards (DC)

Permitted Building Functionality	*Mixed-Use*	*Stand-Alone Commercial*	*Multi-Family*	*Single-Family Attached*	*Single-Family Detached*	*On-Site Vehicle Parking*	*On-Site Bike Parking*
Street Level Commercial	●					*not required*	0.2 per 1,000 s.f. (2 minimum)
Second Floor Office	●					2 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Street Level Group Assembly	○					4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Second Floor Group Assembly	●					4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Civic	●					*not required*	0.2 per 1,000 s.f. (2 minimum)
Residential	●		●	●		1 space per dwelling unit *guest parking not required*	1 per dwelling unit
Permitted Building Type	●		●	●			

A list of Special Uses and Prohibited Uses for the entire Legacy Cody Area is located on pages 54-55

Design details for on-site vehicle parking and on-site bike parking are located on pages 58-59

○ Can not occupy, individually or in aggregate, greater than 50% of a building's street level commercial space.

Table 2.A.1

5. Corridor & Alley Requirements (DC)

a. Intent

The type and minimum degree of public and private improvements required within the Corridor or Alley areas shall be based upon the location and percentage of the total *lineal frontage* of a block to be assembled and/or improved as part of a project (see Table 2.A.2).

b. Applicability

This section shall apply to projects involving lot improvements greater than 50% of the market value of the property, as well as projects involving lot assemblage. Refer to page 16 for standards relating to single lot improvements less than 50% of market value (Heritage Sites).

c. Waivers

In those instances in which Village staff determines that it is impractical or impossible to complete all or a portion of the required improvements due to sequencing or physical constraints, or determines that unique circumstances exist relative to the subject site and/or block development, Village staff shall recommend to the Plan Commission to consider one or a combination of the following options:

1. Postpone the implementation of improvements to a date certain, and require the petitioner to provide a letter of credit, bond, or similar form of financial security in an amount equal to the estimated cost of such improvements as determined by Village staff;
2. Require cash in-lieu-of in an amount equal to the estimated cost of such improvements as determined by Village staff; and/or
3. Waive such improvements in whole or in part based upon the unique nature of the subject site and/or block development, either existing or proposed.

d. Required Improvements

Site Type	*Corridor*			*Alley*		
	Thoroughfare	*Public Frontage*	*Private Frontage*	*Dedication to Village*	*Construct On-Site*	*Connect to Thoroughfare*
> 75% of Block	●	●	●	●	●	●
Lot Assemblage > 40% of Block		●	●	●	●	●
Lot Assemblage < 40% of Block		●	●	●	●	
Single Lot > 10% of Block		●	●	●	●	
Single Lot < 10% of Block		●	●	●		
Block End (any %)		●	●	●	●	●

Table 2.A.2

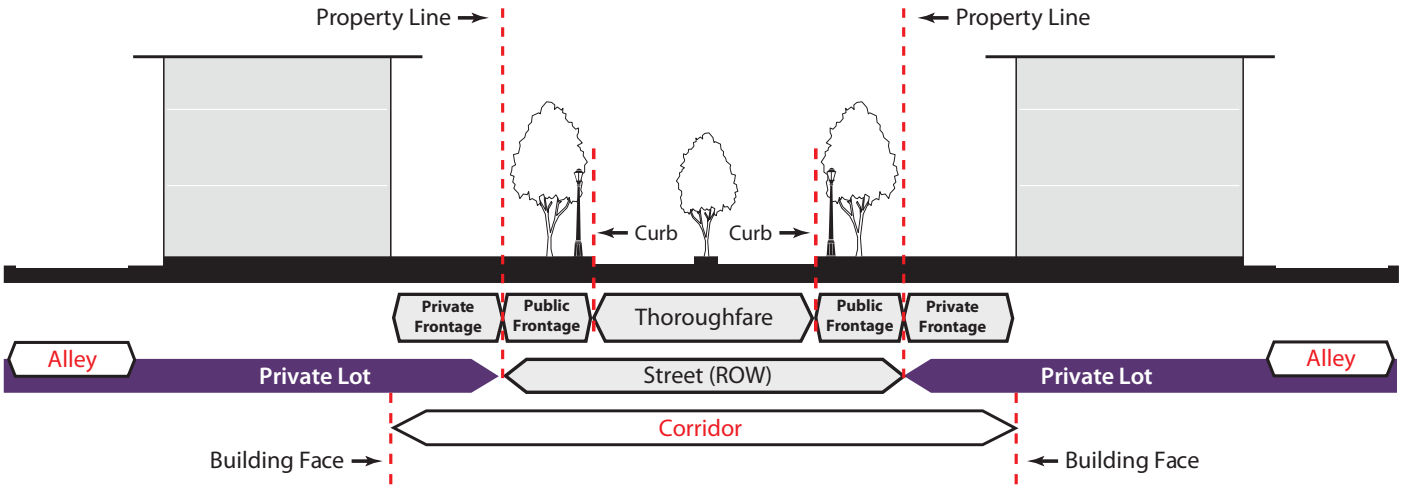
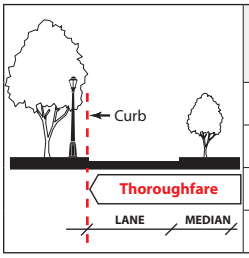


Figure 2.A.3 - Illustration of Terms

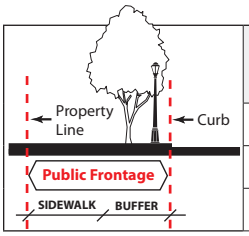
6. Thoroughfare & Alley Standards (DC)



Thoroughfare	*Landscape Median*	*On-Street Parking*	*Thoroughfare Width (Curb to Curb)*	*Design Details*
Standard Corridor		●	30’	see pages 92-95
Corridor Type A		●	41’	
Corridor Type D		●	30’	
Alley			20’	

Table 2.A.3

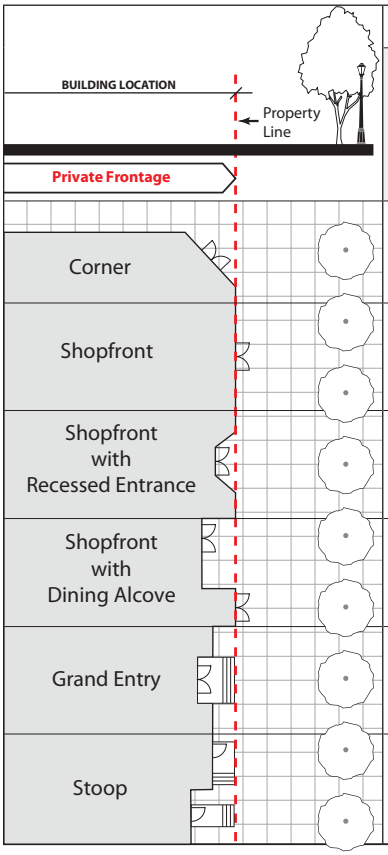
7. Public Frontage Standards (DC)



Thoroughfare	*Minimum Sidewalk Width*	*Minimum Buffer Width*	*Landscaping Details*	*Lighting Details*
Standard Corridor	6’	12’	see pages 62-63	see pages 66-67
Corridor Type A	5’	6’		
Corridor Type D	7’	6’		

Table 2.A.4

8. Private Frontage Standards (DC)



Permitted Private Frontages	
Description	*Standards*
A building treatment oriented to address an intersection and allow for direct access to commercial or residential uses from the public frontage.	Entrance at sidewalk grade.
A building treatment for ground-level commercial uses with transparent display windows and entrances oriented to align with and allow direct access from the public frontage.	Entrance at sidewalk grade.
A shopfront treatment for ground-level commercial uses in which the entrance is recessed into the façade.	Entrance at sidewalk grade. Maximum Depth - 5’
A shopfront treatment for ground-level commercial uses where a portion of the façade is stepped back in order to accommodate dedicated outdoor seating areas.	Entrance at sidewalk grade. Maximum Alcove Width - 50% of Lot Maximum Depth - 15’
An entry treatment with or without a staircase that provides access to building lobbies serving office or residential uses.	Entrance inset from façade - 5’ max. Stairs may encroach into front yard setback.
An entrance treatment with a staircase that may be covered and provides access to a private residential dwelling.	Stairs may encroach into front yard setback.

Table 2.A.5

9. Private Lot Standards (DC)

General		
Minimum Lot Width	50'	
Maximum Lot Width	n/a	
Minimum Building Height	3 stories	
Building Setbacks		
Front Yard *(primary street)*	5' max.	A
Front Yard *(secondary street)*	7.5' max.	A
Side Yard *(interior)*	5' max.	B
Side Yard *(along access drive)*	5' min.	C
Rear Yard *(existing alley)*	5' min.	D
Rear Yard *(no alley required)*	5' min.	D
Rear Yard *(future alley)*	30' min.	E
Parking Setbacks		
Front Yard *(primary street)*	20' min.	F
Front Yard *(secondary street)*	10' min.	G
Side Yard *(interior)*	0'	H
Side Yard *(along access drive)*	5' min.	I
Rear Yard *(existing alley)*	5' min.	J
Rear Yard *(no alley required)*	5' min.	J
Rear Yard *(future alley)*	30' min.	K
Alley & Access Road Setbacks		
Alley Rear Yard Setback	5' min.	L
Alley Location	see page 60	M
Access Road Location	see page 61	N
Outdoor Dining Setbacks		
Front Yards	0'	
Other Yards	5' min.	
Accessory Structures		
Permitted Location	*Parking Zone*	

Table 2.A.6

Building Placement

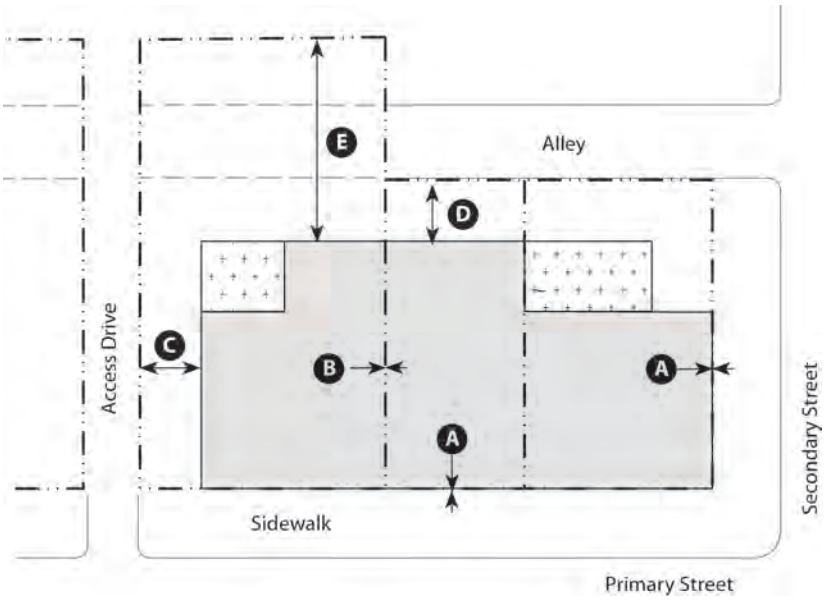


Figure 2.A.4

Parking Placement

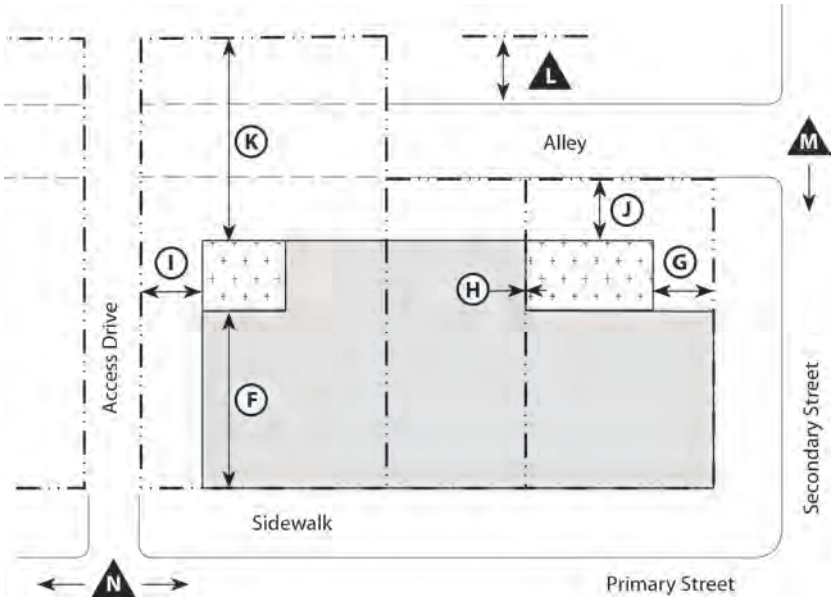


Figure 2.A.5

Property Line
Building Zone
Parking Zone

10. Heritage Sites (DC)

Heritage Sites are those lots with structures and uses that were lawfully existing prior to the adoption of the *Legacy Code*. Heritage Sites are generally classified as such until they incur site improvements that exceed 50% of the property's market value.

a. Intent

The intent of this section is to establish regulations that govern the use and voluntary modification of Heritage Sites, and to specify the circumstances and conditions under which such properties are required to implement certain improvements aimed at decreasing their degree of non-conformity, if applicable. The purpose is to meet the goals of the *Legacy Plan* while protecting the interests of Heritage Site owners and tenants.

b. Applicability

This section shall apply to projects involving lot improvements less than 50% of a property's market value as well as changes of property ownership and/or building use within the Downtown Core District only (see Figure 2.A.6).

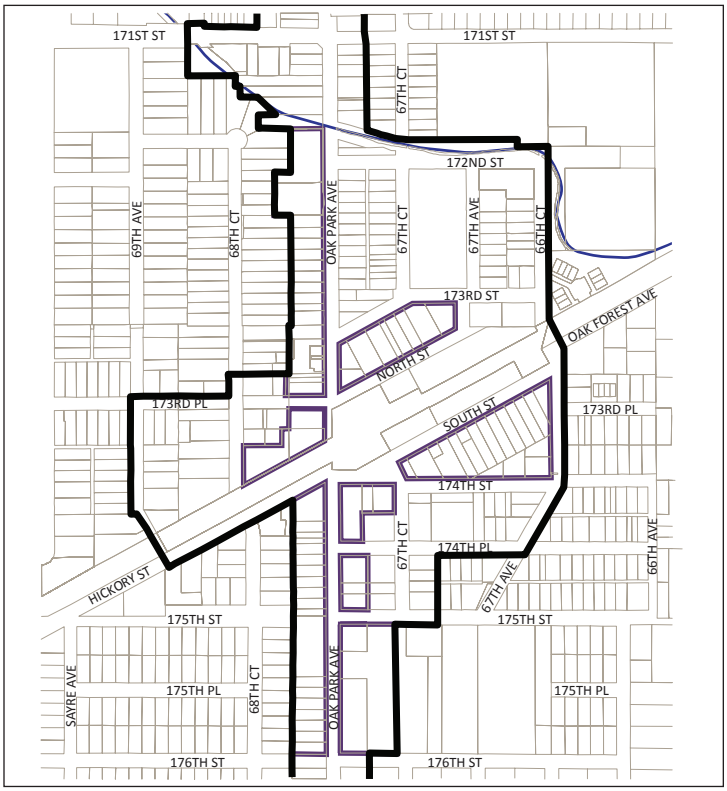


Figure 2.A.6

Key

Legacy Code Boundary

DC Heritage Site Blocks

c. General Standards

Permitted Building Functionality	*Mixed-Use*	*Stand-Alone Commercial*	*Multi-Family*	*Single-Family Attached*	*Single-Family Detached*	*On-Site Vehicle Parking*	*On-Site Bike Parking*
Street Level Commercial	●	●				*not required*	0.2 per 1,000 s.f. (2 minimum)
Second Floor Office	●	●				2 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Street Level Group Assembly	○	○				4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Second Floor Group Assembly	●	●				4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Civic	●	●				*not required*	0.2 per 1,000 s.f. (2 minimum)
Residential	●		●		●	1 space per dwelling unit *guest parking not required*	1 per dwelling unit
Existing Building Type	●	△	△		△		

A list of Special Uses and Prohibited Uses for the entire Legacy Cody Area is located on pages 54-55

Design details for on-site vehicle parking and on-site bike parking are located on pages 58-59

○ Can not occupy, individually or in aggregate, greater than 50% of a building's street level commercial space.

△ Can be converted to a mixed-use building.

Table 2.A.7

11. Heritage Sites - Public & Private Improvements (DC)

a. Intent

The type and minimum degree of public and private improvements required shall be based upon the action being taken (Table 2.A.8).

b. Applicability

This section shall apply to changes in use or ownership, structure, Special Uses and map amendments within this district, with the exception of single family detached properties.

c. Waivers

In those instances in which Village staff determines that it is impractical or impossible to complete all or a portion of the required improvements due to sequencing or physical constraints, or determines that unique circumstances exist relative to the subject site and/or block development, Village staff may approve, or recommend to the Plan Commission for consideration when applicable, one or a combination of the following options:

1. Postpone the implementation of improvements to a date certain, and require the petitioner to provide a letter of credit, bond, or similar form of financial security in an amount equal to the estimated cost of such improvements as determined by Village staff;
2. Require cash in-lieu-of in an amount equal to the estimated cost of such improvements as determined by Village staff; and/or
3. Waive such improvements in whole or in part based upon the unique nature of the subject site and/or block development, either existing or proposed.

d. Required Improvements

Action	*Landscaping*		*Front Yard Parking*		*Access Drive*	*Alley*
	Public Frontage	Private Lot	Modify	Remove	Modify	Dedication
Change of Owner	●	●		●	●	●
Change of Use > 50% of Building		●	●			
Structure Expansion	●	●	●		●	●
Special Use		●	●		●	●
Map Amendment (Rezoning)		●	●		●	●
	see pages 62-63		see pages 58-59		see page 61	see page 60

Table 2.A.8

12. Heritage Sites - Public & Private Improvements (DC)

a. Private Frontages

Permitted private frontages for this district shall follow Section 2.A.8 on page 14.

b. Building & Parking Placement

Building and parking placement for this district shall follow Section 2.A.9 on page 15

c. General Provisions

All general provisions in Section 3 shall apply unless otherwise noted.

B. Downtown Flex (DF)

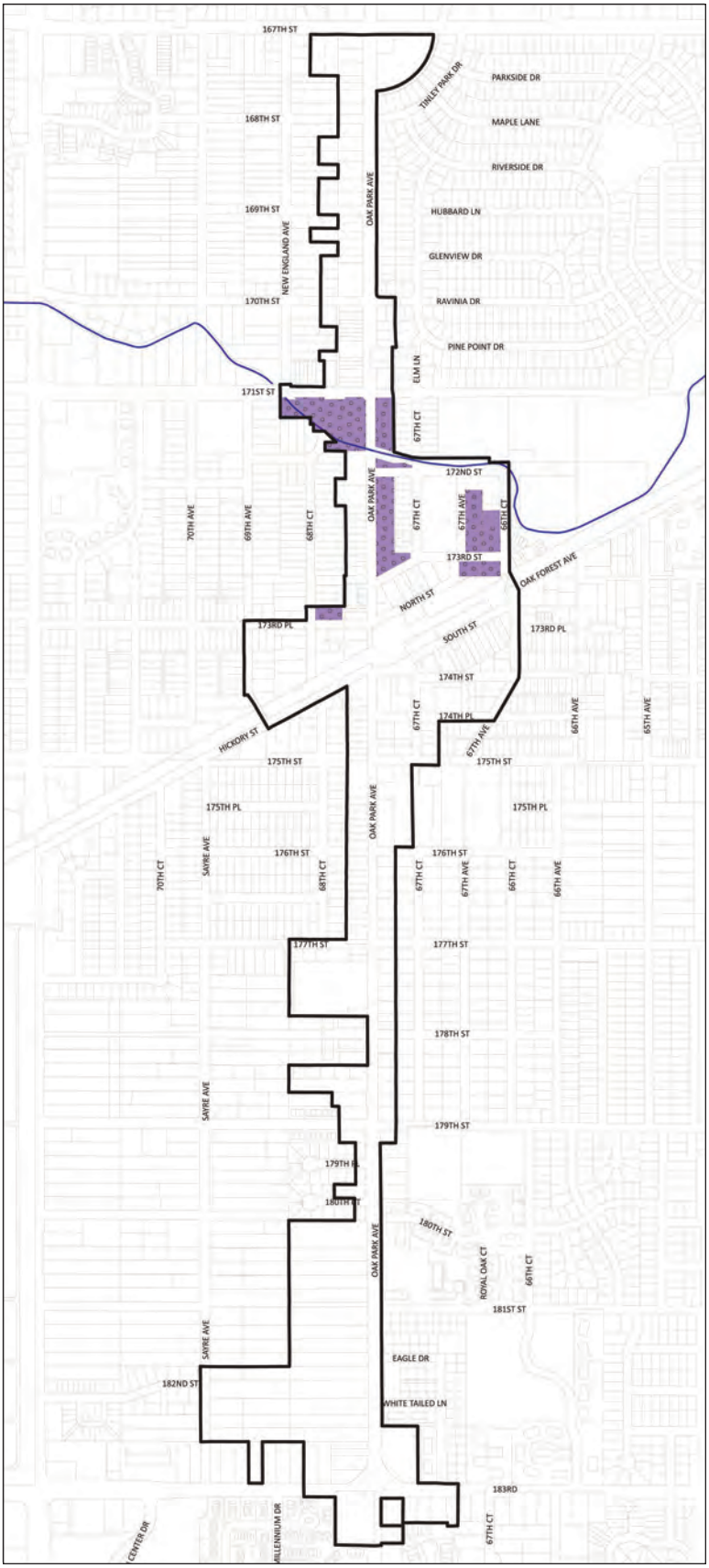


Figure 2.B.1 - Downtown Flex Location Map

1. Intent

The regulations and standards within this section are intended to retain the small scale character of the established commercial and residential structures on specific blocks.

2. Applicability

The regulations and standards within this section shall apply to those parcels identified on the regulating plan as within the Downtown Flex District (Figure 2.B.2).

District Regulations

Redevelopment (Improvements > 50%)

Regulating Plan	20
General Standards	20
Development Site Requirements	21
Thoroughfare & Alley Standards	22
Public Frontage Standards	22
Private Frontage Standards	22
Private Lot Standards	23

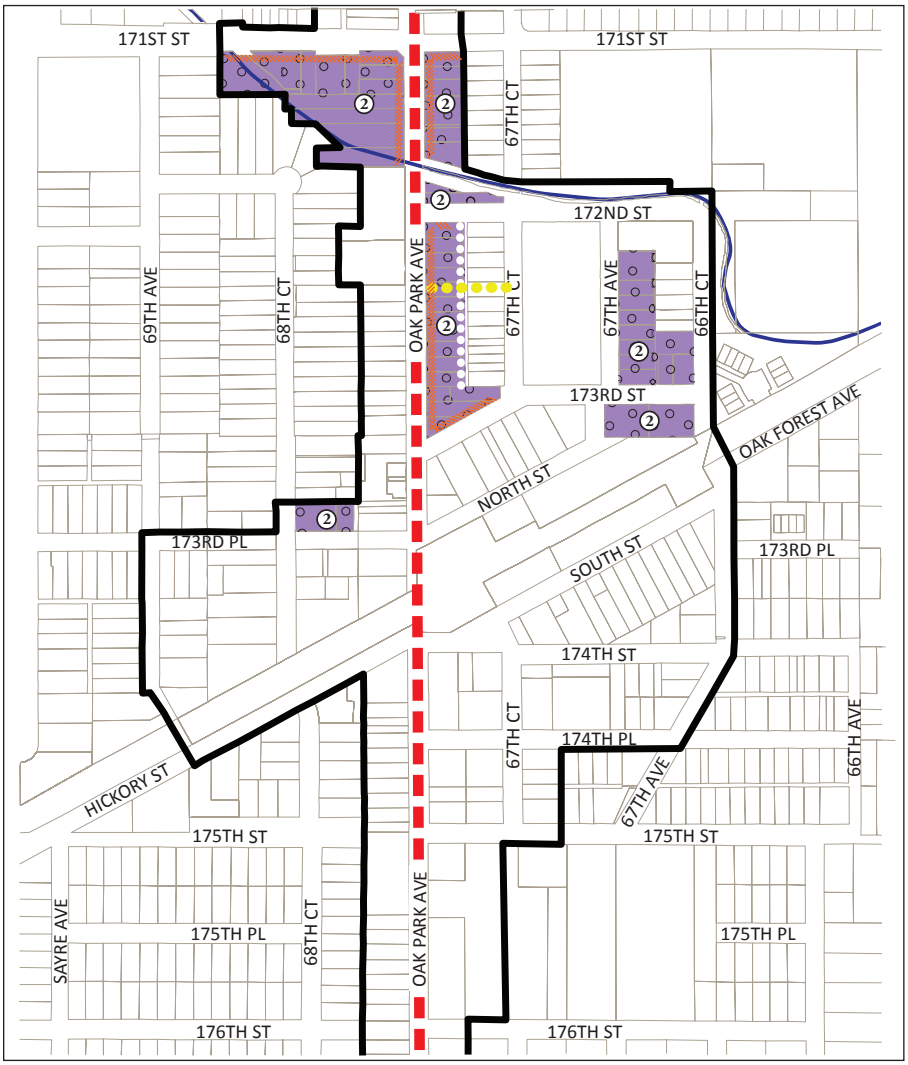
Heritage Sites (Improvements < 50%)

Regulating Plan	24
General Standards	24
Public Frontages	25
Private Frontages	25

General Regulations

Administration & Procedure	81-90
Uses	54-55
Building Standards	56-57
Parking Design Standards	58-59
Alleys	60
Vehicle Access	61
Landscape	62-63
Fencing	64
Stormwater Management	65
Lighting	66-67
Encroachments	68

3. Regulating Plan - Improvements > 50% (DF)



Key

	Legacy Code Boundary
	Downtown Flex (DF) District
	Corridor Type A
	Legacy Plan Corridor Type E
	Proposed *Legacy Plan* Alley
	Street Level Commercial Permitted
#	Allowable Building Height

Figure 2.B.2 - Downtown Flex Regulating Plan

4. General Standards (DF)

Permitted Building Functionality	Mixed-Use	Stand-Alone Commercial	Multi-Family	Single-Family Attached	Single-Family Detached	*On-Site Vehicle Parking*	*On-Site Bike Parking*
Street Level Commercial	●					*not required*	0.2 per 1,000 s.f. (2 minimum)
Second Floor Office	●					2 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Street Level Group Assembly	●					4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Second Floor Group Assembly	●					4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Civic	●					*not required*	0.2 per 1,000 s.f. (2 minimum)
Residential	●			●	●	1 space per dwelling unit *guest parking not required*	1 per dwelling unit
	●			●	●	*Permitted Building Type*	

A list of Special Uses and Prohibited Uses for the entire Legacy Cody Area is located on pages 54-55

Design details for on-site vehicle parking and on-site bike parking are located on pages 58-59

Table 2.B.1

5. Corridor & Alley Requirements (DF)

a. Intent

The type and minimum degree of public and private improvements required within the Corridor or Alley areas shall be based upon the location and percentage of the total *lineal frontage* of a block to be assembled and/or improved as part of a project (see Table 2.B.2).

b. Applicability

This section shall apply to projects involving lot improvements greater than 50% of the market value of the property, as well as projects involving lot assemblage. Refer to page 24 for standards relating to single lot improvements less than 50% of market value (Heritage Sites).

c. Waivers

In those instances in which Village staff determines that it is impractical or impossible to complete all or a portion of the required improvements due to sequencing or physical constraints, or determines that unique circumstances exist relative to the subject site and/or block development, Village staff shall recommend to the Plan Commission to consider one or a combination of the following options:

1. Postpone the implementation of improvements to a date certain, and require the petitioner to provide a letter of credit, bond, or similar form of financial security in an amount equal to the estimated cost of such improvements as determined by Village staff;
2. Require cash in-lieu-of in an amount equal to the estimated cost of such improvements as determined by Village staff; and/or
3. Waive such improvements in whole or in part based upon the unique nature of the subject site and/or block development, either existing or proposed.

d. Required Improvements

Site Type	*Corridor*			*Alley*		
	Thoroughfare	*Public Frontage*	*Private Frontage*	*Dedication to Village*	*Construct On-Site*	*Connect to Thoroughfare*
> 75% of Block	●	●	●	●	●	●
Lot Assemblage > 40% of Block		●	●	●	●	●
Lot Assemblage < 40% of Block		●	●	●	●	
Single Lot > 10% of Block		●	●	●	●	
Single Lot < 10% of Block		●	●	●		
Block End (any %)		●	●	●	●	●

Table 2.B.2

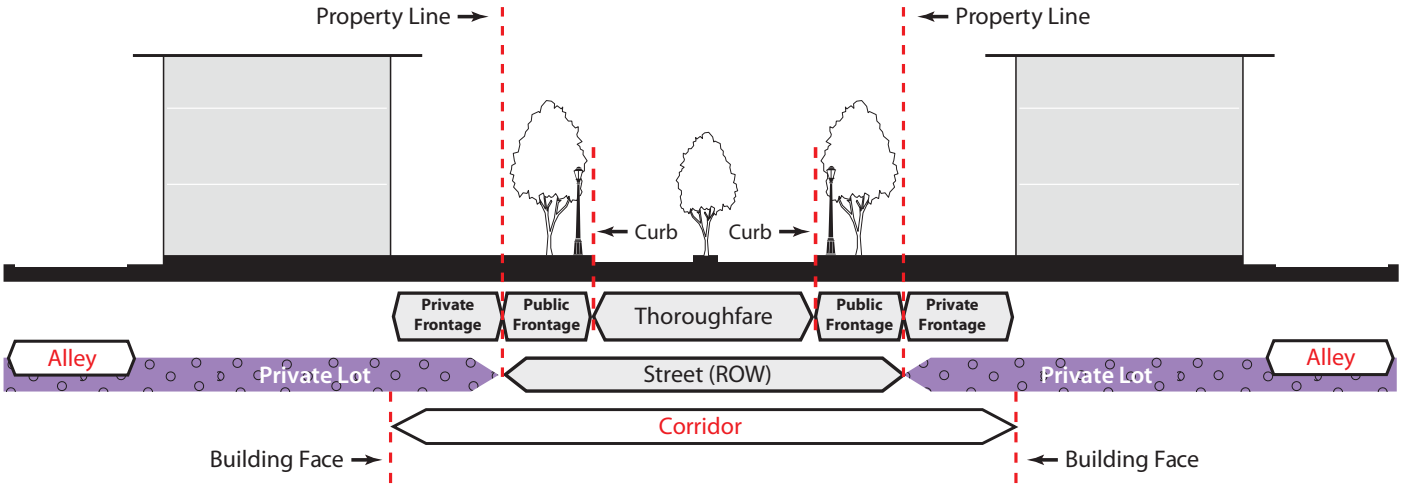
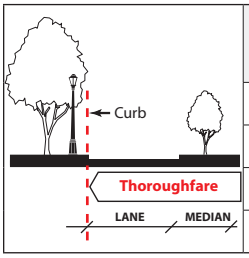


Figure 2.B.3 - Illustration of Terms

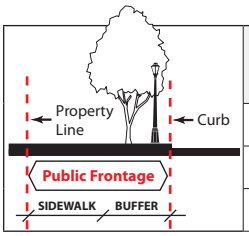
6. Thoroughfare & Alley Standards (DF)



Thoroughfare	*Landscape Median*	*On-Street Parking*	*Thoroughfare Width (Curb to Curb)*	*Design Details*
Standard Corridor		●	30’	see pages 92-95
Corridor Type A		●	41’	
Corridor Type E		●	41’	
Alley			20’	

Table 2.B.3

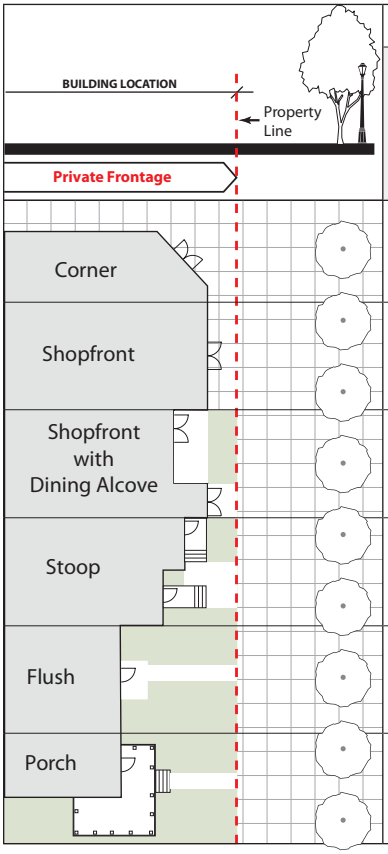
7. Public Frontage Standards (DF)



Thoroughfare	*Minimum Sidewalk Width*	*Minimum Buffer Width*	*Landscaping Details*	*Lighting Details*
Standard Corridor	6’	12’	see pages 62-63	see pages 66-67
Corridor Type A	5’	6’		
Corridor Type E	5’	6’		

Table 2.B.4

8. Private Frontage Standards (DF)



Permitted Private Frontages	
Description	*Standards*
A building treatment oriented to address an intersection and allow for direct access to commercial or residential uses from the public frontage.	Entrance at sidewalk grade.
A building treatment for ground-level commercial uses with transparent display windows and entrances oriented to align with and allow direct access from the public frontage.	Entrance at sidewalk grade.
A shopfront treatment for ground-level commercial uses where a portion of the façade is stepped back in order to accommodate dedicated outdoor seating areas.	Entrance at sidewalk grade. Seating Area Setback - 5’
An entrance treatment with a staircase that may be covered and provides access to a private residential dwelling.	Stairs may encroach into front yard setback.
An entrance treatment built at sidewalk grade that may be covered and provides access to a private residential dwelling.	None
A building treatment that is a roofed space, open along two or more sides, and attached to a private residential dwelling.	Permitted encroachment into front yard - 8’ Minimum distance from property lines - 5’ Knee-wall height - 40” max.

Table 2.B.5

9. Private Lot Standards (DF)

General		
Minimum Lot Width	30’	
Maximum Lot Width	100’	
Minimum Building Height	2 stories	
Building Setbacks		
Front Yard *(primary street)*	10-25’	A
Front Yard *(secondary street)*	10-25’	A
Side Yard *(interior)*	5’ max.	B
Side Yard *(along access drive)*	5’ min.	C
Rear Yard *(existing alley)*	5’ min.	D
Rear Yard *(no alley required)*	5’ min.	D
Rear Yard *(future alley)*	30’ min.	E
Parking Setbacks		
Front Yard *(primary street)*	20’ min.	F
Front Yard *(secondary street)*	10’ min.	G
Side Yard *(interior)*	0’	H
Side Yard *(along access drive)*	5’ min.	I
Rear Yard *(existing alley)*	5’ min.	J
Rear Yard *(no alley required)*	5’ min.	J
Rear Yard *(future alley)*	30’ min.	K
Alley & Access Road Setbacks		
Alley Rear Yard Setback	5’ min.	L
Alley Location	see page 60	M
Access Road Location	see page 61	N
Outdoor Dining Setbacks		
Front Yards	5’	
Other Yards	5’ min.	
Accessory Structures		
Permitted Location	*Parking Zone*	

Table 2.B.6

Building Placement

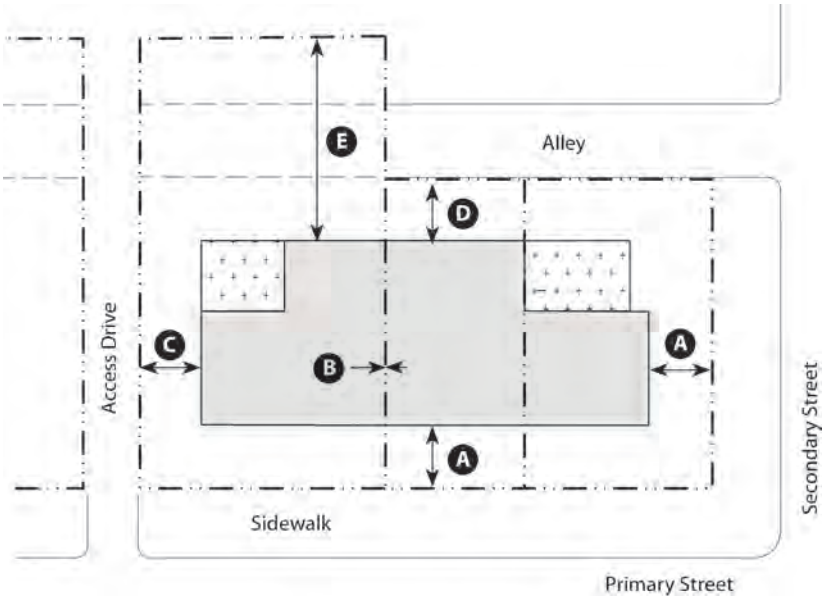


Figure 2.B.4

Parking Placement

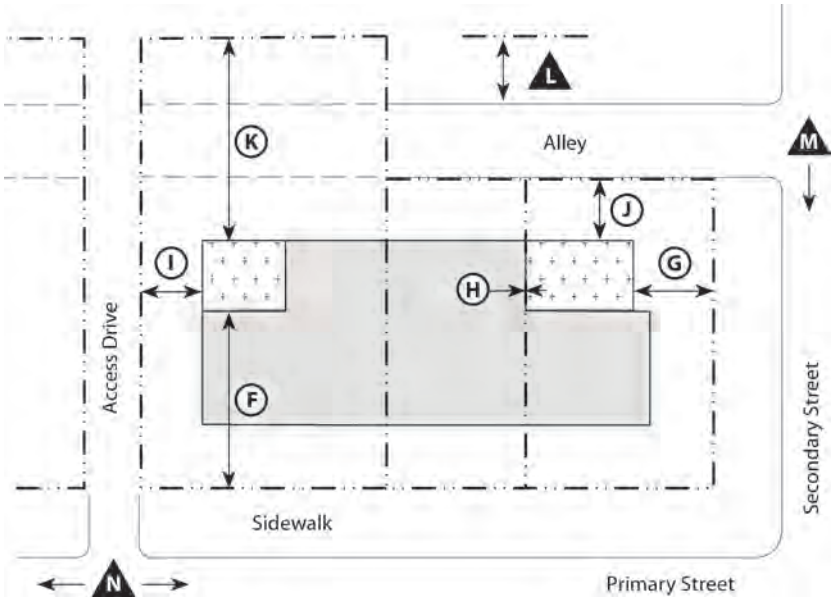


Figure 2.B.5

Property Line
Building Zone
Parking Zone

10. Heritage Sites (DF)

Heritage Sites are those lots with structures and uses that were lawfully existing prior to the adoption of the *Legacy Code*. Heritage Sites are generally classified as such until they incur site improvements that exceed 50% of the property's market value.

a. Intent

The intent of this section is to establish regulations that govern the use and voluntary modification of Heritage Sites, and to specify the circumstances and conditions under which such properties are required to implement certain improvements aimed at decreasing their degree of non-conformity, if applicable. The purpose is to meet the goals of the *Legacy Plan* while protecting the interests of Heritage Site owners and tenants.

b. Applicability

This section shall apply to projects involving lot improvements less than 50% of a property's market value as well as changes of property ownership and/or building use within the Downtown Flex District only (see Figure 2.B.6).

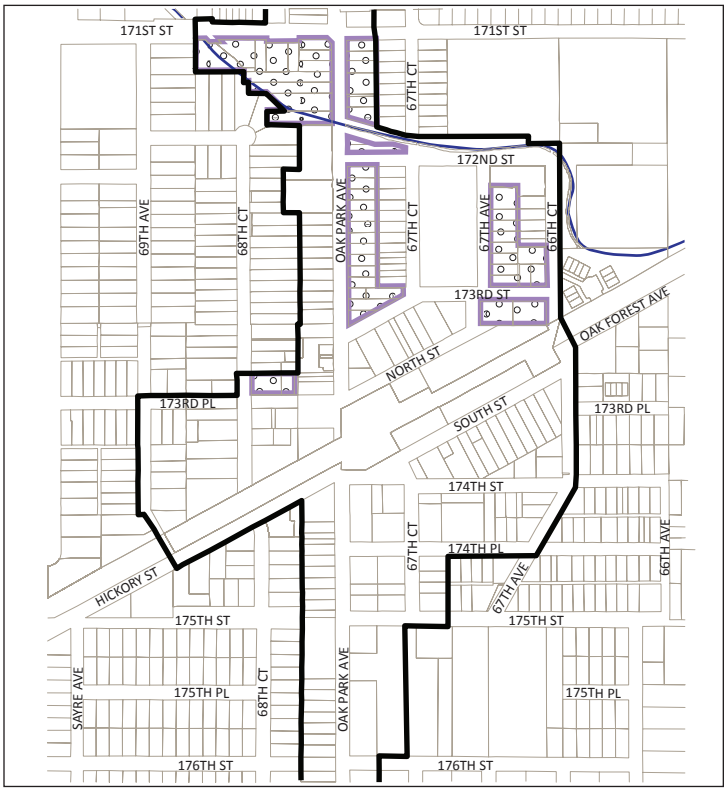


Figure 2.B.6

Key

Legacy Code Boundary

DF Heritage Site Blocks

c. General Standards

Permitted Building Functionality	Mixed-Use	Stand-Alone Commercial	Multi-Family	Single-Family Attached	Single-Family Detached	*On-Site Vehicle Parking*	*On-Site Bike Parking*
Street Level Commercial	●	●				*not required*	0.2 per 1,000 s.f. (2 minimum)
Second Floor Office	●	●				2 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Street Level Group Assembly	●	●				4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Second Floor Group Assembly	●	●				4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Civic	●	●				*not required*	0.2 per 1,000 s.f. (2 minimum)
Residential	●		●		●	1 space per dwelling unit *guest parking not required*	1 per dwelling unit
Existing Building Type	□	◇	△		△		

A list of Special Uses and Prohibited Uses for the entire Legacy Cody Area is located on pages 54-55

Design details for on-site vehicle parking and on-site bike parking are located on pages 58-59

Table 2.B.7

△ Can be converted, where permitted on the district's plan, to a mixed-use or stand-alone commercial building.

□ Can be converted to a stand-alone commercial, multi-family, or single-family detached building.

◇ Can be converted to a mixed-use, multi-family, or single-family detached building.

11. Heritage Sites - Public & Private Improvements (DF)

a. Intent

The type and minimum degree of public and private improvements required shall be based upon the action being taken (Table 2.B.8).

b. Applicability

This section shall apply to changes in use or ownership, structure, Special Uses and map amendments within this district, with the exception of single family detached properties.

c. Waivers

In those instances in which Village staff determines that it is impractical or impossible to complete all or a portion of the required improvements due to sequencing or physical constraints, or determines that unique circumstances exist relative to the subject site and/or block development, Village staff may approve, or recommend to the Plan Commission for consideration when applicable, one or a combination of the following options:

1. Postpone the implementation of improvements to a date certain, and require the petitioner to provide a letter of credit, bond, or similar form of financial security in an amount equal to the estimated cost of such improvements as determined by Village staff;
2. Require cash in-lieu-of in an amount equal to the estimated cost of such improvements as determined by Village staff; and/or
3. Waive such improvements in whole or in part based upon the unique nature of the subject site and/or block development, either existing or proposed.

d. Required Improvements

Action	*Landscaping*		*Front Yard Parking*		*Access Drive*	*Alley*
	Public Frontage	Private Lot	Modify	Remove	Modify	Dedication
Change of Owner	●	●		●	●	●
Change of Use > 50% of Building		●	●			
Structure Expansion	●	●	●		●	●
Special Use		●	●		●	●
Map Amendment (Rezoning)		●	●		●	●
	see pages 62-63		see pages 58-59		see page 61	see page 60

Table 2.B.8

13. Heritage Sites - Private Sites Standards (DF)

a. Private Frontages

Permitted private frontages for this district shall follow Section 2.B.8 on page 22.

b. Building & Parking Placement

Building and parking placement for this district shall follow Section 2.B.9 on page 23.

c. General Provisions

All general provisions in Section 3 shall apply unless otherwise noted.

C. Downtown General (DG)

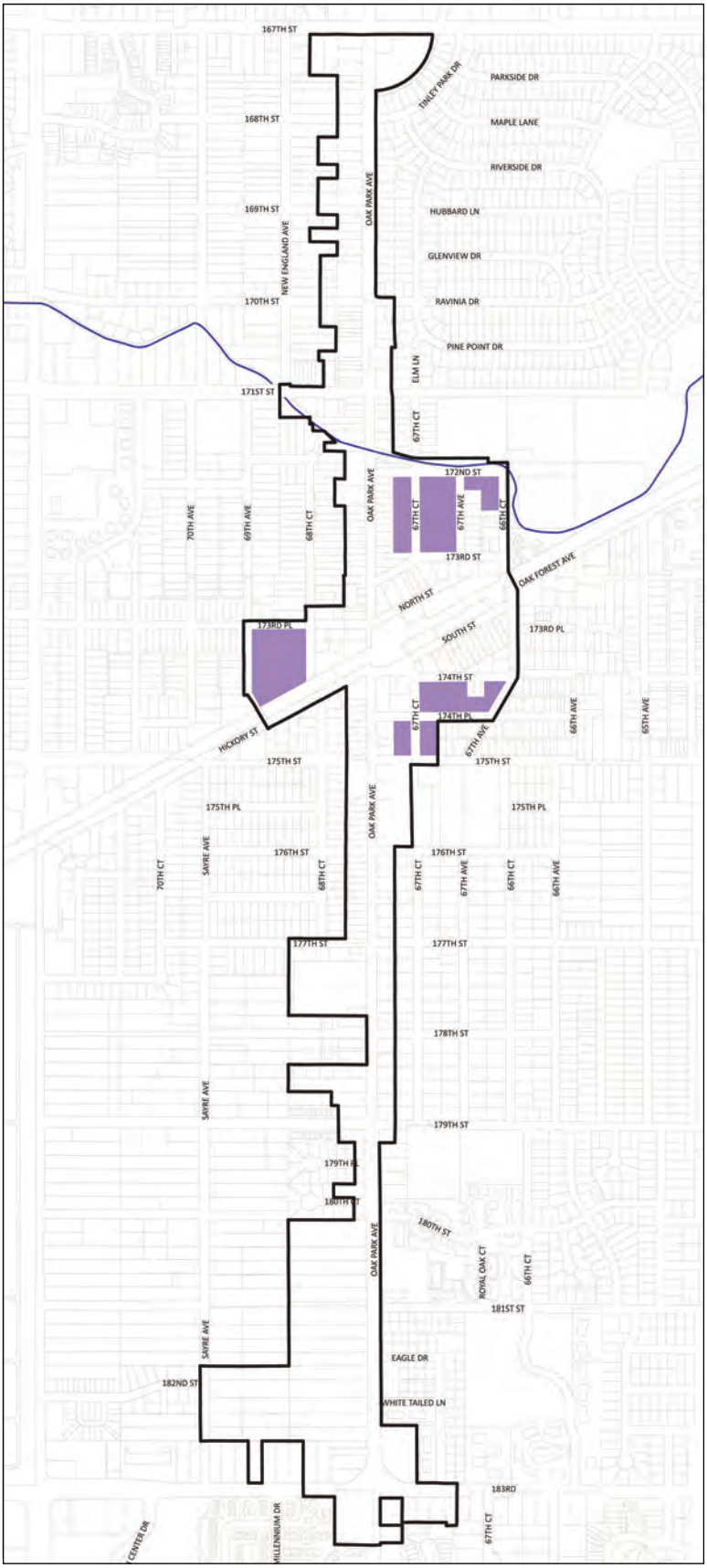


Figure 2.C.1 - Downtown General Location Map

1. Intent

The regulations and standards within this section are intended to help transition existing single-family houses and commercial uses into multi-family uses.

2. Applicability

The regulations and standards within this section shall apply to those parcels identified on the regulating plan as within the Downtown General District (Figure 2.C.2).

District Regulations

Redevelopment (Improvements > 50%)

Regulating Plan	28
General Standards	28
Development Site Requirements	29
Thoroughfare & Alley Standards	30
Public Frontage Standards	30
Private Frontage Standards	30
Private Lot Standards	31

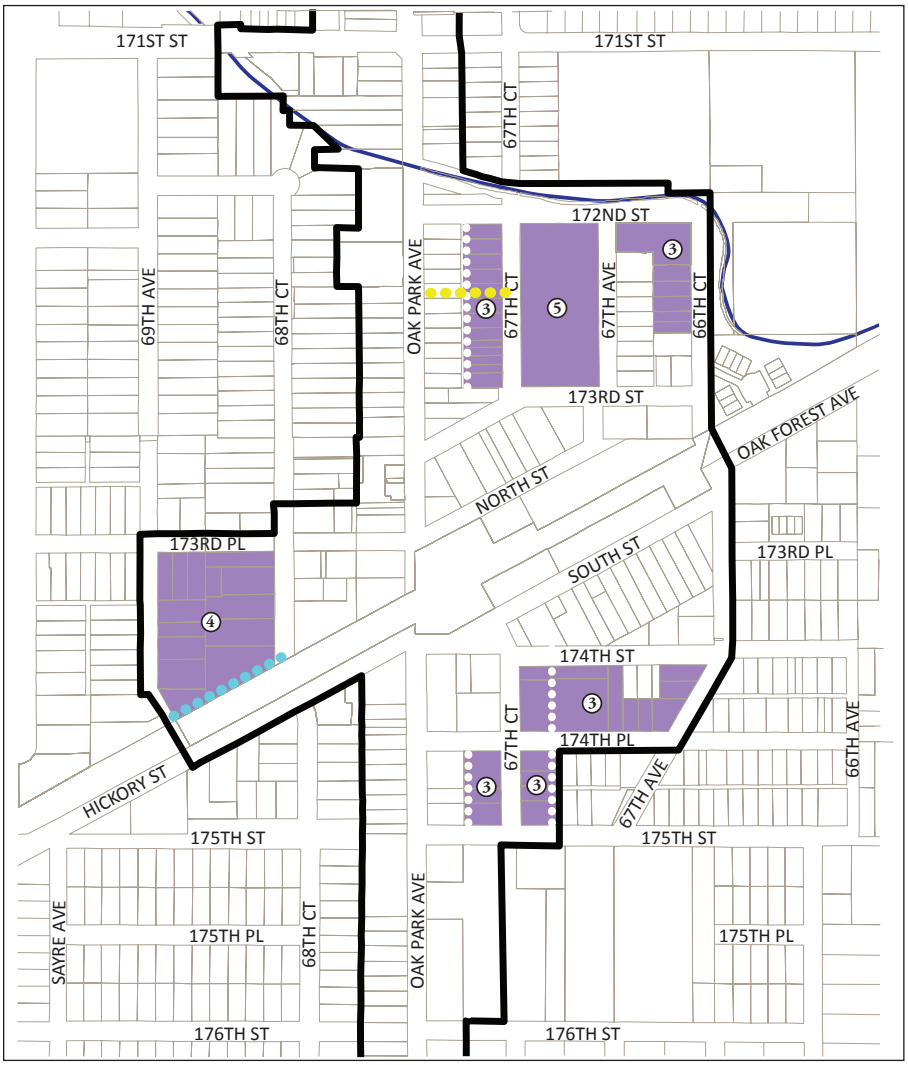
Heritage Sites (Improvements < 50%)

Regulating Plan	32
General Standards	32
Public Frontages	33
Private Frontages	33

General Regulations

Administration & Procedure	81-90
Uses	54-55
Building Standards	56-57
Parking Design Standards	58-59
Alleys	60
Vehicle Access	61
Landscape	62-63
Fencing	64
Stormwater Management	65
Lighting	66-67
Encroachments	68

3. Regulating Plan - Improvements > 50% (DG)



Key

	Legacy Code Boundary
	Downtown General (DG) District
	Legacy Plan Corridor Type E
	Legacy Plan Corridor Type F
	Proposed *Legacy Plan* Alley
#	Allowable Building Height

Figure 2.C.2 - Downtown General Regulating Plan

4. General Standards (DG)

Permitted Building Functionality	*Mixed-Use*	*Stand-Alone Commercial*	*Multi-Family*	*Single-Family Attached*	*Single-Family Detached*	*On-Site Vehicle Parking*	*On-Site Bike Parking*
Street Level Commercial						*n/a*	0.2 per 1,000 s.f. (2 minimum)
Second Floor Office						*n/a*	0.2 per 1,000 s.f. (2 minimum)
Street Level Group Assembly						4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Second Floor Group Assembly						4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Civic						*not required*	0.2 per 1,000 s.f. (2 minimum)
Residential			•	•		1 space per dwelling unit *guest parking not required*	1 per dwelling unit
Permitted Building Type			•	•			

A list of Special Uses and Prohibited Uses for the entire Legacy Cody Area is located on pages 54-55

Design details for on-site vehicle parking and on-site bike parking are located on pages 58-59

Table 2.C.1

5. Corridor & Alley Requirements (DG)

a. Intent

The type and minimum degree of public and private improvements required within the Corridor or Alley areas shall be based upon the location and percentage of the total *lineal frontage* of a block to be assembled and/or improved as part of a project (see Table 2.C.2).

b. Applicability

This section shall apply to projects involving lot improvements greater than 50% of the market value of the property, as well as projects involving lot assemblage. Refer to page 32 for standards relating to single lot improvements less than 50% of market value (Heritage Sites).

c. Waivers

In those instances in which Village staff determines that it is impractical or impossible to complete all or a portion of the required improvements due to sequencing or physical constraints, or determines that unique circumstances exist relative to the subject site and/or block development, Village staff shall recommend to the Plan Commission to consider one or a combination of the following options:

1. Postpone the implementation of improvements to a date certain, and require the petitioner to provide a letter of credit, bond, or similar form of financial security in an amount equal to the estimated cost of such improvements as determined by Village staff;
2. Require cash in-lieu-of in an amount equal to the estimated cost of such improvements as determined by Village staff; and/or
3. Waive such improvements in whole or in part based upon the unique nature of the subject site and/or block development, either existing or proposed.

d. Required Improvements

Site Type	*Corridor*			*Alley*		
	Thoroughfare	*Public Frontage*	*Private Frontage*	*Dedication to Village*	*Construct On-Site*	*Connect to Thoroughfare*
> 75% of Block	●	●	●	●	●	●
Lot Assemblage > 40% of Block		●	●	●	●	●
Lot Assemblage < 40% of Block		●	●	●	●	
Single Lot > 10% of Block		●	●	●	●	
Single Lot < 10% of Block		●	●	●		
Block End (any %)		●	●	●	●	●

Table 2.C.2

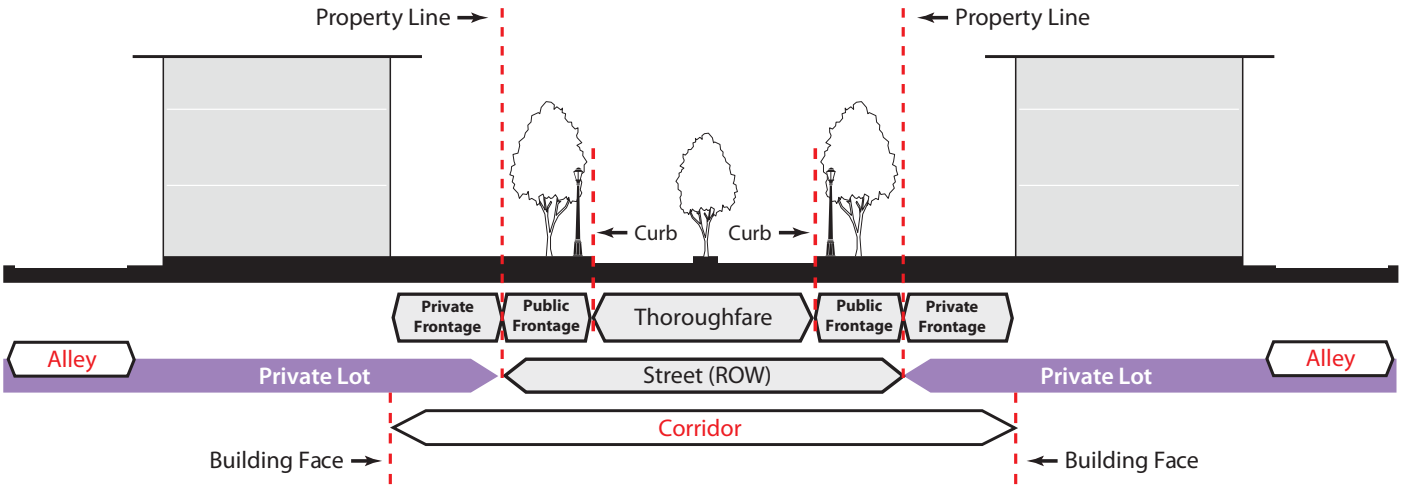
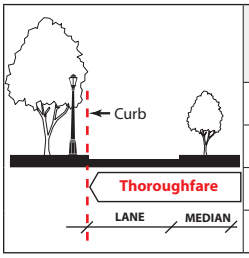


Figure 2.C.3 - Illustration of Terms

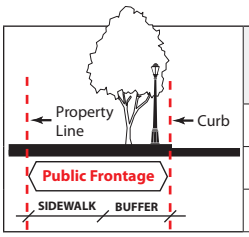
6. Thoroughfare & Alley Standards (DG)



Thoroughfare	*Landscape Median*	*On-Street Parking*	*Thoroughfare Width (Curb to Curb)*	*Design Details*
Standard Corridor		●	30’	see pages 92-95
Corridor Type E		●	41’	
Corridor Type F		●	58’	
Alley			20’	

Table 2.C.3

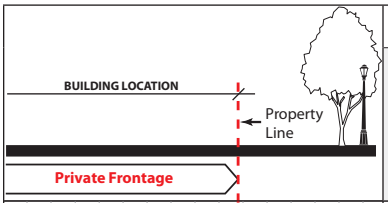
7. Public Frontage Standards (DG)



Thoroughfare	*Minimum Sidewalk Width*	*Minimum Buffer Width*	*Landscaping Details*	*Lighting Details*
Standard Corridor	5’	12’	see pages 62-63	see pages 66-67
Corridor Type E	5’	6’		
Corridor Type F	5’	8’		

Table 2.C.4

8. Private Frontage Standards (DG)



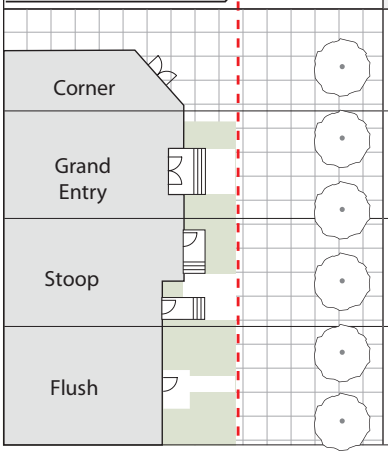
	Permitted Private Frontages	
	Description	*Standards*
	A building treatment oriented to address an intersection and allow for direct access to commercial or residential uses from the public frontage.	Entrance at sidewalk grade.
Grand Entry	An entry treatment with or without a staircase that provides access to building lobbies serving office or residential uses.	Entrance inset from façade - 5’ max. Stairs may encroach into front yard setback.
Stoop	An entrance treatment with a staircase that may be covered and provides access to a private residential dwelling.	Stairs may encroach into front yard setback.
Flush	An entrance treatment built at sidewalk grade that may be covered and provides access to a private residential dwelling.	None

Table 2.C.5

9. Private Lot Standards (DG)

General		
Minimum Lot Width	20'	
Maximum Lot Width	n/a	
Minimum Building Height	2 stories	
Building Setbacks		
Front Yard *(primary street)*	5-15'	A
Front Yard *(secondary street)*	5-15'	A
Side Yard *(interior)*	5' max.	B
Side Yard *(along access drive)*	5' min.	C
Rear Yard *(existing alley)*	5' min.	D
Rear Yard *(no alley required)*	5' min.	D
Rear Yard *(future alley)*	30' min.	E
Parking Setbacks		
Front Yard *(primary street)*	25' min.	F
Front Yard *(secondary street)*	10' min.	G
Side Yard *(interior)*	0'	H
Side Yard *(along access drive)*	5' min.	I
Rear Yard *(existing alley)*	5' min.	J
Rear Yard *(no alley required)*	5' min.	J
Rear Yard *(future alley)*	30' min.	K
Alley & Access Road Setbacks		
Alley Rear Yard Setback	5' min.	L
Alley Location	see page 60	M
Access Road Location	see page 61	N
Accessory Structures		
Permitted Location	*Parking Zone*	

Table 2.C.6

Building Placement

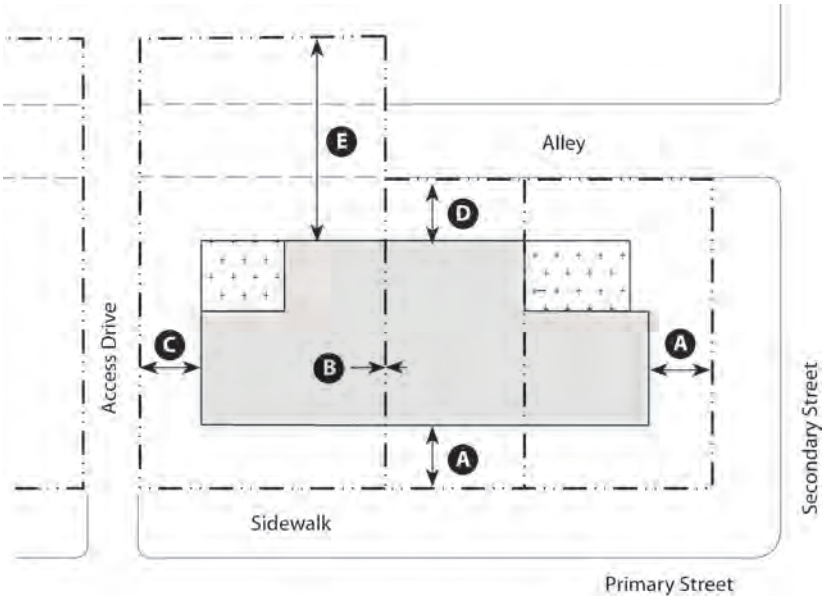


Figure 2.C.4

Parking Placement

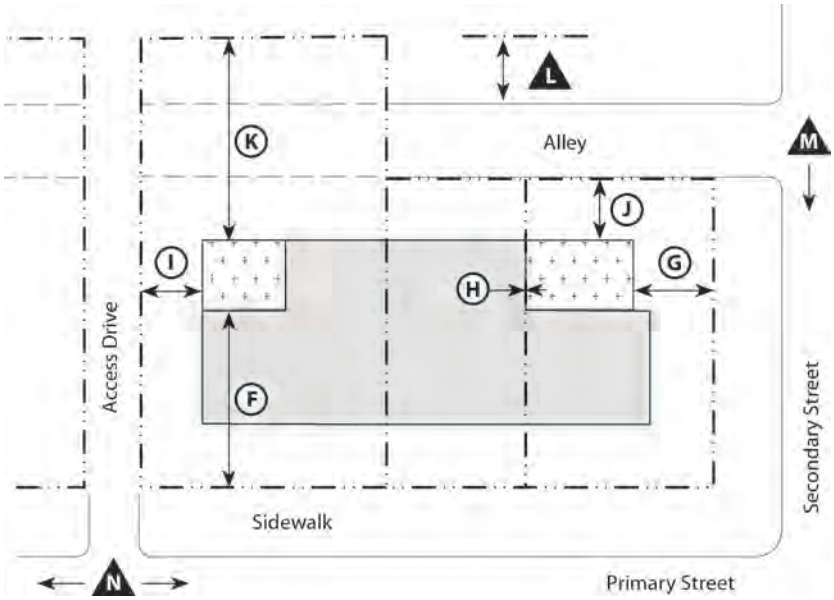


Figure 2.C.5

Property Line
Building Zone
Parking Zone

Section 2.C

10. Heritage Sites (DG)

Heritage Sites are those lots with structures and uses that were lawfully existing prior to the adoption of the *Legacy Code*. Heritage Sites are generally classified as such until they incur site improvements that exceed 50% of the property's market value.

a. Intent

The intent of this section is to establish regulations that govern the use and voluntary modification of Heritage Sites, and to specify the circumstances and conditions under which such properties are required to implement certain improvements aimed at decreasing their degree of non-conformity, if applicable. The purpose is to meet the goals of the *Legacy Plan* while protecting the interests of Heritage Site owners and tenants.

b. Applicability

This section shall apply to projects involving lot improvements less than 50% of a property's market value as well as changes of property ownership and/or building use within the Downtown General District only (see Figure 2.C.6).

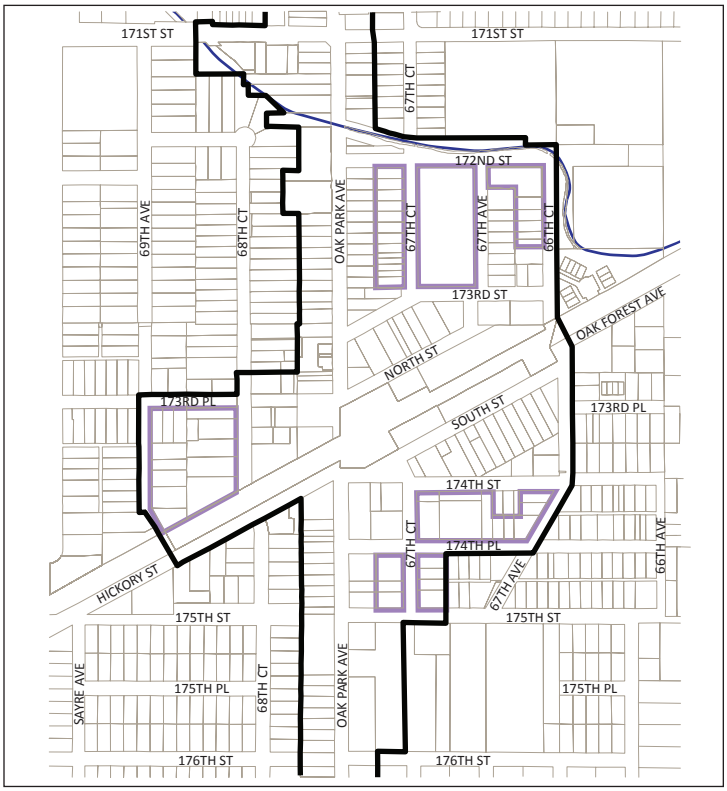


Figure 2.C.6

Key

Legacy Code Boundary

DG Heritage Site Blocks

c. General Standards

Permitted Building Functionality	Mixed-Use	Stand-Alone Commercial	Multi-Family	Single-Family Attached	Single-Family Detached	*On-Site Vehicle Parking*	*On-Site Bike Parking*
Street Level Commercial		●				*not required*	0.2 per 1,000 s.f. (2 minimum)
Second Floor Office						2 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Street Level Group Assembly		●				4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Second Floor Group Assembly		●				4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Civic						*not required*	0.2 per 1,000 s.f. (2 minimum)
Residential			●	●	●	1 space per dwelling unit *guest parking not required*	1 per dwelling unit
Existing Building Type		□	●	●	●		

A list of Special Uses and Prohibited Uses for the entire Legacy Cody Area is located on pages 54-55

Design details for on-site vehicle parking and on-site bike parking are located on pages 58-59

□ Can be converted to a multi-family building.

Table 2.C.7

11. Heritage Sites - Public & Private Improvements (DG)

a. Intent

The type and minimum degree of public and private improvements required shall be based upon the action being taken (Table 2.C.8).

b. Applicability

This section shall apply to changes in use or ownership, structure, Special Uses and map amendments within this district, with the exception of single family detached properties.

c. Waivers

In those instances in which Village staff determines that it is impractical or impossible to complete all or a portion of the required improvements due to sequencing or physical constraints, or determines that unique circumstances exist relative to the subject site and/or block development, Village staff may approve, or recommend to the Plan Commission for consideration when applicable, one or a combination of the following options:

1. Postpone the implementation of improvements to a date certain, and require the petitioner to provide a letter of credit, bond, or similar form of financial security in an amount equal to the estimated cost of such improvements as determined by Village staff;
2. Require cash in-lieu-of in an amount equal to the estimated cost of such improvements as determined by Village staff; and/or
3. Waive such improvements in whole or in part based upon the unique nature of the subject site and/or block development, either existing or proposed.

d. Required Improvements

Action	*Landscaping*		*Front Yard Parking*		*Access Drive*	*Alley*
	Public Frontage	Private Lot	Modify	Remove	Modify	Dedication
Change of Owner						●
Change of Use > 50% of Building						
Structure Expansion	●	●	●		●	●
Special Use		●	●		●	●
Map Amendment (Rezoning)		●	●		●	●
	see pages 62-63		see pages 58-59		see page 61	see page 60

Table 2.C.8

12. Heritage Sites - Private Sites Standards (DG)

a. Private Frontages

Permitted private frontages for this district shall follow Section 2.C.8 on page 30.

b. Building & Parking Placement

Building and parking placement for this district shall follow Section 2.C.9 on page 31.

c. General Provisions

All general provisions in Section 3 shall apply unless otherwise noted.

D. Neighborhood General (NG)

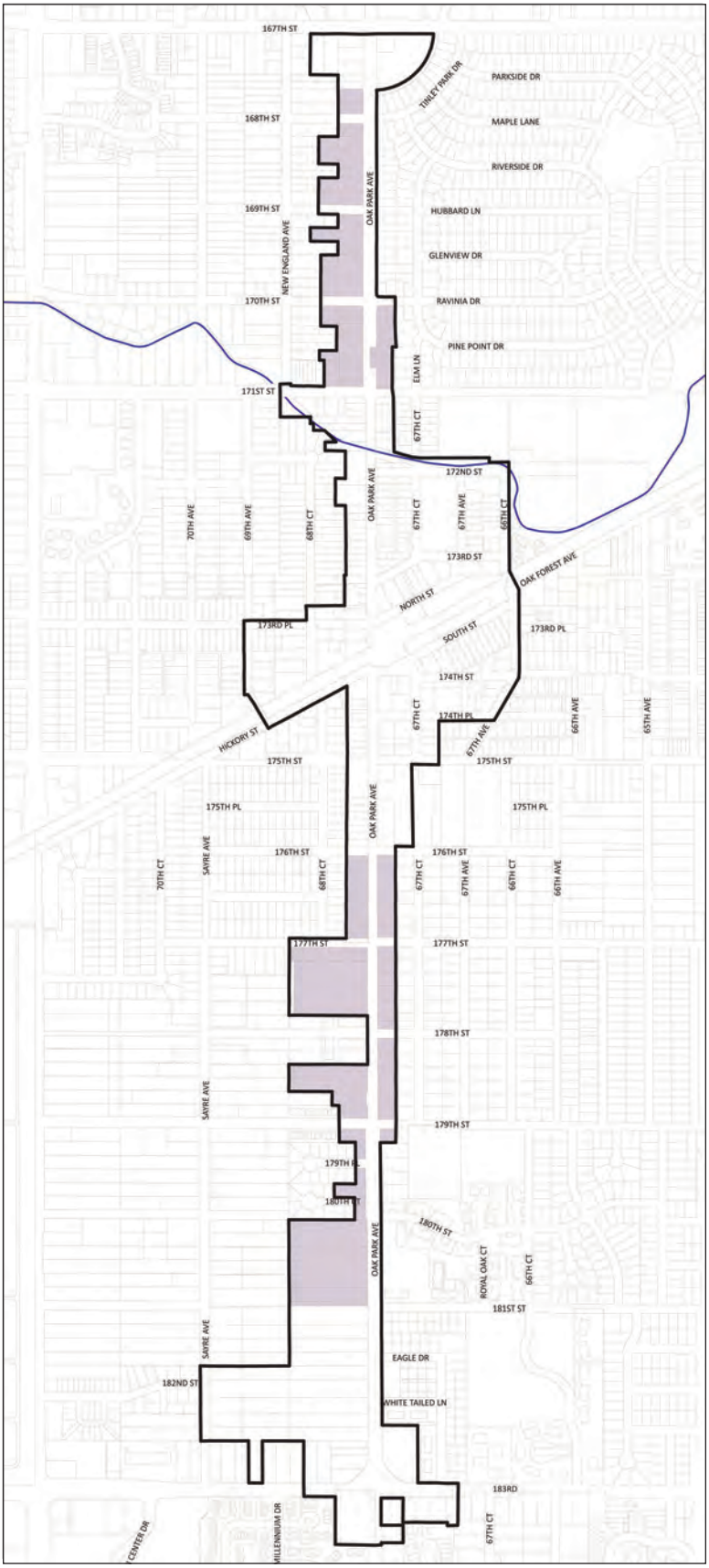


Figure 2.D.1 - Neighborhood General Location Map

1. Intent

The regulations and standards within this section are intended to help transition existing single-family houses and commercial uses into multi-family uses.

2. Applicability

The regulations and standards within this section shall apply to those parcels identified on the regulating plan as within the Neighborhood General District (Figure 2.D.2).

District Regulations

Redevelopment (Improvements > 50%)

Regulating Plan	36
General Standards	36
Development Site Requirements	37
Thoroughfare & Alley Standards	38
Public Frontage Standards	38
Private Frontage Standards	38
Private Lot Standards	39

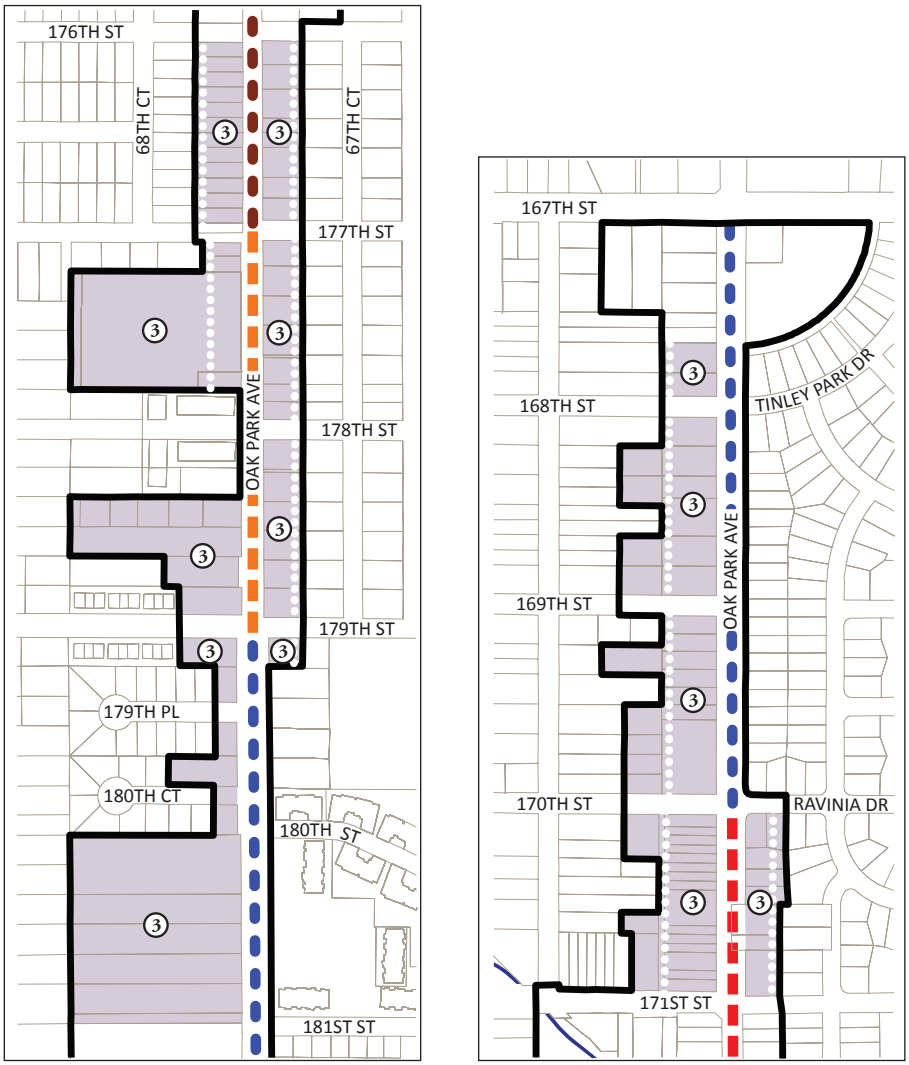
Heritage Sites (Improvements < 50%)

Regulating Plan	40
General Standards	40
Public Frontages	41
Private Frontages	41

General Regulations

Administration & Procedure	81-90
Uses	54-55
Building Standards	56-57
Parking Design Standards	58-59
Alleys	60
Vehicle Access	61
Landscape	62-63
Fencing	64
Stormwater Management	65
Lighting	66-67
Encroachments	68

3. Regulating Plan - Improvements > 50% (NG)



Key

- *Legacy Code* Boundary
- Neighborhood General (NG) District
- *Legacy Plan* Corridor Type A
- *Legacy Plan* Corridor Type B
- *Legacy Plan* Corridor Type C
- *Legacy Plan* Corridor Type T
- Proposed *Legacy Plan* Alley
- (#) Allowable Building Height

Figure 2.D.2 - Neighborhood General Regulating Plans

4. General Standards (NG)

Permitted Building Functionality	*Mixed-Use*	*Stand-Alone Commercial*	*Multi-Family*	*Single-Family Attached*	*Single-Family Detached*	*On-Site Vehicle Parking*	*On-Site Bike Parking*
Street Level Commercial						*n/a*	0.2 per 1,000 s.f. (2 minimum)
Second Floor Office						*n/a*	0.2 per 1,000 s.f. (2 minimum)
Street Level Group Assembly						4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Second Floor Group Assembly						4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Civic						*not required*	0.2 per 1,000 s.f. (2 minimum)
Residential			•	•	•	1 space per dwelling unit .5 guest spaces per dwelling unit	1 per dwelling unit
Permitted Building Type			•	•	•		

A list of Special Uses and Prohibited Uses for the entire Legacy Cody Area is located on pages 54-55

Design details for on-site vehicle parking and on-site bike parking are located on pages 58-59

Table 2.D.1

5. Corridor & Alley Requirements (NG)

a. Intent

The type and minimum degree of public and private improvements required within the Corridor or Alley areas shall be based upon the location and percentage of the total *lineal frontage* of a block to be assembled and/or improved as part of a project (see Table 2.D.2).

b. Applicability

This section shall apply to projects involving lot improvements greater than 50% of the market value of the property, as well as projects involving lot assemblage. Refer to page 40 for standards relating to single lot improvements less than 50% of market value (Heritage Sites).

c. Waivers

In those instances in which Village staff determines that it is impractical or impossible to complete all or a portion of the required improvements due to sequencing or physical constraints, or determines that unique circumstances exist relative to the subject site and/or block development, Village staff shall recommend to the Plan Commission to consider one or a combination of the following options:

1. Postpone the implementation of improvements to a date certain, and require the petitioner to provide a letter of credit, bond, or similar form of financial security in an amount equal to the estimated cost of such improvements as determined by Village staff;
2. Require cash in-lieu-of in an amount equal to the estimated cost of such improvements as determined by Village staff; and/or
3. Waive such improvements in whole or in part based upon the unique nature of the subject site and/or block development, either existing or proposed.

d. Required Improvements

Site Type	*Corridor*			*Alley*		
	Thoroughfare	*Public Frontage*	*Private Frontage*	*Dedication to Village*	*Construct On-Site*	*Connect to Thoroughfare*
> 75% of Block	●	●	●	●	●	●
Lot Assemblage > 40% of Block		●	●	●	●	●
Lot Assemblage < 40% of Block		●	●	●	●	
Single Lot > 10% of Block		●	●	●	●	
Single Lot < 10% of Block		●	●	●		
Block End (any %)		●	●	●	●	●

Table 2.D.2

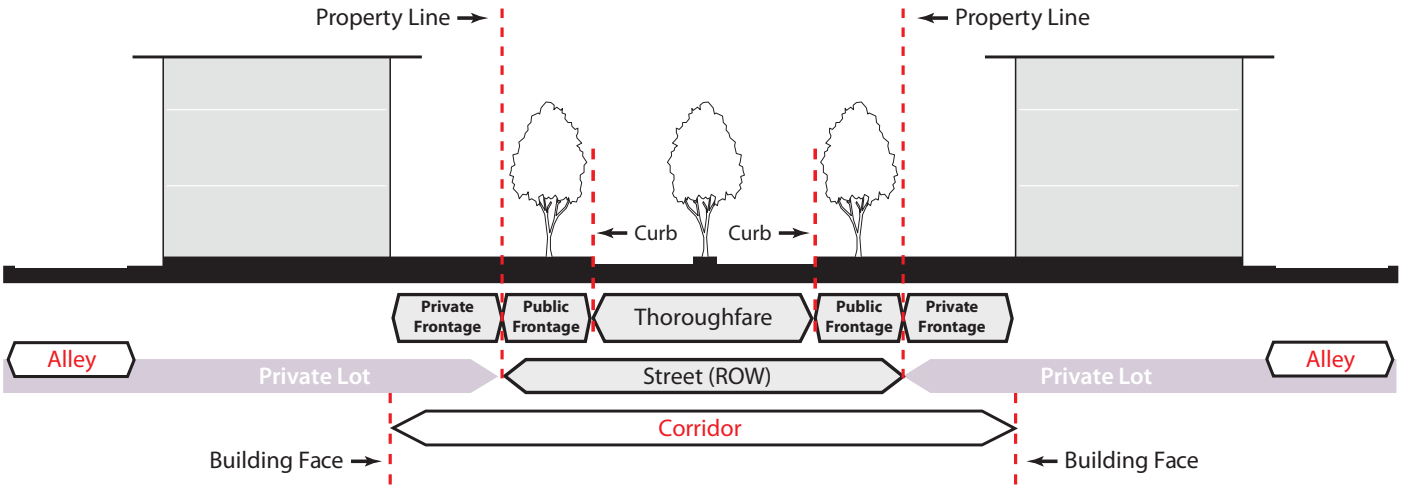
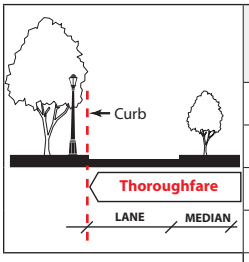


Figure 2.D.3 - Illustration of Terms

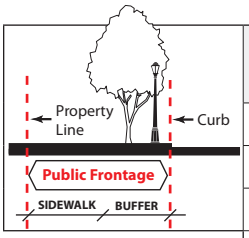
6. Thoroughfare & Alley Standards (NG)



Thoroughfare	*Landscape Median*	*On-Street Parking*	*Thoroughfare Width (Curb to Curb)*	*Design Details*
Standard Corridor		●	30’	see pages 92-95
Corridor Type A		●	41’	
Corridor Type B	16’		50’	
Corridor Type C	13’		47’	
Corridor Type T	13’		47’	
Alley			20’	

Table 2.D.3

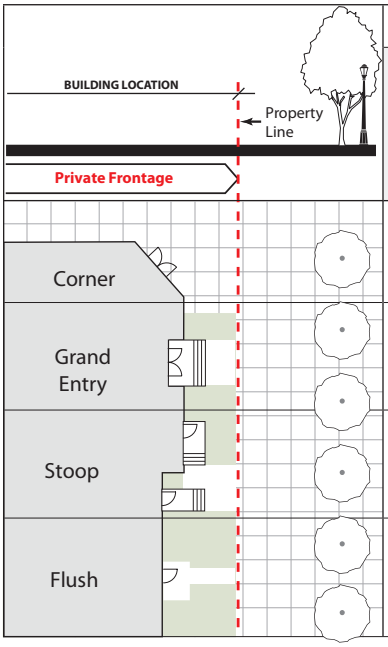
7. Public Frontage Standards (NG)



Thoroughfare	*Minimum Sidewalk Width*	*Minimum Buffer Width*	*Landscaping Details*	*Lighting Details*
Standard Corridor	5’	6’	see pages 62-63	see pages 66-67
Corridor Type A	5’	6’		
Corridor Type B	6’	17’		
Corridor Type C	6’	6’		
Corridor Type T	6’	6’		

Table 2.D.4

8. Private Frontage Standards (NG)



Permitted Private Frontages	
Description	*Standards*
A building treatment oriented to address an intersection and allow for direct access to commercial or residential uses from the public frontage.	Entrance at sidewalk grade.
An entry treatment with or without a staircase that provides access to building lobbies serving office or residential uses.	Entrance inset from façade - 5’ max. Stairs may encroach into front yard setback.
An entrance treatment with a staircase that may be covered and provides access to a private residential dwelling.	Stairs may encroach into front yard setback.
An entrance treatment built at sidewalk grade that may be covered and provides access to a private residential dwelling.	None

Table 2.D.5

9. Private Lot Standards (NG)

General		
Minimum Lot Width	20’	
Maximum Lot Width *(S.F.)*	40’	
Minimum Building Height	2 stories	
Building Setbacks		
Front Yard *(primary street)*	5-15’	A
Front Yard *(secondary street)*	5-15’	A
Side Yard *(interior)*	5’ max.	B
Side Yard *(along access drive)*	5’ min.	C
Rear Yard *(existing alley)*	5’ min.	D
Rear Yard *(no alley required)*	5’ min.	D
Rear Yard *(future alley)*	30’ min.	E
Parking Setbacks		
Front Yard *(primary street)*	25’ min.	F
Front Yard *(secondary street)*	10’ min.	G
Side Yard *(interior)*	0’	H
Side Yard *(along access drive)*	5’ min.	I
Rear Yard *(existing alley)*	5’ min.	J
Rear Yard *(no alley required)*	5’ min.	J
Rear Yard *(future alley)*	30’ min.	K
Alley & Access Road Setbacks		
Alley Rear Yard Setback	5’ min.	L
Alley Location	see page 60	M
Access Road Location	see page 61	N
Accessory Structures		
Permitted Location	*Parking Zone*	

Table 2.D.6

Building Placement

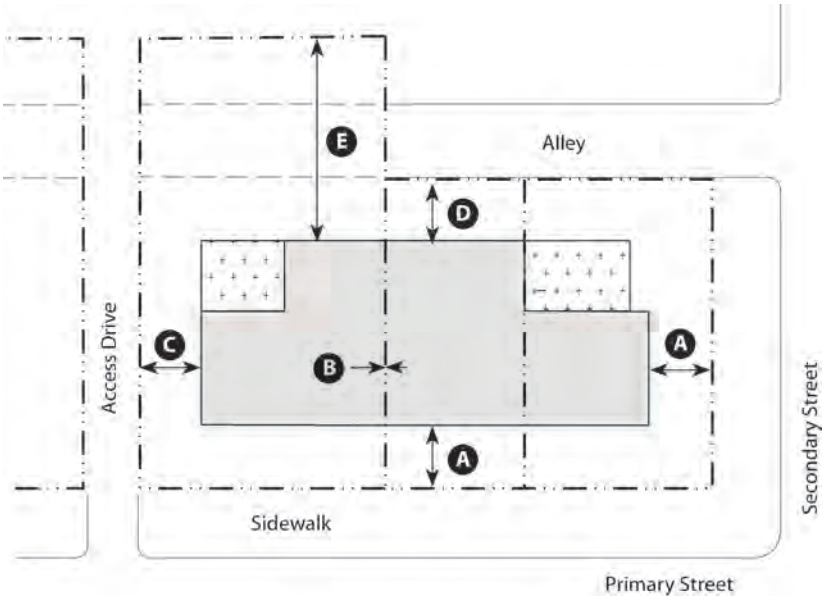


Figure 2.D.4

Parking Placement

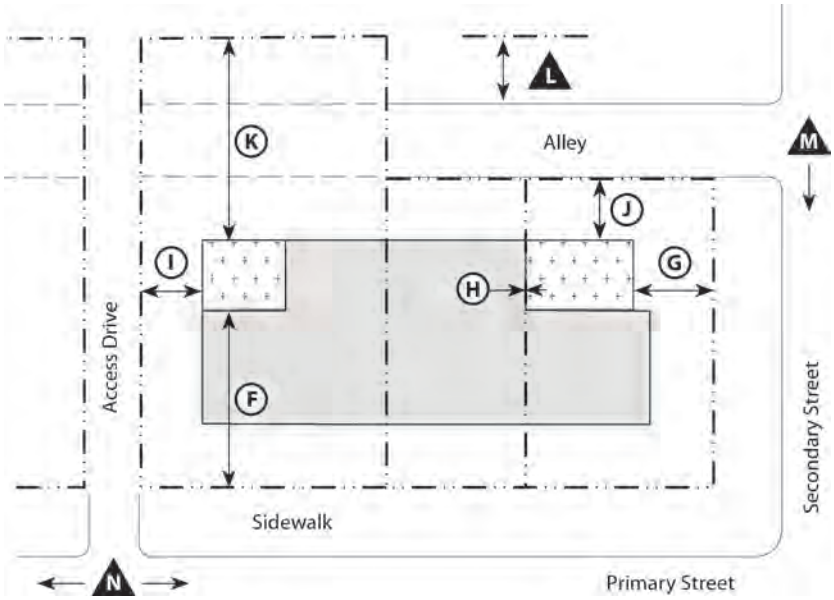


Figure 2.D.5

Property Line
Building Zone
Parking Zone

10. Heritage Sites (NG)

Heritage Sites are those lots with structures and uses that were lawfully existing prior to the adoption of the *Legacy Code*. Heritage Sites are generally classified as such until they incur site improvements that exceed 50% of the property's market value.

a. Intent

The intent of this section is to establish regulations that govern the use and voluntary modification of Heritage Sites, and to specify the circumstances and conditions under which such properties are required to implement certain improvements aimed at decreasing their degree of non-conformity, if applicable. The purpose is to meet the goals of the *Legacy Plan* while protecting that the interests of Heritage Site owners and tenants.

b. Applicability

This section shall apply to projects involving lot improvements less than 50% of a property's market value as well as changes of property ownership and/or building use within the Neighborhood General District only (see Figure 2.D.6).

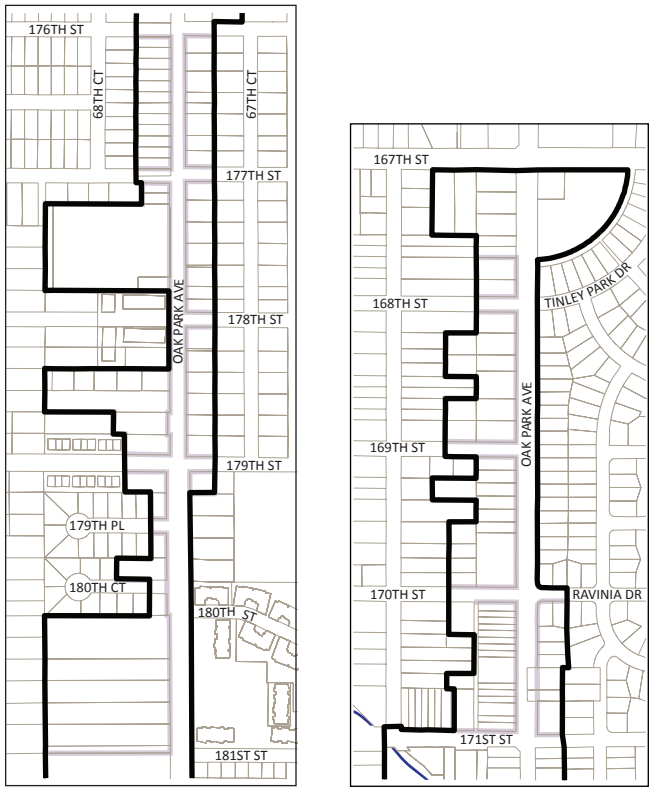


Figure 2.D.6

Key

Legacy Code Boundary

NG Heritage Site Blocks

c. General Standards

Permitted Building Functionality	Mixed-Use	Stand-Alone Commercial	Multi-Family	Single-Family Attached	Single-Family Detached	*On-Site Vehicle Parking*	*On-Site Bike Parking*
Street Level Commercial	●	●				4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Second Floor Office	●	●				4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Street Level Group Assembly	●	●				4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Second Floor Group Assembly	●	●				4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Civic	●	●				*not required*	0.2 per 1,000 s.f. (2 minimum)
Residential	●		●	●	●	1 space per dwelling unit .5 guest spaces per dwelling unit	1 per dwelling unit
Existing Building Type	●	△	●	●	△		

A list of Special Uses and Prohibited Uses for the entire Legacy Cody Area is located on pages 54-55

Design details for on-site vehicle parking and on-site bike parking are located on pages 58-59

△ Can be converted, with Special Use approval, to a mixed-use building.

Table 2.D.7

11. Heritage Sites - Public & Private Improvements (NG)

a. Intent

The type and minimum degree of public and private improvements required shall be based upon the action being taken (Table 2.D.8).

b. Applicability

This section shall apply to changes in use or ownership, structure, Special Uses and map amendments within this district, with the exception of single family detached properties.

c. Waivers

In those instances in which Village staff determines that it is impractical or impossible to complete all or a portion of the required improvements due to sequencing or physical constraints, or determines that unique circumstances exist relative to the subject site and/or block development, Village staff may approve, or recommend to the Plan Commission for consideration when applicable, one or a combination of the following options:

1. Postpone the implementation of improvements to a date certain, and require the petitioner to provide a letter of credit, bond, or similar form of financial security in an amount equal to the estimated cost of such improvements as determined by Village staff;
2. Require cash in-lieu-of in an amount equal to the estimated cost of such improvements as determined by Village staff; and/or
3. Waive such improvements in whole or in part based upon the unique nature of the subject site and/or block development, either existing or proposed.

d. Required Improvements

Action	*Landscaping*		*Front Yard Parking*		*Access Drive*	*Alley*
	Public Frontage	Private Lot	Modify	Remove	Modify	Dedication
Change of Owner	●	●	●		●	●
Change of Use > 50% of Building		●				
Structure Expansion		●	●		●	●
Special Use	●	●	●		●	●
Map Amendment (Rezoning)	●	●	●		●	●
	see pages 62-63		see pages 58-59		see page 61	see page 60

Table 2.D.8

12. Heritage Sites - Private Sites Standards (NG)

a. Private Frontages

Permitted private frontages for this district shall follow Section 2.D.8 on page 38.

b. Building & Parking Placement

Building and parking placement for this district shall follow Section 2.D.9 on page 39.

c. General Provisions

All general provisions in Section 3 shall apply unless otherwise noted.

E. Neighborhood Flex (NF)

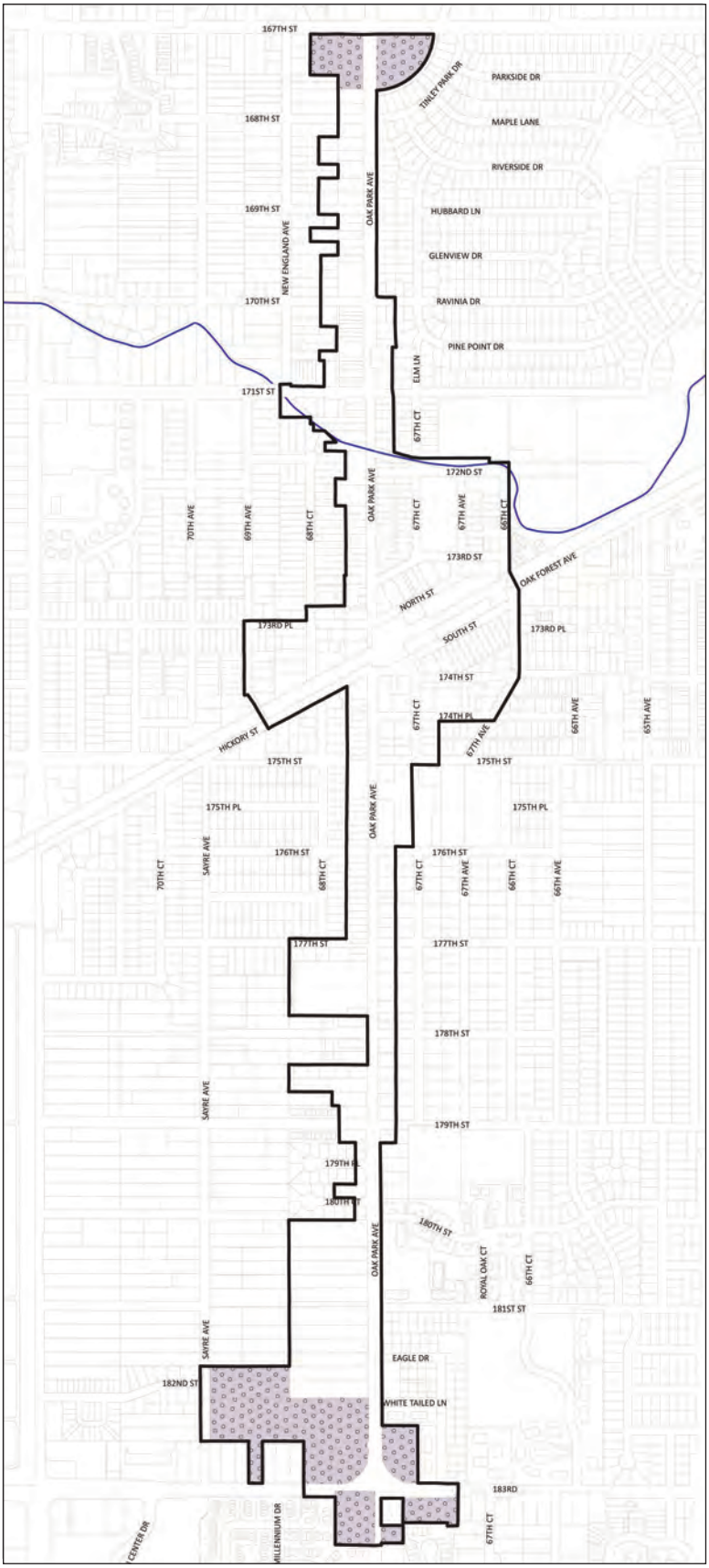


Figure 2.E.1 - Neighborhood Flex Location Map

1. Intent

The regulations and standards within this section are intended to help create a mixed of commercial and multi-family uses to anchor the north and south ends of the Legacy Code Area.

2. Applicability

The regulations and standards within this section shall apply to those parcels identified on the regulating plan as within the Neighborhood Flex District (Figure 2.E.2).

District Regulations

Redevelopment (Improvements > 50%)

Regulating Plan	36
General Standards	36
Development Site Requirements	37
Thoroughfare & Alley Standards	38
Public Frontage Standards	38
Private Frontage Standards	38
Private Lot Standards	39

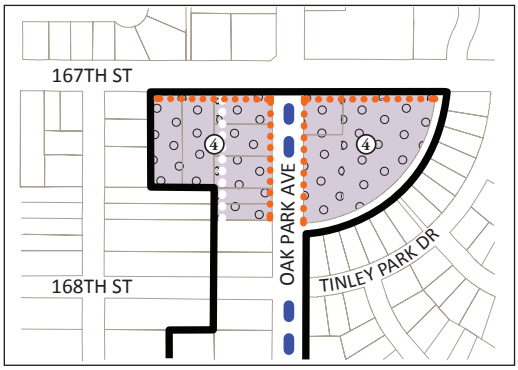
Heritage Sites (Improvements < 50%)

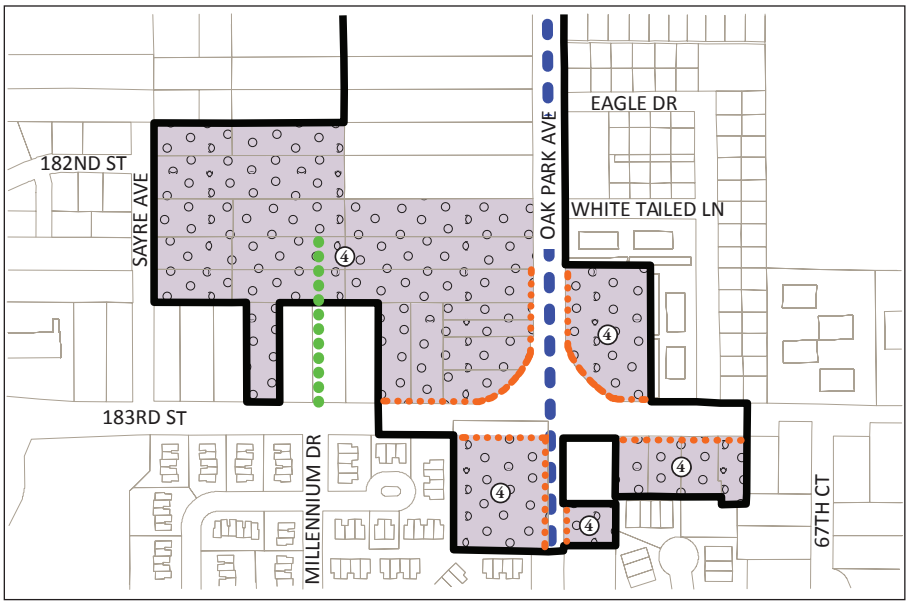
Regulating Plan	40
General Standards	40
Public Frontages	41
Private Frontages	41

General Regulations

Administration & Procedure	81-90
Uses	54-55
Building Standards	56-57
Parking Design Standards	58-59
Alleys	60
Vehicle Access	61
Landscape	62-63
Fencing	64
Stormwater Management	65
Lighting	66-67
Encroachments	68

3. Regulating Plan - Improvements > 50% (NF)





Key

	Legacy Code Boundary
	Neighborhood Flex (NF) District
	Corridor Type B
	Legacy Plan Corridor Type G
	Proposed *Legacy Plan* Alley
	Street Level Commercial Required
#	Allowable Building Height

Figure 2.E.2 - Neighborhood General Regulating Plans

4. General Standards (NF)

Permitted Building Functionality	*Mixed-Use*	*Stand-Alone Commercial*	*Multi-Family*	*Single-Family Attached*	*Single-Family Detached*	*On-Site Vehicle Parking*	*On-Site Bike Parking*
Street Level Commercial	●	●				4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Second Floor Office	●	●				4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Street Level Group Assembly	●	●				4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Second Floor Group Assembly	●	●				4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Civic	●	●				*not required*	0.2 per 1,000 s.f. (2 minimum)
Residential	●		●	●		1 space per dwelling unit .5 guest spaces per dwelling unit	1 per dwelling unit
Permitted Building Type	●	●	●	●			

A list of Special Uses and Prohibited Uses for the entire Legacy Cody Area is located on pages 54-55

Design details for on-site vehicle parking and on-site bike parking are located on pages 58-59

Table 2.E.1

5. Corridor & Alley Requirements (NF)

a. Intent

The type and minimum degree of public and private improvements required within the Corridor or Alley areas shall be based upon the location and percentage of the total *lineal frontage* of a block to be assembled and/or improved as part of a project (see Table 2.E.2).

b. Applicability

This section shall apply to projects involving lot improvements greater than 50% of the market value of the property, as well as projects involving lot assemblage. Refer to page 48 for standards relating to single lot improvements less than 50% of market value (Heritage Sites).

c. Waivers

In those instances in which Village staff determines that it is impractical or impossible to complete all or a portion of the required improvements due to sequencing or physical constraints, or determines that unique circumstances exist relative to the subject site and/or block development, Village staff shall recommend to the Plan Commission to consider one or a combination of the following options:

1. Postpone the implementation of improvements to a date certain, and require the petitioner to provide a letter of credit, bond, or similar form of financial security in an amount equal to the estimated cost of such improvements as determined by Village staff;
2. Require cash in-lieu-of in an amount equal to the estimated cost of such improvements as determined by Village staff; and/or
3. Waive such improvements in whole or in part based upon the unique nature of the subject site and/or block development, either existing or proposed.

d. Required Improvements

Site Type	*Corridor*			*Alley*		
	Thoroughfare	*Public Frontage*	*Private Frontage*	*Dedication to Village*	*Construct On-Site*	*Connect to Thoroughfare*
> 75% of Block	●	●	●	●	●	●
Lot Assemblage > 40% of Block		●	●	●	●	●
Lot Assemblage < 40% of Block		●	●	●	●	
Single Lot > 10% of Block		●	●	●	●	
Single Lot < 10% of Block		●	●	●		
Block End (any %)		●	●	●	●	●

Table 2.E.2

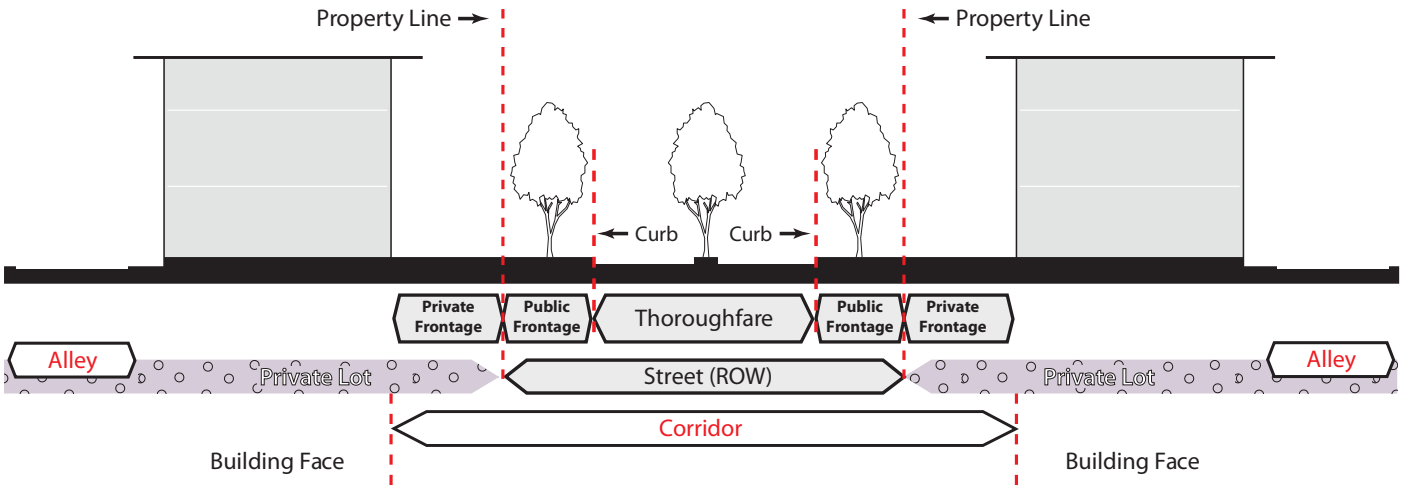
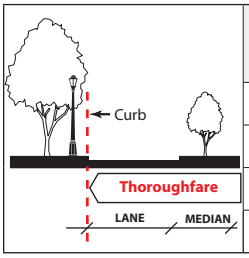


Figure 2.E.3 - Illustration of Terms

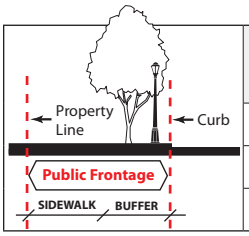
6. Thoroughfare & Alley Standards (NF)



Thoroughfare	*Landscape Median*	*On-Street Parking*	*Thoroughfare Width (Curb to Curb)*	*Design Details*
Standard Corridor		●	30’	see pages 92-95
Corridor Type B	16’		50’	
Corridor Type G	16’		50’	
Alley			20’	

Table 2.E.3

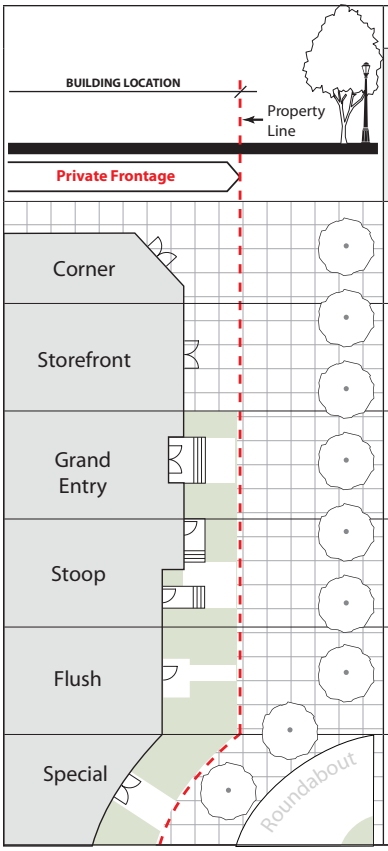
7. Public Frontage Standards (NF)



Thoroughfare	*Minimum Sidewalk Width*	*Minimum Buffer Width*	*Landscaping Details*	*Lighting Details*
Standard Corridor	5’	6’	see pages 62-63	see pages 66-67
Corridor Type B	6’	17’		
Corridor Type G	6’	7’		

Table 2.E.4

8. Private Frontage Standards (NF)



Permitted Private Frontages	
Description	*Standards*
A building treatment oriented to address an intersection and allow for direct access to commercial or residential uses from the public frontage.	Entrance at sidewalk grade.
A building treatment for ground-level commercial uses with transparent display windows and entrances oriented to align with and allow direct access from the public frontage.	Entrance at sidewalk grade.
An entry treatment with or without a staircase that provides access to building lobbies serving office or residential uses.	Entrance inset from façade - 5’ max. Stairs may encroach into front yard setback.
An entrance treatment with a staircase that may be covered and provides access to a private residential dwelling.	Stairs may encroach into front yard setback.
An entrance treatment built at sidewalk grade that may be covered and provides access to a private residential dwelling.	None
A curved building treatment oriented to address the future roundabout at 183rd St. and Oak Park Avenue.	None

Table 2.E.5

9. Private Lot Standards (NF)

General		
Minimum Lot Width	20'	
Maximum Lot Width	n/a	
Minimum Building Height	2 stories	
Building Setbacks		
Front Yard *(primary street)*	5-15'	A
Front Yard *(secondary street)*	5-15'	A
Side Yard *(interior)*	5' max.	B
Side Yard *(along access drive)*	5' min.	C
Rear Yard *(existing alley)*	5' min.	D
Rear Yard *(no alley required)*	5' min.	D
Rear Yard *(future alley)*	30' min.	E
Parking Setbacks		
Front Yard *(primary street)*	25' min.	F
Front Yard *(secondary street)*	10' min.	G
Side Yard *(interior)*	0'	H
Side Yard *(along access drive)*	5' min.	I
Rear Yard *(existing alley)*	5' min.	J
Rear Yard *(no alley required)*	5' min.	J
Rear Yard *(future alley)*	30' min.	K
Alley & Access Road Setbacks		
Alley Rear Yard Setback	5' min.	L
Alley Location	see page 60	M
Access Road Location	see page 61	N
Accessory Structures		
Permitted Location	*Parking Zone*	

Table 2.E.6

Building Placement

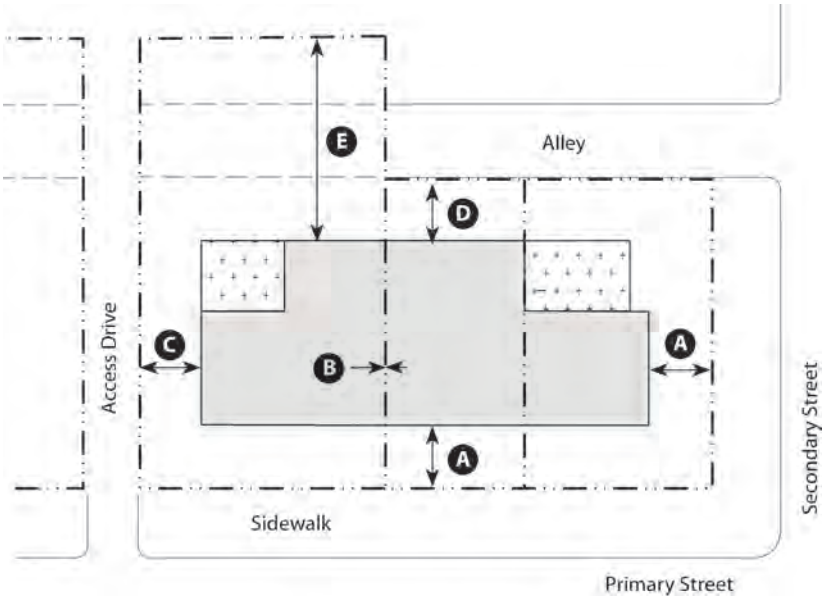


Figure 2.E.4

Parking Placement

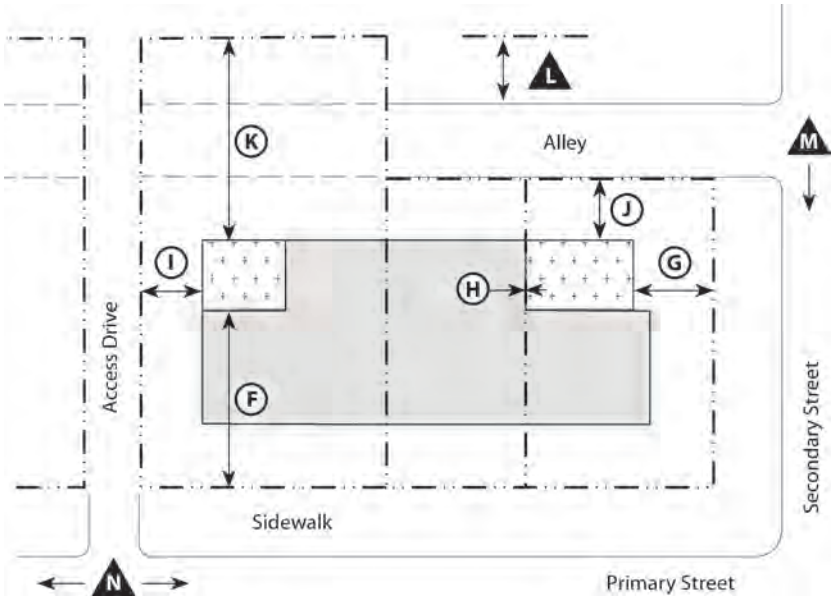


Figure 2.E.5

Property Line
Building Zone
Parking Zone

10. Heritage Sites (NF)

Heritage Sites are those lots with structures and uses that were lawfully existing prior to the adoption of the *Legacy Code*. Heritage Sites are generally classified as such until they incur site improvements that exceed 50% of the property's market value.

a. Intent

The intent of this section is to establish regulations that govern the use and voluntary modification of Heritage Sites, and to specify the circumstances and conditions under which such properties are required to implement certain improvements aimed at decreasing their degree of non-conformity, if applicable. The purpose is to meet the goals of the *Legacy Plan* while protecting the interests of Heritage Site owners and tenants.

b. Applicability

This section shall apply to projects involving lot improvements less than 50% of a property's market value as well as changes of property ownership and/or building use within the Neighborhood Flex District only (see Figure 2.E.6).

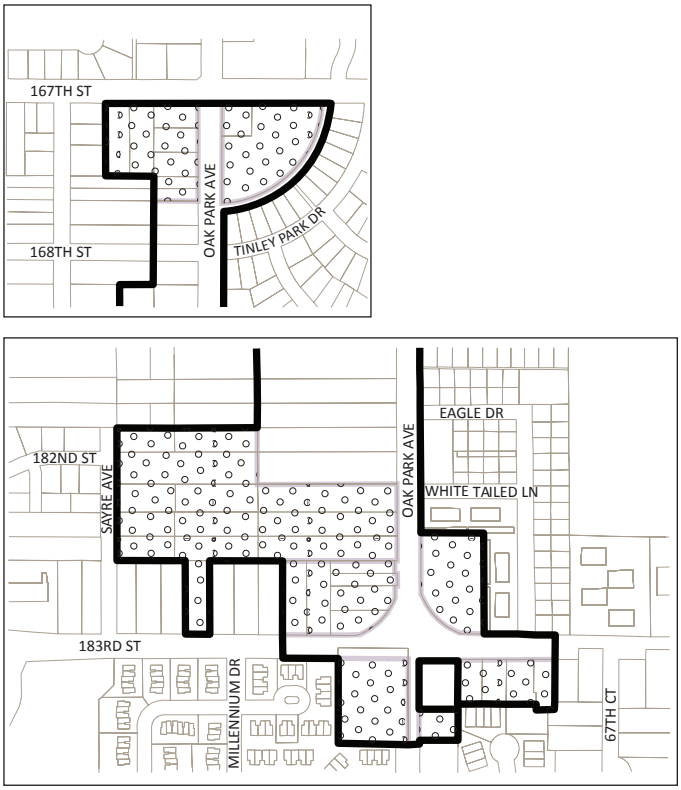


Figure 2.E.6

Key

Legacy Code Boundary

NF Heritage Site Blocks

c. General Standards

Permitted Building Functionality	Mixed-Use	Stand-Alone Commercial	Multi-Family	Single-Family Attached	Single-Family Detached	*On-Site Vehicle Parking*	*On-Site Bike Parking*
Street Level Commercial	●	●				4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Second Floor Office	●	●				4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Street Level Group Assembly	●	●				4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Second Floor Group Assembly	●	●				4 spaces per 1,000 s.f.	0.2 per 1,000 s.f. (2 minimum)
Civic	●	●				*not required*	0.2 per 1,000 s.f. (2 minimum)
Residential	●				●	1 space per dwelling unit .5 guest spaces per dwelling unit	1 per dwelling unit
Existing Building Type	●	△			●		

A list of Special Uses and Prohibited Uses for the entire Legacy Cody Area is located on pages 54-55

Design details for on-site vehicle parking and on-site bike parking are located on pages 58-59

△ Can be converted, with Special Use approval, to a mixed-use building.

Table 2.E.7

11. Heritage Sites - Public & Private Improvements (NF)

a. Intent

The type and minimum degree of public and private improvements required shall be based upon the action being taken (Table 2.E.8).

b. Applicability

This section shall apply to changes in use or ownership, structure, Special Uses and map amendments within this district, with the exception of single family detached properties.

c. Waivers

In those instances in which Village staff determines that it is impractical or impossible to complete all or a portion of the required improvements due to sequencing or physical constraints, or determines that unique circumstances exist relative to the subject site and/or block development, Village staff may approve, or recommend to the Plan Commission for consideration when applicable, one or a combination of the following options:

1. Postpone the implementation of improvements to a date certain, and require the petitioner to provide a letter of credit, bond, or similar form of financial security in an amount equal to the estimated cost of such improvements as determined by Village staff;
2. Require cash in-lieu-of in an amount equal to the estimated cost of such improvements as determined by Village staff; and/or
3. Waive such improvements in whole or in part based upon the unique nature of the subject site and/or block development, either existing or proposed.

d. Required Improvements

Action	*Landscaping*		*Front Yard Parking*		*Access Drive*	*Alley*
	Public Frontage	Private Lot	Modify	Remove	Modify	Dedication
Change of Owner	●	●	●		●	●
Change of Use > 50% of Building		●				
Structure Expansion		●	●		●	●
Special Use	●	●	●		●	●
Map Amendment (Rezoning)	●	●	●		●	●
	see pages 62-63		see pages 58-59		see page 61	see page 60

Table 2.E.8

12. Heritage Sites - Private Sites Standards (NF)

a. Private Frontages

Permitted private frontages for this district shall follow Section 2.E.8 on page 46.

b. Building & Parking Placement

Building and parking placement for this district shall follow Section 2.E.9 on page 47.

c. General Provisions

All general provisions in Section 3 shall apply unless otherwise noted.

F. Civic

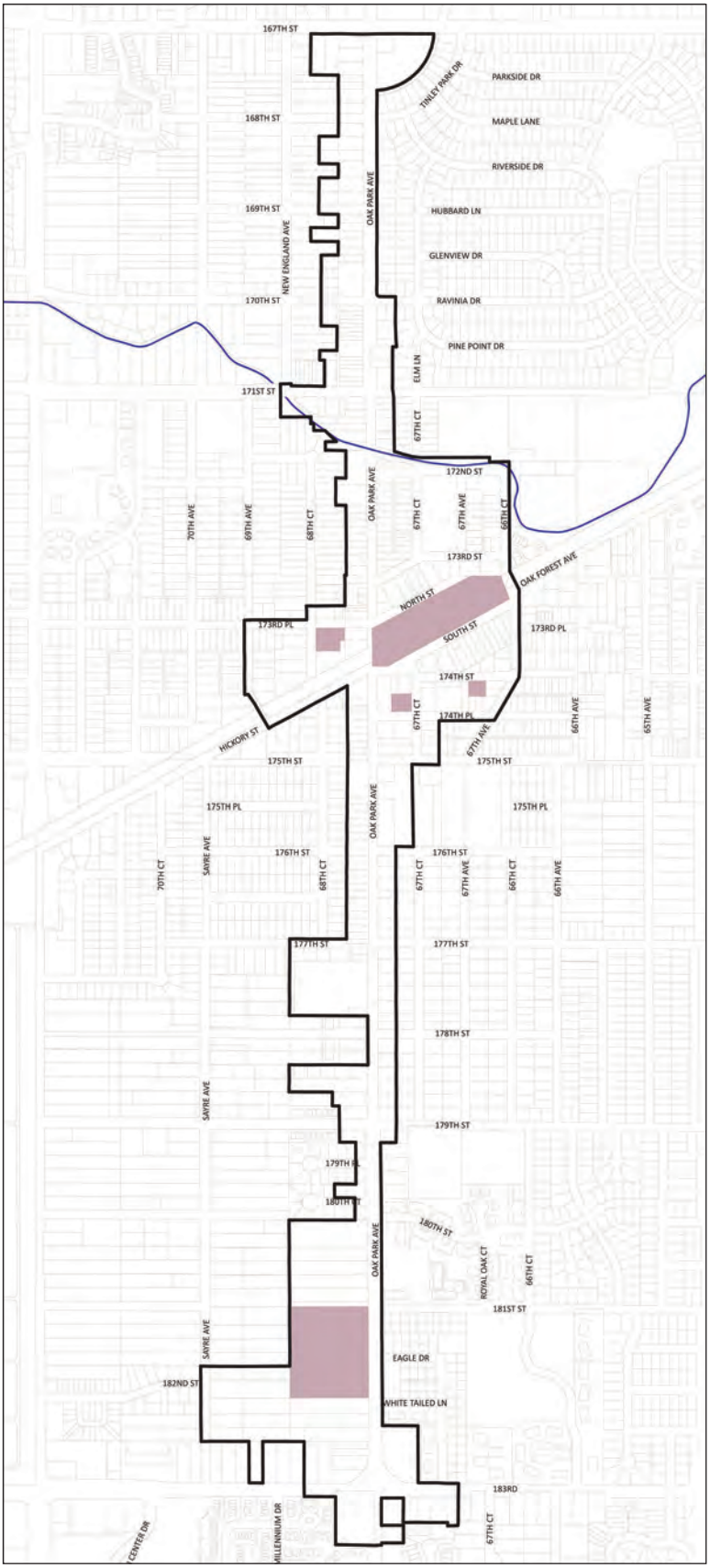


Figure 2.F.1 - Civic Location Map

1. Intent

The regulations and standards within this section are intended to allow for flexibility and creativity in the establishment of civic amenities for Village residents. For the purpose of this code, the word civic shall only apply to the Village and other local government and civic bodies such as school or park districts.

2. Applicability

The regulations and standards within this section shall apply to those parcels identified on the regulating plan as within the Civic District (Figure 1.G.1).

3. Permitted Building Types (Civic)

Mixed-Use	●
Stand-Alone Commercial	●
Multi-Family	
Single-Family Attached	
Single-Family Detached	
Definitions for Building Types located on page 56.	
A list of Special Uses and Prohibited Uses for the entire Legacy Code Area is located on pages 54-55.	

Table 2.F.1

4. Lot Standards (Civic)

General	
Allowable Lot Coverage	100%
Maximum Building Height	7 stories
Building Setbacks	
All Yards	0' permitted
Parking Setbacks	
All Yards	0' permitted
Accessory Structures	
	permitted
On-Site Vehicle Parking	
	n/a
On-Site Bike Parking	
	0.2 spaces per 1,000 sq. ft. (2 minimum)

Table 2.F.2

2011 LEGACY CODE

SECTION 3
GENERAL PROVISIONS

A. Uses

1. Permitted Uses

Permitted uses of structures and land as set forth in Table 3.A.1 shall be allowed according to the regulations set forth for each district and each building form. Permitted uses may be approved by either administrative review or by site plan review by the Plan Commission, depending on the nature of the improvement. Only those uses listed in Table 3.A.1 shall be considered permitted uses and no structure or land shall be devoted to any other use other than a use that is permitted here, with the exception of uses that were lawfully established prior to the effective date of this ordinance; and accessory uses, in compliance with this ordinance.

2. Special Uses

Special Uses of structures and land are set forth in Table 3.A.2. The special uses existing as of the date of adoption of this *Legacy Code* are listed in Appendix D. Such special uses shall be deemed to be and shall be treated as Heritage Sites hereunder and shall be governed by the applicable regulations relating to Heritage Sites. These uses create off-site impacts or design issues that require special consideration by the Plan Commission and approval by the Village Board. Petitions for uses that are listed as Special Uses shall be reviewed at a Public Hearing according to the procedures set forth in Section X.J (Special Uses) of the Zoning Ordinance. Any findings of fact by the Plan Commission shall incorporate review and recommendations by the Main Street Commission and Historic Preservation Commission. The Village Board may impose conditions and restrictions upon the premises benefitted by a Special Use as may be necessary to assure compliance with any standards, to reduce or minimize the effect of such a use on the other properties in the neighborhood, and to better carry out the general intent of this ordinance. Failure to comply with conditions of a Special Use shall constitute a violation of this ordinance and may result in a revocation of the Special Use.

3. Prohibited Uses

Some uses that would otherwise be allowed in other areas of the Village shall not be allowed in all *Legacy Code* districts. This is because the nature of these uses is inconsistent with the intent and purpose of this code and the adopted *Legacy Plan.* Any existing prohibited use may change owner as long as no new prohibited use is created. Prohibited uses of land and structures are listed in Table 3.A.2.

4. Non-Conformities

This section of the Ordinance's significant departure from traditional zoning and the previous H-1 Historic District Overlay has increased the number of existing non-conformities within the districts created. Typically non-conformities are encouraged to discontinue or are required to be removed over a time period. However, the unique characteristics of the Legacy Code Area and this code demand a more flexible approach to non-conformities. The significant contributions many existing uses and structures have made towards establishing the Legacy Code Area's identity require that they be treated in a manner that respects their existing characteristics, but also aims to update these uses and structures in a manner that also fulfills the vision of the *Legacy Plan*. Therefore, existing sites have been identified as "Heritage Sites" within this code. As these sites seek to redevelop, change ownership, and/or expand (under 50% of market value) a series of criteria has been established that build upon the vision of the *Legacy Plan*, without being overly burdensome to those that established the Village's heritage.

Permitted Uses	
Commercial	*Retail / Service* An enterprise that provides goods and/or services directly to the customer, including but not limited to merchandise shops, eating & drinking establishments, specialty goods/foods stores, financial institutions, personal services, convenience uses, entertainment, and hotels.
	Office A workplace that conducts business and/or professional services in which goods, wares, or merchandise are not displayed or sold on the premises, including but not limited to general offices, medical services, and for-profit educational uses.
Group Assembly	A building, together with its accessory buildings and uses, where persons regularly assemble for meetings or religious functions and related social events, and which building is operated by a religious institution or a private association. Such entities typically restrict access to the general public and own, lease, or hold the building in common for the benefit of its members.
Civic	A use that provides institutional, governmental, and/or public services, including but not limited to publicly owned parking garages, transit facilities, public open space, cultural institutions, libraries, and government offices, and excluding uses/services of public utilities.
Residential	Owner- and renter-occupied dwelling units located within single-family detached, single-family attached, multi-family, and/or mixed-use structures, and including but not limited to senior housing.

Table 3.A.1

Special Uses	*Prohibited Uses*	
- Amusement and recreation establishments including bowling alleys, billiard parlors, coin-operated amusement devices, gymnasiums, swimming pools, dance halls, health clubs, skating rinks and other similar places of recreation - Any establishment with operating hours between 2:00 AM and 6:00 AM - Automobile and custom van sales (new and used) - Creation of a mixed-use building on a Heritage Site in the Neighborhood General or Neighborhood Flex Districts. - Day or child care centers, including home occupation daycare - Farmer's market - Fruit and vegetable stands - Other similar or compatible uses - Package liquor stores - Private surface parking lots located on a lot with no structures or other uses. - Taverns - Teen recreation and dance facilities - Winery, distillery, or brewery, including sales and tasting	- Adult regulated uses - Advertising signs and billboards - Agricultural uses (except for farmer's markets and private gardens - Archery / bow range - Automobile car wash (either manual or automatic) - Automobile / gasoline service stations - Automobile repair shops (including bodywork) - Boarding / rooming house - Building material sales - Drive-in theaters - Drive-through establishments (accessory to restaurants, banks, pharmacies and all other uses) - Frozen food lockers - Funeral homes, mortuaries, and cremation facilities - Greenhouses, garden centers, and landscape nurseries - Gun dealer / shooting range - Industrial facility (heavy or light) - Kennel / pound - Machinery and equipment sales	- Model garage display and sales - Motel or motor inn - Open storage - Other similar or compatible uses - Plumbing, heating, air conditioning sales and service - Second hand stores, flea markets, pawn shops - Tattoo parlor - Truck depot / truck stop - Vehicle rental - Warehouse and storage (including mini-storage) - Wireless communications facilities

Table 3.A.2

B. Building Standards

1. Intent

The intent of these building regulations is to establish architectural standards for new construction projects as well as building expansions.

2. Applicability

The building standards herein shall apply to all districts and all development types within the Legacy Code Area.

3. Building Types

a. *Mixed-Use*
A mixed-use building contains residential dwelling units above or behind ground floor commercial, group assembly, and/or civic uses, and may be designed to accommodate office and/or group assembly space on the second level.

b. *Stand-Alone Commercial*
A stand-alone commercial building contains retail, office, group assembly, and/or civic uses on all levels of the structure.

c. *Multi-Family*
A multi-family structure is a residence for multiple households where dwelling units are located above or below one another and share a common lobby (Syn: condominium; apartment).

d. *Single-Family Attached*
A single-family attached structure is a residence designed to house a single-family unit from lowest level to roof, with a private outside entrance and a shared common wall with an adjoining dwelling unit (Syn: rowhouse; townhouse).

e. *Single-Family Detached*
A single-family detached structure is a residence designed to house a single-family unit only, and is separated from other dwelling units by open space.

4. Mechanical Equipment

All vents, air conditioning units, mechanical, electrical and other equipment located on the roof of any structure shall be screened from surrounding public and private property.

5. Accessory Structures

The size, height and location of accessory structures shall follow Section III.I. of the Zoning Ordinance.

6. Storefront Standards

Buildings with ground floor commercial uses shall conform to the following:

a. *Transparency*
A minimum of 60% of the street-level facade shall be glazed. Windows shall not be opaque or mirrored.

b. *Sills*:
The maximum height of the top of window sills shall be 30” above the adjacent sidewalk.

7. Materials

The following material lists shall apply to new construction projects, the new portion of building expansions, and all new accessory structures. Materials on existing structures are permitted to remain, and can be replaced with an equivalent, but in no event shall an existing primary material be replaced with an accent or prohibited material.

a. *Primary Materials*
A minimum of 75% of all facades and roofs exclusive of glazing shall be comprised of the following:
- Brick, Stone & Fiber Cement Siding
- Cedar, Slate & Asphalt Shingles (roof only)
- Copper & Stainless Steel
- Vinyl & Wood Siding (single-family detached accessory structures only)

b. *Accent Materials*
A maximum of 25% of all facades and roofs exclusive of glazing may be comprised of the following:
- Concrete Panels & Decorative Block
- EIFS & Stucco
- Wood
- Standing Seam Roofs

c. *Prohibited Materials*
- Vinyl & Wood Siding
- Smoothface Cinder Block
- Mirrored & Reflective Glass
- Plywood

8. Architectural Guidelines

The following guidelines present the architectural qualities and details deemed desirous by the Village for projects within the Legacy Code Area:

General	A consistent style of architectural composition should be applied throughout a structure. A mix of styles is discouraged.
Articulated Base	The distinction between ground floors and upper floors should be articulated through changes in architectural treatments and/or materials.
Articulated Corner	Buildings located at intersections should feature articulated corners in the form of architectural treatments and/or unique private frontages.
Windows	Wherever practical, ground floor windows should remain free of internal obstructions in order to allow for views into and out of the building. Windows on the upper floors should be smaller in size than storefront windows on the ground floor.
Awnings	Awnings should only be located within the established width of a functional window or door frame.
Sign Band	A sign band should be provided above storefront windows to accommodate both tenant signage and decorative lighting.
Cornice	Structures should be capped with a cornice, which is a horizontal projection that can include elements such as decorative brick and stone work, and ornamental brackets.

9. Heritage Site Guidelines

The following guidelines present the preferred architectural approach to modifying a structure on a Heritage Site.

Exterior Materials	When replacing exterior materials, consideration should be given to using only primary materials. Note that any building expansion is required to conform to the material standards found in Section 3.B.4.
Building Expansion	Wherever practical and appropriate, building expansions should be located at the front of a structure in order to bring the building into closer conformance with a district's front yard setback and reimage the structure to better reflect the above architectural guidelines.

C. Parking

1. Intent

The intent of these parking regulations is to define the minimum design standards for such facilities, both existing and proposed.

2. Applicability

The parking standards herein shall apply to all districts within the Legacy Code Area.

3. Vehicle Parking - General

The intent of the these parking regulations is to define the minimum design standards for such facilities, both existing and proposed.

a. *Required Spaces*:
The required vehicular parking shall be provided as indicated in the parking chart for each district. See pages 87-90 for parking waiver and variance standards.

b. *Accessible Spaces*:
The required number and size of accessible spaces shall be based upon the Illinois Accessibility Code.

c. *Shared Parking*:
Shared parking is permitted and encouraged. See pages 87-90 for specific requirements.

d. *Residential Parking*:
Required parking for residential uses shall not be open to the sky and must be located either within or below the building envelope or within an attached parking structure. Detached single-family residential units are exempt from this requirement.

e. *Parking Location:*
Parking lots shall meet the setback standards established for each district.

f. *Parking Access*:
Access to parking facilities shall be provided from alleys or adjacent parking lots wherever existing or proposed. If neither alleys nor adjacent parking lots are available, access to parking facilities and loading areas may be provided from thoroughfares via an access drive per the requirements on page 61.

4. Vehicle Parking Design Standards

The following minimum dimensions for parking facilities, both enclosed and open to the sky, shall apply to all districts and development types. The Village may require greater dimensions in order to accommodate engineering and/or public safety requirements.

Angle	*Aisle Width*		*Stall Size*
	2-Way	1-Way	Length x Width
90°	24’	22’	18’ x 9’
60°	24’	19’	18’ x 9’
45°	24’	14’	18’ x 9’
30°	24’	12’	18’ x 9’
0°	12’	12’	22’ x 8’

Table 3.C.1

5. Guest Parking

In those areas that require guest parking, such facilities may be provided on the same lot as the principal use or, if approved by Village staff, accounted for off-site where adequate street parking or public parking facilities exist in the vicinity.

6. Bicycle Parking

a. *Required Spaces*:
The required bicycle parking shall be provided as indicated in the parking chart for each district.

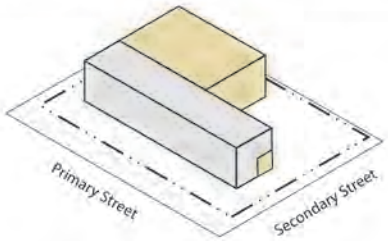
b. *Parking Location*:
Bicycle parking shall be provided within a lot’s parking zone or at the front of a building no more than 50 feet from an entrance. Installation within the private frontage is permitted with Village approval.

c. *Parking Shelter*:
Bicycle parking shelters are permitted within a lot’s parking zone but must be located no closer than 5’ to any property line.

d. *Rack Type*:
Inverted “U” style racks or functionally similar racks are required.

7. Additional Parking Standards

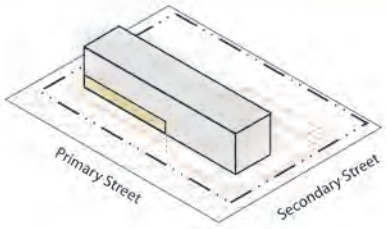
Attached and Tucked-in Parking



1. The setbacks for attached parking structures and tucked-in parking shall be based upon the building setbacks established in each district.
2. Access doors for attached parking structures and tucked-in parking are not permitted on Oak Park Avenue.

Figure 3.C.1

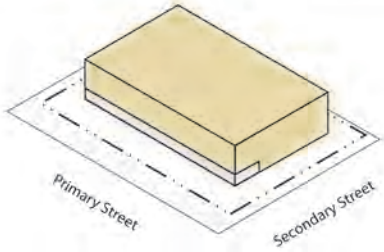
Below-Grade Parking



1. Parking facilities located below grade are permitted to extend past the building footprint to the property lines.
2. Access doors for below-grade parking are not permitted on Oak Park Avenue.

Figure 3.C.2

***Freestanding** Parking Structures*



1. Within freestanding parking structures, groundfloor uses are required along the facade that abuts Oak Park Avenue.
2. Access doors for wrapped parking structures are not permitted on Oak Park Avenue.

Figure 3.C.3

8. Special Parking Standards - Heritage Sites

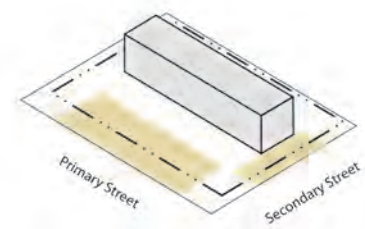
a. *Front Yard Parking*:
Front yard parking on Heritage Sites in existence at the time of adoption of this code shall be permitted to continue, but shall not be expanded in order to accommodate more parking spaces. Heritage Sites currently without front yard parking are prohibited from adding such facilities.

b. *Modification*:
As noted in each district's Heritage Site section, in some instances a property owner is required to modify their front yard parking in order to improve the safety of the thoroughfares. When required, the following modifications shall be completed to the fullest extent possible:

1. Parking located within 25' of an intersection shall be removed and replaced with the corridor's public frontage requirements. (A)

2. Parking along the primary street shall be relocated to a secondary street. (B)

Front Yard Parking



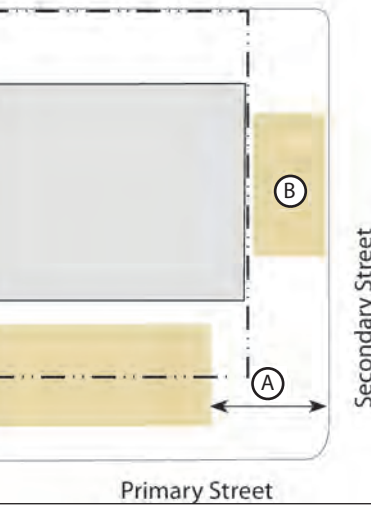


Figure 3.C.4

Section 3

D. Alleys

1. Intent

The intent of these alley regulations is to define the minimum design standards for such facilities, both existing and proposed, for the primary purpose of providing vehicular and pedestrian access to parking and other facilities located at the rear of a property.

2. Applicability

The alley standards herein shall apply to all districts within the Legacy Code Area and their applicability are based upon the type of activity proposed on a parcel as denoted within the specific district regulations.

3. Dedication

Based upon the type of activity proposed on a parcel, the Village may require a property owner to dedicate to the Village an alley right-of-way. Refer to the parcel's specific district regulations to determine the applicability. All dedications are subject to the following provisions:

a. The physical location of the alley right-of-way on a parcel shall be determined by the Village based upon the nature of the block's development, both existing and proposed.

b. The Village is not required to accept a dedication, nor does acceptance of a dedication obligate the Village to make any physical improvements within the alley right-of-way or guarantee public access to facilities located at the rear of a property. Furthermore, a dedication does not preclude the Village from requiring or allowing other parties to construct the physical alley, either in whole or in part. An alley may public or private at the option of the Village.

c. The adjacent property owner(s), not the Village, shall maintain the unimproved alley right-of-way, including sodding, routine landscape maintenance, and keeping the area clear of debris and vehicles.

d. No structure shall be permitted to be built within 5' of the alley right-of-way.

4. Construction

Based upon the type of activity proposed on a parcel, the Village may require a property owner to construct an alley. Refer to the parcel's specific district regulations to determine the applicability. The construction of an alley is subject to the following provisions:

a. The standards in Section 3.D.3.c shall apply.

b. An alley may be public or private, and can operate as a dedicated throughway or a drive aisle for the primary purpose of providing vehicular and pedestrian access to rear parking facilities.

c. Alleys shall be paved in accordance with Village Codes and Ordinances.

d. The Village may require greater dimensions in order to accommodate engineering and/or public safety requirements.

5. Right-of-Way Standards

The width of the required alley right-of-way shall be determined by the Village based on the following:

a. *25' Alley Right-of-Way*
Required on those properties in which the alley right-of-way will abut a parcel located outside of the Legacy Code Area in order to accommodate a 5' landscape buffer between the uses.

b. *20' Alley Right-of-Way*
Required on those properties in which the alley right-of way is bounded on both sides by property located within the Legacy Code Area. In such instances, the Village may require dedication of only one-half the width of the required right-of-way from each of the abutting properties.

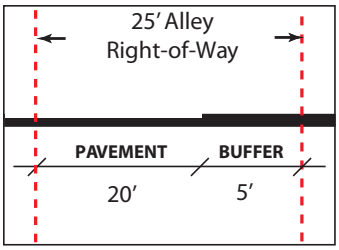


Figure 3.D.1

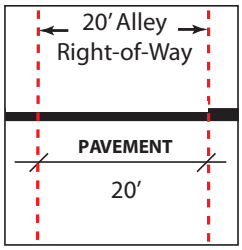


Figure 3.D.2

E. Vehicle Access

1. Intent

The intent of these vehicle access regulations is to minimize the width and number of curb cuts along the corridors.

2. Applicability

The vehicle access standards herein shall apply to all districts within the Legacy Code Area and their applicability is based upon the type of activity proposed on a parcel as denoted within the specific district regulations.

3. Hierarchy of Access Points

a. Access to parking facilities shall be provided from alleys or adjacent parking lots wherever available.

b. Where alleys or adjacent parking lots are not available, access to parking facilities shall be provided from secondary streets wherever available.

c. Access to rear parking facilities from primary streets via a private driveway may be permitted only when alleys, adjacent parking, or secondary streets are not available.

4. Permanent Curb Cuts & Driveways

Each block shall be permitted one (1) mid-block curb cut on the primary street, and one (1) curb cut on each of the bounding secondary streets with the following provisions:

a. The Village shall determine the location of mid-block curb cuts and secondary street access points serving alleys and/or parking facilities.

b. Access drives shall remain private property, with the property owner required to grant cross access rights to adjoining properties.

c. The maximum width of driveways/curb cuts shall be 12 feet for a one-lane and 20 feet for a two-lane driveway.

d. Sidewalks shall be constructed continuously across driveways without a change in grade.

5. Temporary Curb Cuts & Driveways

When access to parking facilities must be provided from a primary street, a temporary curb cut shall be permitted subject to the following:

a. The maximum number of temporary curb cuts associated with a single development shall be one (1).

b. The maximum width of temporary driveways/curb cuts shall be 12 feet for a one-lane and 20 feet for a two-lane driveway, and will not be permitted closer than 75 feet to an intersection.

c. The granting of a temporary curb cut by the Village shall require the grantee to enter into cross-access agreements with adjoining properties to allow for shared use of the access.

d. At the Village's discretion, temporary curb cuts shall be eliminated when alleys or adjacent parking lots provide a physical connection via neighboring properties to a permanent curb cut or alley.

e. A restrictive covenant shall be recorded against the property for which a temporary curb cut is provided, which covenant will require the elimination of the curb cut, the demolition of the portion of the driveway located on Village property, and the construction of the corridor's required public frontage. Financial security in a form and amount acceptable to the Village shall be provided at the time of the covenant to insure that all required work is completed when the temporary curb cut is eliminated.

6. Modifications

When Heritage Site property owners are required to modify their existing curb cuts, the following actions shall be undertake taken to the fullest extent possible:

a. On interior lots, reduction of the number of curb cuts to one (1);

b. On corner lots, removal of primary street curb cuts and utilization of the secondary street for access;

c. Reduction of the width of the curb cut to meet the standards herein.

F. Landscaping

1. Intent

The intent of these landscaping regulations is to define the minimum requirements deemed necessary to achieve adequate buffering, provide visual interest and add pervious surfaces on a site.

2. Applicability

The landscaping standards herein shall apply to all districts within the Legacy Code Area and be executed to the extent required based upon specific district standards relating to the following:

a. New Construction
b. Structure Expansion
c. Special Use
d. Rezoning
e. Change of Owner
f. Change of Use

3. General Standards

a. *Plan Conformance*
All landscaping, including mulch and seeding, shall be completed in accordance with the approved landscape plan, and nothing shall be planted or installed within an underground or overhead utility easement or drainage easement without the consent of the Village.

b. *Private Lot Phasing*
For those projects built in stages, the landscaping on the private lot may be phased to coincide with stage completions. A plan schedule must be approved by the Village.

c. *Public Property Requirements*
Median landscaping and alley buffering, when required, and public frontage landscaping shall be completed in their entirety prior to the issuance of an occupancy permit for any component of a project.

d. *Water Collection Areas*
Water collections areas (i.e. bioswales) may be utilized in private lot and bufferyard areas with approval by the Village and provided that the required number of trees are installed.

4. Waivers

In those instances in which the Village determines that it is impractical or impossible to complete all or a portion of the required landscaping improvements due to sequencing or physical constraints, or determines that unique circumstances exist relative to the subject site and/or block development, Village staff may approve, or recommend to the Plan Commission when applicable one or a combination of the following options:

a. Allow phasing of a portion of such improvements and grant a temporary occupancy permit provided that the developer or property owner submit, and the Village approves, financial security in a form and amount acceptable to the Village ensuring the installation of the remaining landscape material by a date certain.

b. Require the developer to provide cash in-lieu-of in an amount determined by the Village; or

c. Waive such requirements in whole or in part based upon the unique nature of the site and/or block development, either existing or proposed.

5. Installation & Maintenance Standards

a. Installation standards shall be per Section 158.20.C of the Tinley Park Municipal Code with the following exceptions:

1. *Tree Selection*
An approved tree planting palette for the entire Code area shall be kept on file with the Village.

2. *Plant Material*
Plant materials that are native to the area should be selected wherever feasible.

3. *Prohibited Materials*
The use of loose stone, rock or gravel is prohibited within public frontages.

b. Maintenance standards shall be per Section 158.20.D of the Tinley Park Municipal Code.

6. Thoroughfare

a. Medians
When appropriate, standards will be established by the Village and provided to a developer for implementation.

7. Public Frontage

Specific approved public frontage standards for the entire Code area shall be kept on file with the Village. General public frontage standards are listed below:

a. Downtown Core District
Shade trees spaced no greater than 25' apart shall be located within the buffer zone and placed within (1) tree grates; (2) raised beds; or (3) integrated seating.

b. Other Districts
Shade trees spaced no greater than 25' apart shall be located within the buffer zone and placed within (1) tree grates; or (2) turf parkways.

c. Street Furniture & Planters
Street furniture and planters containing annuals and perennials shall be permitted within the buffer zone provided that such objects do not impede pedestrian movement within the sidewalk zone or inhibit the use of on-street parking spaces.

8. Private Frontage

a. Foundation Plantings
Foundation plantings are permitted provided that the mature size of such plantings will not impede pedestrian movement within the sidewalk zone or at building entrances.

b. Street Furniture & Plantings
Street furniture and planters containing annuals and perennials are permitted provided that such objects do not impede pedestrian movement within the sidewalk zone or inhibit the use of building entrances.

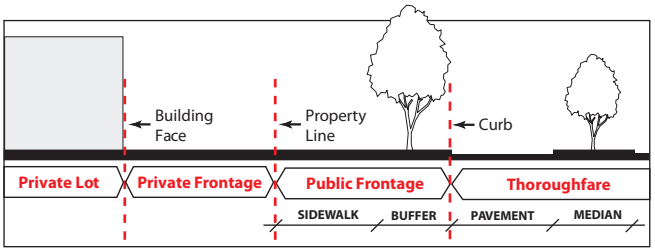


Figure 3.F.1

9. Private Lot

a. Interior Landscaping
Interior landscaping standards shall be per Section 158.14 of the Tinley Park Municipal Code with the following exception:

1. Such standards shall also apply to single-family detached residential developments of two (2) or more units.

b. Parking Lot Landscaping
Parking lot landscaping standards shall be per Section 158.20 of the Tinley Park Municipal Code.

10. Bufferyards

a. Commercial & Mixed-Use Side Yards
In order to promote shared parking facilities, properties with a commercial component are not required to provide side yard bufferyards. If proposed, the minimum standard shall be a bufferyard of 5'.

b. Rear Yards
A bufferyard shall be provided at the rear of any property that has a surface parking lot that abuts a use outside of the Legacy Code Area. The minimum standard shall be a minimum bufferyard of 5'.

c. Alley Buffer
A bufferyard is not required between a parcel within the Legacy Code Area and an alley. If proposed, the maximum standard shall be a bufferyard of 5'.

d. Properties Adjacent to Non-Legacy Code Area
A bufferyard is required between an alley and a parcel located outside of the Legacy Code Area. The minimum standard shall be a minimum bufferyard of 5'.

Bufferyard Width	*Minimum Plant Materials (per 50')*		
	Shade Trees	Ornamental Trees	Shrubs
5'	2	1	20
10'	2	2	30
15'	2	4	40

Table 3.F.1

G. Fencing

1. Intent

The intent of these fencing regulations is to define the minimum and maximum screening standards required or permitted on a parcel.

2. Applicability

The fencing standards herein shall apply to all districts within the Legacy Code Area.

3. General

a. *Plan Conformance*
All fencing shall be completed in accordance with the approved site plan, and nothing shall be installed within an underground or overhead utility easement or drainage easement without the consent of the Village.

4. Materials

a. *Permitted*
Wrought iron, cast iron, and welded steel ornamental fences; solid and open wood fences; solid and open PVC fences; masonry and brick walls and/or pillars.

b. *Prohibited*
Chain link (except for temporary construction fences); barbed wire and razor ribbon.

5. Public Frontage

Fences in the public frontage are limited to decorative, open-style types (i.e. wrought iron) within the buffer zone either incorporated into raised planter beds or utilized as surrounds for trees. Fences are not permitted to encroach into the sidewalk zone.

6. Private Frontages

Fences and gates in the private frontage are permitted to extend to the property line and are limited to decorative, open-style types (i.e. wrought iron) with a minimum height of 3' and a maximum height of 4' with the following exceptions.

a. *Corner Lots - All*
The visibility requirements at intersections shall be per Section III.G of the Zoning Ordinance.

b. *Corner Lots - Detached Single-Family Residential*
Such lots shall be permitted to erect an open or solid fence with a maximum height of 6' along their secondary frontage provided that the fence is located no closer than 15' to the property line, and does not extend past the front facade of the primary structure.

7. Private Lots

Solid fences with a maximum height of 6' shall be permitted in side and rear yards with the following exceptions:

a. *Rear Yard Requirements*
A solid 6' fence shall be provided at the rear of any property that has a surface parking lot that abuts a use outside of its district.

b. *Alley Buffering*
A solid 6' fence shall be provided between an alley and a parcel outside the Legacy Code Area. Fences are prohibited between a surface parking lot and an alley.

c. *Parking Lot Screening*
Fences and gates utilized to screen parking lots from secondary streets shall be located along the parking setback and are limited to decorative, open-style types (i.e. wrought iron) with a minimum height of 3' and a maximum height of 4'.

H. Stormwater Management

1. Intent

The intent of these stormwater regulations is to establish minimum on-site standards, discourage impervious surfaces, and promote shared stormwater facilities.

2. Applicability

Requirements for stormwater management shall apply to all districts and development types within the Legacy Code Area.

3. Jurisdiction

Stormwater management systems shall be designed and constructed in accordance with Village of Tinley Park Ordinances and the standards approved by the Metropolitan Water Reclamation District of Greater Chicago, whichever is more restrictive.

4. General

a. A stormwater strategy for the entire site and the adjacent properties, if required by the Village, shall be defined prior to the first meeting with the Village's Plan Commission and approved by the Village prior to the issuance of any building permits or granting of any final occupancy permit.

b. Where practical, stormwater management requirements shall be addressed through green technology best management practices such as permeable surfaces, bioswales, and on-site retention and filtration.

c. Rooftop gardens or other rainwater capture and recycling systems are permitted provided that such features meet Village Codes and Ordinances.

5. Analysis

A general, non-binding analysis of stormwater needs for sites within the Legacy Code Area was completed as part of the *Legacy Plan*. See page 98 for details.

I. Lighting

1. Intent

The intent of these lighting standards is to increase safety and provide clear views both to and within a site while preventing unnecessary light pollution and promoting pedestrian-scaled fixtures.

2. Applicability

The lighting standards herein shall apply to all districts and developments within the Legacy Code Area.

3. Location

Figure 3.I.1 and Table 3.I.1 show the permitted location on the lot of light sources based upon the height and style of the fixture. Minimum and maximum lighting standards shall be determined by the Village as based upon a submitted photometric plan. The following standards also apply to each of the lighting zones identified:

a. *Alley Lighting Zone*:
All lots with alleys shall have lighting fixtures within 7 feet of the alley's edge of pavement. When a structure in the lot is within 7 feet of the alley's edge, the lighting fixture shall be attached to the structure and not to a freestanding pole.

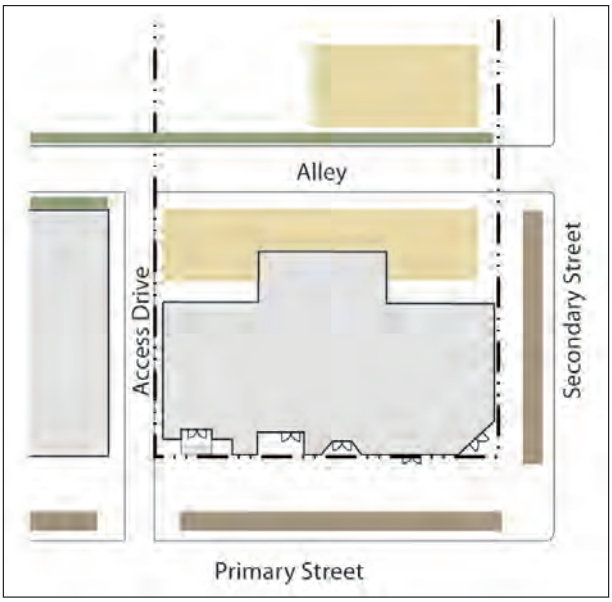
b. *Parking Lot Lighting Zone*:
All lots with surface parking facilities shall have free standing lighting fixtures located no closer than 3 feet to any property line or alley. When a parking lot abuts a structure in the lot, the lighting fixture shall be attached to the structure and not to a freestanding pole.

c. *Public Frontage Lighting Zone*:
Pedestrian street lights must be placed 2 feet from the back of curb on each side of the street with a maximum average spacing (per block face) of 60 feet on center.

d. *Building Lighting Zone*:
Exterior lights shall be mounted between 6 feet and 14 feet above adjacent grade.

4. Lighting Elements

Lighting elements shall be compact fluorescent, metal halide, LED, or halogen only.



Key	
	Alley Lighting Zone
	Parking Lot Lighting Zone
	Public Frontage Lighting Zone

Figure 3.I.1

5. Glare

Fixtures where light is visible to the public in a clear or frosted lamp shall be equipped with refractors to direct light downward and prevent glare.

6. Spillage

All fixtures shall include refractors to direct light away from property lines. The maximum allowable footcandles at any property line shall be 0.5 footcandles, unless it can be demonstrated to the satisfaction of the Village that:

a. Additional illumination is required for security, outdoor dining, or other use.

b. Such illumination can be provided without negative impacts on adjacent properties.

7. Standards

The Village shall keep on file, and provide to property owners, the specifications for all lighting fixtures and components located on public property and/or maintained by the Village.

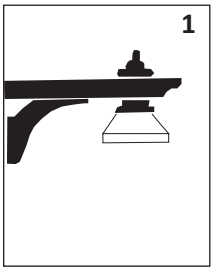
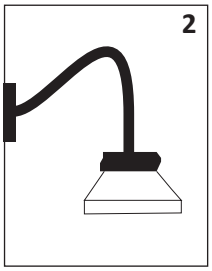
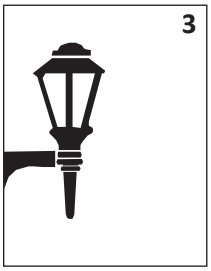
Light Type	*Permitted Location*				*Standards*
	Alley	*Parking Lot*	*Public Frontage*	*Building*	
Cobra Head	●				Height: 20' max. Color: No restrictions
Pipe	●	●			Height: 20' max. Color: Black or copper
Post		●			Height: 15' max. Color: Black or copper
Column		●	●		Height: 12' max. Color: Black or copper
Bollard		●			Height: 4' max. Color: no restrictions
Building Mounted Examples   				●	1. Structure mounted alley or parking lot light. 2. Commercial Structure mounted accent light. 3. Residential Structure mounted accent light

Table 3.I.1

Section 3

J. Encroachments

1. Intent

The intent of these encroachment regulations is to allow flexibility in the design of a private lot without infringing upon the functionality of the public frontage.

2. Applicability

The encroachment standards herein shall apply to all districts and is based upon the type of activity proposed on a parcel as denoted within the specific district regulations.

	Front Yard (Primary or Secondary Street)		
	DC	**DF**	**DG/NG/NF**
Accessory Structures	---	---	---
Architectural Features	50% of setback	5'	50% of setback or 5' [1]
Awnings, Canopies, and Marquees	5' into right-of-way [2]	5'	50% of setback or 5' [1]
Balconies	50% of setback	5'	50% of setback or 5' [1]
Fire Escapes	---	---	---
Flag Poles	50% of setback	5'	50% of setback or 5' [1]
Landscape Features	50% of setback	5'	50% of setback or 5' [1]
Mechanical Equipment	---	---	---
Porticos	5' into right-of-way [2]	5'	50% of setback or 5' [1]
Public Art	50% of setback	5'	50% of setback or 5' [1]
Stairs / Stoop	100% of setback	5'	50% of setback or 5' [1]
Water Collection	50% of setback	5'	50% of setback or 5' [1]
	Side Yard (Interior or Along Access Drive) [3]	**Rear Yard (Existing Alley or No Alley Required)**	**Rear Yard (Future Alley) [4]**
	All Character Districts		
Accessory Structures	---	---	5'
Architectural Features	2.5'	2.5'	2.5'
Awnings, Canopies, and Marquees	---	---	5'
Balconies	---	---	5'
Fire Escapes	2.5'	---	5'
Flag Poles	---	---	---
Landscape Features	---	2.5'	5'
Mechanical Equipment	2.5'	---	---
Porticos	---	---	---
Public Art	---	2.5'	5'
Stairs / Stoop	2.5'	2.5'	5'
Water Collection	---	2.5'	5'

Table 3.J.1 - Sign Regulations

1. Whichever is less.
2. Provided there is a minimum vertical clearance of 8'. May encroach up to 100% of setback on a secondary street within the Downtown Core.
3. Encroachments shall not interfere with any line-of-sight triangles.
4. In certain areas a future alley may be 25' in width. In such instances, no encroachments shall be permitted.

2011 LEGACY CODE

SECTION 4
SIGNAGE

A. Intent

The *Legacy Code* sign provisions that follow are intended to provide for the establishment of sign criteria related to sign bulk, area, number and architectural design. The purpose of these regulations is to:

1. Authorize the use of signs that are:

    a. Compatible with their surroundings.
    b. Appropriate to the activity to which they refer.
    c. Expressive of the identity of individual proprietors.
    d. Legible in the circumstances in which they are seen.

2. Preserve, protect and promote the public health, safety, and welfare.

3. Enhance the economy, business and industry of the historic downtown by promoting the reasonable, orderly and effective display of signs.

4. Preserve the aesthetic value and historic authenticity of the downtown.

5. Protect the general public from damage and injury that may be caused by faulty, uncontrolled construction or use of signs in the downtown.

6. Protect pedestrians and motorists from damage or injury caused by distractions, obstructions or hazards created by such signs.

B. Applicability

The *Legacy Code* sign provisions that follow shall be applied to the Legacy Code Area as designated in Section 1.C and as seen in Figure 1.C.1 - Code Area Map.

Where conflicts occur between the development standards or requirements in the Village's Zoning Ordinance, Subdivision Regulations, or Building Code and this section of the Zoning Ordinance, the regulations of this section of the Zoning Ordinance shall control.

Should this section of the Zoning Ordinance be found by Village staff to be silent on any matter that is otherwise provided for in any other section of the Zoning Ordinance, Subdivision Regulations, or Building Code, the applicable provisions of those sections shall control.

C. General Provisions

1. Number of Signs

Each commercially used building in the Legacy Code Area shall be allowed signs according to the following:

a. Freestanding and/or Monument: One freestanding or monument sign shall be allowed per lot. Sandwich boards shall not constitute a freestanding or monument sign.
b. Wall and/or Projecting
    1. Primary and Secondary Facades: Two wall signs shall be allowed per primary facade. Of the two signs, only one may be projecting.
    2. Rear Facade: One sign shall be allowed per rear facade, provided there is an operable customer entrance.
c. Window: Multiple window signs are classified as one aggregate sign, provided they do not collectively exceed the maximum sign face area established in Table 4.E.1.

2. Materials

The following architectural elements shall be followed for all signs in the Legacy Code Area:

a. Materials shall be in keeping with the architecture of the building, and shall conform to all applicable buildings codes.
b. The following materials shall be prohibited:
    1. Fluorescent materials (excluding lighting) and paints.
    2. Paper products as a permanent sign (paper, cardboard, poster board, and construction paper).
c. Only canvas or cloth awnings shall be allowed.

3. Illumination

a. Signs may be backlit, or illuminated by spotlights, subject to item 3.c. below.
b. The use of exposed neon tubing shall be limited to interior hanging window signs, provided however, that window signs that include exposed neon tubing do not exceed 10% of the total glass area of the window on which they are placed. Neon "Open" signs that are two (2) square feet or smaller shall be excluded from this area limitation.
c. All light sources shall be located or shielded to ensure that the light source is not visible to the public from the sidewalk, street or adjacent property to prevent glare.

4. Encroachment into Public Right-of-Way

a. The copy for awning, canopy, or projecting signs that encroach in the public right-of-way, pursuant to this Ordinance, shall be limited to the display of the name and/or address of the establishment located on the premises.
b. If building has a zero (0) foot setback, awning, canopy, or projecting signs may extend up to, but not more than one half (1/2) the width of the sidewalk.

5. General Provisions - Universal

The following items related to the regulation of signs are universal throughout the Village and can be reviewed in detail in Section IX.C of the Village's Zoning Ordinance:

a. Conformance with the Village Electrical Code
b. Wind Pressure and Dead Load Requirements
c. Signs Conflicting with Traffic Signs
d. Flashing Light
e. Illumination
f. Glass Limitation
g. Obstructions to Doors, Windows, or Fire Escapes
h. Unsafe or Unlawful Signs
i. Maintenance Required
j. Removal of Obsolete Signs
k. Exemption

6. Guidelines for the Preservation of Architectural Details, Character & Scale

The following guidelines for signs will be reviewed administratively. If staff determines that a sign does not meet any one of the guidelines, the sign may be referred for review to the Main Street Commission and/or Historic Preservation Commission. If a sign is referred for review to the Main Street Commission and/or Historic Preservation Commission, the Commission chair must approve the sign prior to the issuance of any building permit.

1. Signs installed in this district ought to be in scale with existing buildings and adjacent structures.

2. Signs installed in this district ought not cover or obscure a structure's architectural details.

3. Signs installed ought to be in keeping with the architectural character of a structure.

D. Sign Types

Key

	Prohibited
	Permitted
*	Permitted with Conditions

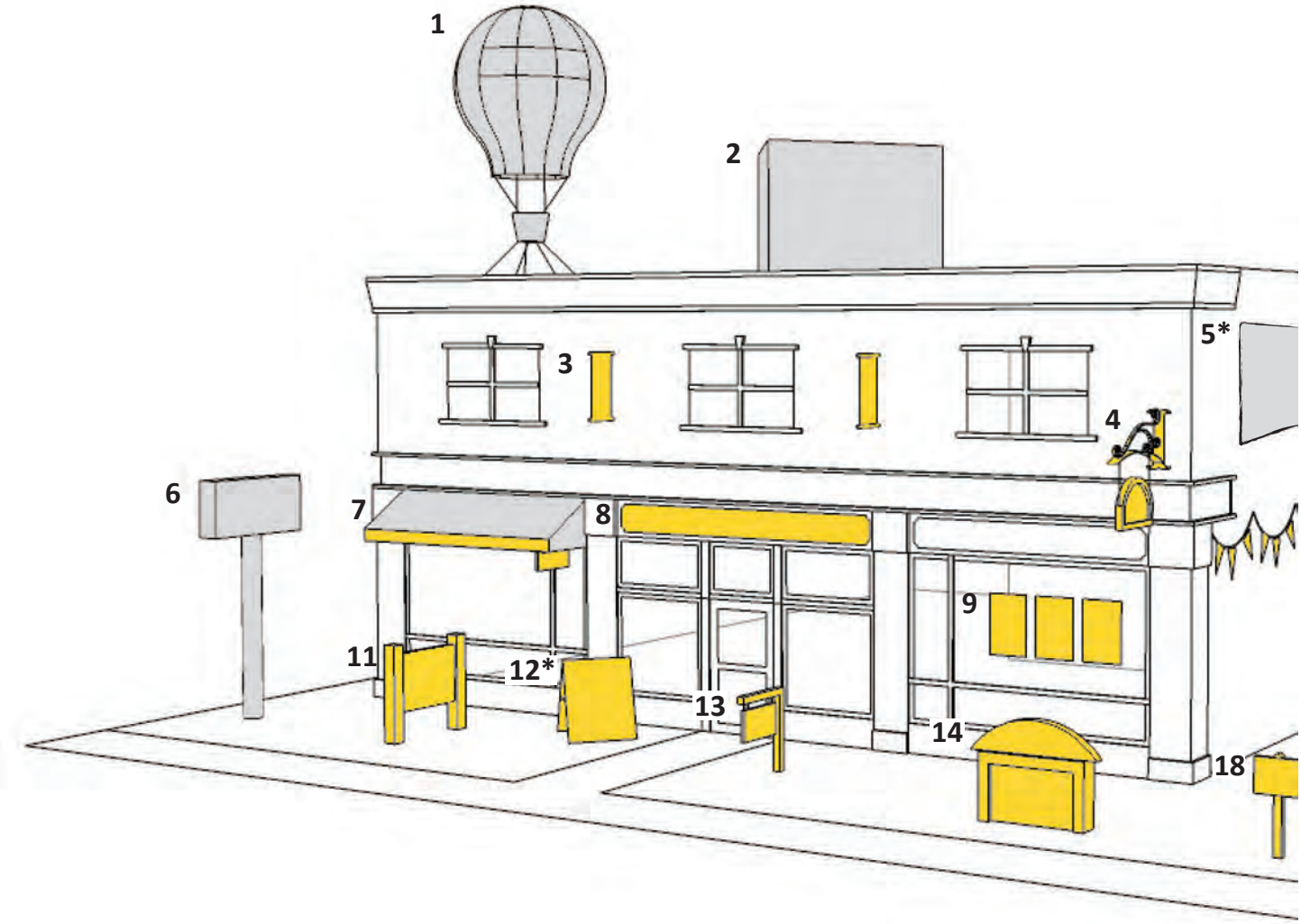


Figure 4.D.1 - Sign Types

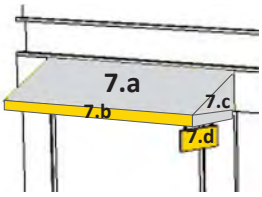


Figure 4.D.2

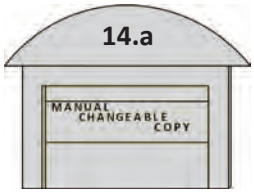


Figure 4.D.3

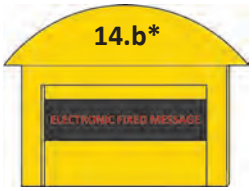
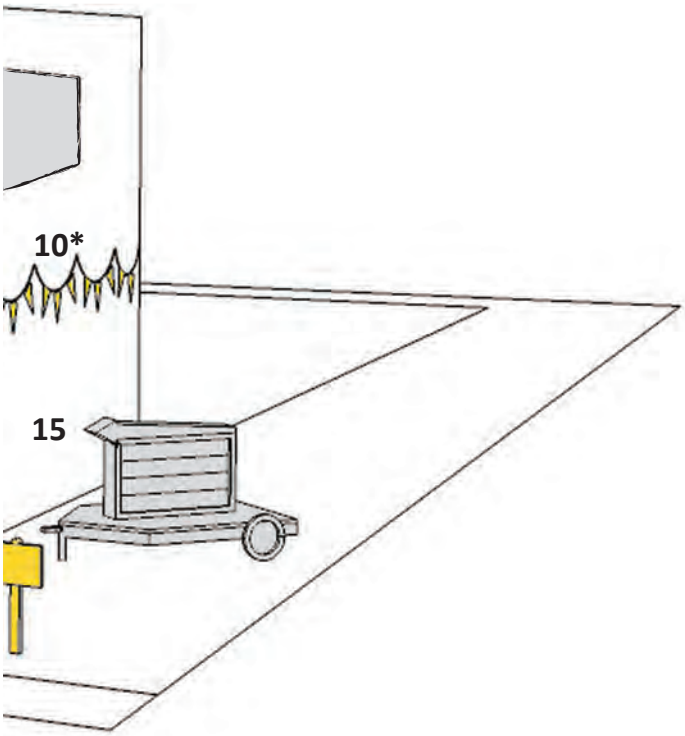


Figure 4.D.4

Figure 4.D.5



1	Inflatable - Temporary
2	Roof
3	Banner
4	Projecting
5	Mural
6	Pole - Freestanding
7	Awning
7.a	Awning - Writing or Logo on Top Panel
7.b	Awning - Valance
7.c	Awning - Writing or Logo on Side Panel
7.d	Hanging - Awning
8	Wall
9	Window
10	Pennant (or Festoon Lighting)
11	Frame - Freestanding
12	Sandwich Board - Temporary
13	Hanging - Freestanding
14	Ground - Monument
14.a	Manual Changeable Copy
14.b	Electronic Changeable Copy - Fixed
14.c	Electronic Changeable Copy - Variable
15	Portable
16	Address
17	Integral
18	Memorial

Figure 4.D.6

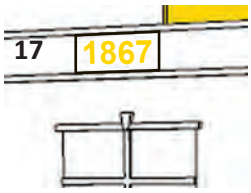


Figure 4.D.7

Figure 4.D.8

E. Sign Regulations

#	Type	Permitted	Maximum Sign Face Area (per sign face)	Maximum Height
1	Inflatable - Temporary	No	---	---
2	Roof	No	---	---
3	Banner	Yes	8 sq. ft.	4'
4	Projecting [1]	Yes	< 30' of lineal feet of front wall = 8 sq. ft. 30'-50' of lineal frontage = 16 sq. ft. > 50' of lineal footage = 32 sq. ft.	Shall not extend past second floor windows or the bottom of any architectural cornice. Minimum vertical clearance of 8' required.
5	Mural [2]	No	---	---
6	Pole - Freestanding	No	---	---
7	Awning [3]	Yes	See below.	Minimum vertical clearance of 8' required.
7.a	Awning - Top Panel	No	---	---
7.b	Awning - Valance	Yes	30% of the valance area	N/A
7.c	Awning - Side Panel	No	---	---
7.d	Hanging - Awning	Yes	8 sq. ft.	N/A
8	Wall [4]	Yes	1 sq. ft. of sign area for each lineal foot of primary or entry side building width.	Shall not project higher than the bottom of the window sills of the second floor or other second floor architectural features of a building, whichever is lower.
9	Window	Yes	25% of total glass area on which they are placed.	N/A
10	Pennant (or Festoon Lighting)	Temporary	Individual pennant shall not exceed 18" in width.	12'
11	Frame - Freestanding	Yes	16 sq. ft.	4'
12	Sandwich Board - Temporary [5]	Temporary	7 sq. ft.	3' 6"
13	Hanging - Freestanding	Yes	3 sq. ft.	4'
14	Monument - Ground	Yes	1 sq. ft. for each lineal foot of frontage along a front lot line but a maximum area of 32 sq. ft.	8' in Downtown Core, Downtown Flex, and Downtown Neighborhood. 10' in all other areas.
14.a	Manual Changeable Copy	No	---	---
14.b	Electronic Changeable Copy - Fixed [6]	Yes	Message area shall comprise no more than 20% of the total elevation area of the monument sign.	Shall comply with the height regulations of a monument sign.
14.c	Electronic Changeable Copy - Variable [7]	Yes	Message area shall comprise no more than 20% of the total elevation area of the monument sign.	Shall comply with the height regulations of a monument sign.
15	Portable	No	---	---
16	Address / Identification	Yes	1 sq. ft. for single-family residence. 5 sq. ft. for multi-family residence or commercial	1' (address numerals) 2' (identification sign)
17	Integral	Yes	8 sq. ft.	2'
18	Memorial [8]	Yes	4 sq. ft.	4'

Table 4.E.1 - Sign Regulations

Special Conditions

1. Figurative signs which advertise the business through the use of symbolic, graphic or crafted three-dimensional objects are encouraged.
2. Existing murals shall be grand-fathered with no amortization period, provided property owner performs regular maintenance and upkeep.
3. Shall not be translucent. Only canvas and cloth awnings shall be allowed.
4. On secondary, side streets, or alley frontage may be allowed but shall not exceed the size of the wall signs on the primary or entry-side frontage. Shall not project above or below the story of the business that it is intended to identify.
5. Shall not be counted toward the total number of signs permitted. Shall be displayed only during business hours.

Special Lighting Requirements	Location
---	---
---	---
Shall not be illuminated.	Shall be located only on second story and project from the exterior wall. Shall not project more than 2' from wall and shall have a minimum vertical clearance of 8'.
Illumination shall be from the top down. Lights shall be focused downward and so designed to avoid glare.	If building has 0' setback, may extend up to, but no more than one half the width of the sidewalk. If building is setback from a property line, may extend up to 8' from the wall, but in no case shall it extend more than one half the width of the sidewalk.
---	---
---	---
Illumination shall be from the top down and lights shall be focused downward and so designed to avoid glare. Shall not be lighted from the underside or interior such that the fabric or structure is illuminated.	In no case shall extend more than one half the width of the sidewalk
---	---
N/A	Shall be allowed when painted or applied flat against the awning or canopy surface.
---	---
Shall not be illuminated.	Shall not extend beyond the awning or canopy projection.
See Section 4.C.3 on page 72.	Shall not project more than 8" from wall and shall not extend within 2' of the edge of a wall. Murals shall be prohibited on front facades.
Shall not be illuminated by an external source.	First floor windows only.
Pennants shall not be illuminated by an external source.	Shall not be suspended from above the first story.
See Section 4.C.3 on page 72.	Shall be 10' off of property line and setback 10' from an access or entry drive.
Shall not be illuminated by an external source.	Shall be allowed only within 10' of building entrance.
Shall not be illuminated by an external source.	Shall be 10' off of property line and setback 10' from an access or entry drive. One sign per building. Wood or wood composite material only.
See Section 4.C.3 on page 72.	Shall be 10' off of property line and setback 10' from an access or entry drive so that it shall not interfere with any line-of-sight triangles.
---	---
Shall not encroach onto or create a visual nuisance to residential properties.	Shall be located on a monument sign only.
Shall not encroach onto or create a visual nuisance to residential properties.	Shall be located on a monument sign only.
---	---
See Section 4.C.3 on page 72.	N/A
See Section 4.C.3 on page 72.	Names of buildings, dates of erection, monumental citations, commemorative tablets, and the like, when carved into stone, concrete or similar material, or made an integral part of the structure.
See Section 4.C.3 on page 72.	Shall not be placed within 5' of the public right of way or any property line.

6. Electronic Changeable Copy signs shall be permitted only within the Neighborhood Flex and Civic Districts.
7. In addition to Item 6 above, as recommended by the Federal Highway Administration, there shall be an interval of 4-10 seconds between message changes.
8. Shall be permitted only when cut into any masonry surface or when constructed of bronze or other similar noncombustible materials which are compatible with the architectural style of the building.

F. Sign Measurements

1. Calculating Maximum Sign Face Area

Per Section II of the Village's Zoning Ordinance, sign area shall be calculated in the following manner:

a. Individual Channel Letters

b. Box Sign

Figure 4.F.1

2. Calculating Maximum Sign Height

Per Section II of the Village's Zoning Ordinance, sign height shall be calculated in the following manner:

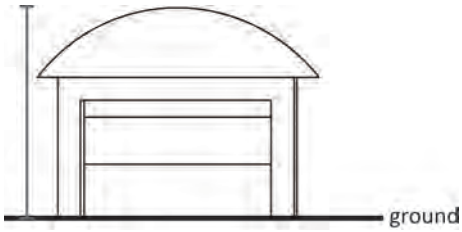


Figure 4.F.2

G. Temporary Signs

Temporary signs and attention-getting devices, such as banners, pennants, valances, decorative lighting, or advertising display constructed of cloth, canvas, light, fabric, cardboard, wall board or other light material may be permitted in the Legacy Code Area for promoting special community activities, special promotional sales, special events, or activities subject to the following provisions:

1. Seasonal (Holiday) Signs and Decorative Lighting

a. Winter holiday signs and decorative lighting shall be allowed from November 1st to January 15th.
b. All other seasonal (holiday) signs are allowed 30 days before and 10 days after the holidays.

2. Special Sale Signs

a. Special sale signs may be displayed for 30 days.
b. After 30 days, a different temporary sales sign my be displayed, provided at least 30 days intervenes between the displays of such temporary signs for differing special sales.

3. Special Event Signs

a. Regulations for special sales signs shall be applied to special event signs. However, if such signs are located in the public right-of-way, then a permit for such sign shall be obtained from the Village of Tinley Park.

Other temporary signs, such as real estate and construction signs, shall be allowed in accordance with Section IX.D.7 of the Zoning Ordinance.

H. Sign Exemptions

The following exemptions shall be permitted within the Legacy Code Area:

1. Traffic or other municipal street signs, such as railroad crossing signs, legal notices, and such temporary emergency signs that may be authorized by the Village of Tinley Park.

2. Directional, information, or public service signs not pertaining to private enterprise (excluding public utilities) erected for the convenience of the public, such as signs identifying entrances, exits, parking areas, no parking areas, restrooms, walkways and similar features or public facilities.

3. Public signs and other signs incidental thereto for identification, information, or directional purpose erected or required by governmental bodies, or authorized for a public purpose by any law, statute, or ordinance.

I. Non-Conforming Signs

All non-conforming signs shall be replaced when:

1. There is a change in use.
2. There is a change in the name of the business.
3. The sign is replaced for any reason whatsoever.
4. Repair of the sign exceeds 50% or more the value of the sign.

2011 LEGACY CODE

SECTION 5
ADMINISTRATION & PROCEDURES

A. How to Obtain Project Approval

1. Pre-Application Conference

Prior to the official submission of any application for improvements within the Legacy Code Area, the applicant shall meet with Village staff for a preliminary discussion as to:

a. The scope and nature of the proposed improvement;
b. The types of building forms and uses proposed; and
c. Any site or façade improvements proposed.

The applicant shall be prepared to present conceptual plans, sketches or any other information necessary to explain the proposed improvements, including any specific requests to deviate from the standards of this code. Village staff will provide general information and direction relative to the long-range goals of the *Legacy Plan* and the Village of Tinley Park, as a whole. Village staff will also provide direction on the applications, reviews, and meetings that will be required to obtain approval.

Type of Development	*Administrative Review*	*Main Street Commission*	*Historic Preservation Commission*	*Plan Commission*	*Village Board*
Redevelopment > 50%	R	R	R	D	$D
New Development > 50%	R	R	R	D	$D
Variances	R	R	R	<R>	D
Special Use	R	R	R	<R>	D
Map Amendment (Rezoning)	R	R	R	<R>	D
Plats & Annexations	R	R	R	<R>	D
Appeals				D (Admin.)	D (Plan Comm.)
Exterior Alteration in Footprint < 50%	R	R	R	D	
Change of Owner	D	R	R		
Change of Use	D	R	R		
Signs	D	R	R		
Facade Improvements	D	$D			
Outdoor Dining	R/D				D*
Lot Improvements (e.g. Parking Lots)	D				
Awnings & Canopies	D				
Outdoor Storage	D				
Collective and Shared Parking	D				
Parking Waiver	D				
Planned Unit Development	Not Allowed				
Maintenance	Exempt				

Table 5.A.1

R: Review & Recommendation
D: Final Approval
$: Incentive Decisions Only, not Land Use
< >: Public Hearing
* Outdoor Dining with alcohol sales must be approved by the Liquor Commissioner

2. Types of Review & Approvals

a. Administrative Review and Approval – Certain improvements require administrative review and approval because of their minimal size and scope. Administrative approvals may consist of reviews from Village staff, including Planning Department, Building Department, Public Works, Engineering, Fire Department, Police Department, and the Village's landscape consultants. All administrative reviews and approvals will require an application and must be documented. Village staff may require an improvement that qualifies for administrative review to go through site plan review by the Plan Commission if the application does not comply with the standards herein or if Village staff determines that the scope of the project exceeds his/her administrative authority.

b. Main Street Commission and Historic Preservation Commission – Review and input from the Main Street Commission and Historic Preservation Commission on any application that requires site plan review before the Plan Commission or any application that requires consideration by the Village Board is critical to ensure that the principles and goals established by the *Legacy Plan* and this code are fully met.

1. Main Street Commission and Historic Preservation Commission may review the application, plans, and related data submitted to the Village before the meeting or Public Hearing on the application. This review should be concurrent with the review of the Plan Commission. However, review by the Plan Commission should not be contingent upon Main Street Commission and Historic Preservation Commission review, in the event that the Main Street Commission and Historic Preservation Commission cannot meet to review an application before the scheduled meeting or hearing of the Plan Commission.

2. Review comments shall be prepared in a written document that can be distributed to the Plan Commission and petitioner before or during the meeting or hearing that has been scheduled to review the application. Such review comments are advisory and shall be processed as recommendations to the Plan Commission.

3. The Main Street Commission and Historic Preservation Commission may send a representative to the scheduled meeting of the Plan Commission.

4. The Main Street Commission and Historic Preservation Commission may be invited to participate in any work session of the Plan Commission for any application.

5. Drawings and support documentation that are revised to respond to comments by Village staff, the Plan Commission, and the Main Street Commission and Historic Preservation Commission shall be transmitted to the Main Street Commission and Historic Preservation Commission for subsequent review and comment until such time as a final vote is taken by the Plan Commission or a recommendation is made and forwarded by the Plan Commission to the Village Board.

6. Representatives of the Main Street Commission and Historic Preservation Commission may prepare formal recommendation for Village Board consideration on any application proposed in any district in this code that was recommended for approval by the Plan Commission and which does not address the requested changes or conditions of approval proposed by the Main Street Commission and Historic Preservation Commission or in the event that the Plan Commission recommendation for approval is contrary to the recommendations proposed by the Main Street Commission and Historic Preservation Commission.

c. Site Plan Review by Plan Commission – Certain improvements require site plan approval because of the proposed changes to the site or building and the scope of the project. Site plan review by the Plan Commission typically involves two public meetings for review by the Plan Commission and one workshop with assigned Plan Commission members.

d. Site Plan Review by Plan Commission and Village Board – Certain improvements require site plan review and approval by the Plan Commission and Village Board because the application requires that an ordinance be considered. Any Public Hearing required for approvals granted by the Village Board will be held by the Plan Commission. Site Plan Review by the Village Board typically involves two public meetings.

e. Exempt - Regular maintenance and repair are exempt from any reviews and approvals.

B. Public Meetings Required

1. Process Determination

The process for meetings and approvals for projects requiring site plan review will be determined by Village staff, based upon the relative conformity to the *Legacy Plan* and this code, and also based upon whether or not a Special Use, variance(s), and/or rezoning are required.

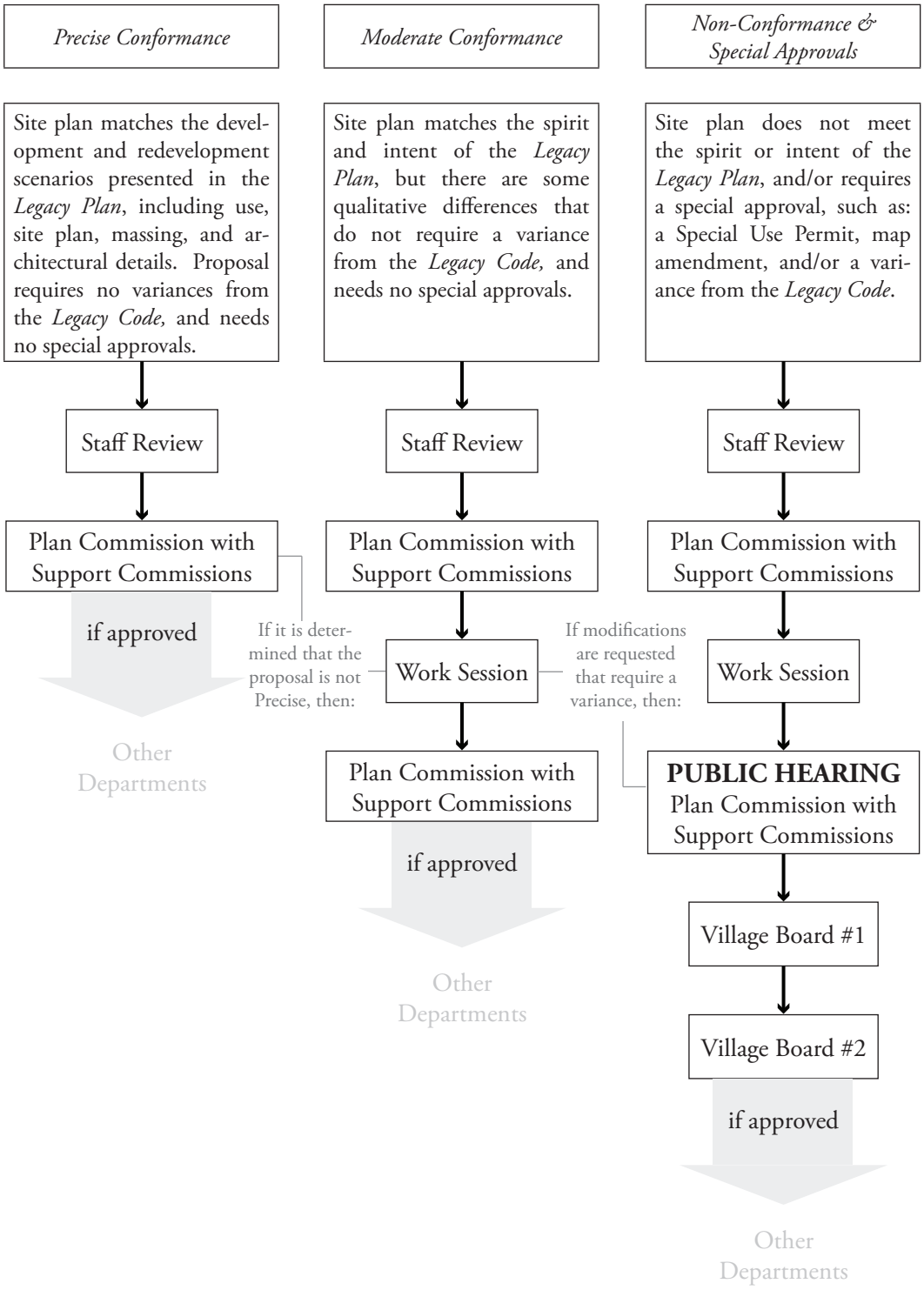


Figure 5.B.1

C. Required Submittal Information

1. Administrative Review

For those projects requiring administrative review, the following information is required to be submitted:

a. Application
b. Concept Plan
c. Plat of Survey with Legal Description
d. Any other items requested by Village staff

The Village will keep on file an application and a list of elements required on each of the above listed items.

2. Site Plan Review

For those projects requiring site plan review, the following information is required to be submitted:

a. Application
b. Site Plan
c. New Plat of Survey with Legal Description
d. Landscape Plan
e. Engineering Plans, with existing and proposed utilities
f. Topographic Plan
g. Stormwater Plan
h. Photometric and Lighting Plan
i. Elevation Drawings, indicating materials
j. Color Renderings
k. Signage Plans
l. Any other items requested by Village Staff

The Village will keep on file an application and a list of elements required on each of the above listed items.

3. Special Use, Variance, Map Amendment

For projects requiring a Public Hearing and review by the Village Board, the following information is required to be submitted:

a. All site plan review requirements listed above in Section 5.C.2
b. Petition for Special Use, variance, map amendment, or Plat of Subdivision
c. Proposed Findings of Fact

4. Plat of Subdivision

For projects requiring a Plat of Subdivision (includes a Public Hearing and review by the Village Board), the following information is required to be submitted:

a. Petition for Plat of Subdivision
b. Plat of Subdivision prepared by a registered Illinois surveyor or engineer

D. Approval Standards

1. General Standards

In addition to any other specific standards set forth herein the Plan Commission shall not recommend a Special Use, variance, appeal, or map amendment from the regulations of this ordinance unless it shall have made findings of fact, based upon evidence presented to it, in each specific case that:

a. The proposed improvement meets the *Legacy Plan* and its Principles, as presented in Section 1.A-B: Purpose and Intent, of this ordinance;
b. The new improvement is compatible with uses already developed or planned in this district and will not exercise undue detrimental influences upon surrounding properties;
c. Any improvement meets the architectural standards set forth in the *Legacy Code*.
d. The improvement will have the effect of protecting and enhancing the economic development of the *Legacy Plan* area.

E. Map Amendment (Rezoning)

An application to amend the Legacy Code Regulating Plan particular to one or more parcels of land may be made to the Plan Commission by any person, firm, or corporation having a free-hold interest, an option to purchase, or any exclusive possessory interest which is specifically enforceable. The process for deciding map amendments will follow the process set forth in Section X.H (Amendments) in the Village Zoning Ordinance.

F. Appeals

Appeals shall be considered by the Plan Commission according to the procedures set forth in Section X.F of the Zoning Ordinance.

G. Special Uses

Special Uses shall be considered by the Plan Commission according to the procedures set forth in Section X.J of the Zoning Ordinance.

1. Additional Standards for Special Uses

The Plan Commission shall not recommend a Special Use unless it shall have made findings of fact, based upon evidence presented to it, in each specific case that:

a. That the establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
b. That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
c. That the establishment of the Special Use will not impede the normal and orderly development of surrounding property for uses permitted in the district.

d. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided.
e. That adequate measures have been or will be taken to provide ingress or egress so designated as to minimize traffic congestion in the public streets.
f. That the Special Use shall in other respects conform to the applicable regulations of the district in which it is located, except as such regulations may be in each instance be modified by the Village Board pursuant to recommendation of the Plan Commission.
g. That the Special Use contributes directly or indirectly to the economic development of the community as a whole.

H. Variances

An application for a variance from this code may be made to the Plan Commission by any person, firm, or corporation intending to request an application for a building permit or occupancy certificate. The process for deciding a variance will follow the process set forth in Section X.X.G (Variances) in the Village Zoning Ordinance.

1. Additional Standards Specific to a Variance

The Plan Commission shall not recommend a variance from the regulations of the *Legacy Code* unless it shall have made findings of fact, based upon evidence presented to it, in each specific case that:

a. Property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in this district in which it is located.
b. The plight of the owner is due to unique circumstances.
c. The variance, if granted, will not alter the essential character of the locality.
d. There are practical difficulties or particular hardships that are unique to the property such as:

1. The particular physical surroundings, shape, or topographical condition of the property creates a hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
2. The conditions upon which the petition for a variance is based would not be applicable, generally, to other property within the same zoning classification;
3. The purpose of the variance is not based exclusively upon a desire to make more money out of the property;
4. The granting of the variance would not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood; and
5. The proposed variance will not impair an adequate supply of light and air to adjacent property, or substantially increase congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values in the neighborhood.

2. Additional Standards Specific to a Parking Variance

The number of off-street automobile and/or bicycle parking spaces required in all districts may be reduced by a variance reviewed by the Plan Commission and approved by the Village Board following the variance standards in Section 3.C and when all of the following standards are met:

a. The development does not have the benefit of shared or collective parking;
b. The applicant proves that adequate parking exists for such use, based on the unique number, type and use characteristics (i.e., peak hour or day) of those businesses or residences that currently use such a lot;
c. A municipal or commuter parking lot exists within 300 feet of the development that has adequate parking to accommodate all or a portion of the number of required spaces for the use;
d. The owner of the building makes a payment equal to $1,000 per required automobile and bicycle parking space that cannot be provided on the subject lot. The fees collected for the payment in lieu of parking will be used only for the acquisition of land or construction of municipally owned or leased off street parking facilities for automobiles or bicycles; landscape or streetscape; bike trails, lanes, or paths; or maintenance or illumination of off-street parking facilities.

I. Parking Agreement Standards and Waivers

1. Additional Standards for Cross Parking & Cross Access Agreements

Off street parking facilities for automobiles are encouraged to be provided for collectively or shared. The Plan Commission must approve a shared parking arrangement through site plan review and under the following conditions:

a. A shared parking analysis is conducted, following the standards of the Urban Land Institute, and indicates that reduced parking standards between uses can be supported because of the hourly parking demand associated with each business is different; and
b. There is adequate parking proposed to serve each business sharing the parking during the peak hour associated with each use; and
c. There is a written acknowledgement from all property owners that are party to the collective or shared parking that the shared parking approval will only be recognized by the Village if the current arrangements of commercial and residential square footages on the property remain the same. If these arrangements change by change of use or change of owner, expansion or redevelopment, new parking improvements may be required; and
d. The arrangement is formalized through officially recorded cross access and cross parking agreements.

2. Additional Standards Specific to a Parking Waiver

The number of off-street automobile or bicycle parking spaces required in the Downtown Core District (only) may be reduced by an administratively granted Parking Waiver approved by Village staff under the following conditions:

a. The waiver requested is for 50% or less of the total required parking for the site to meet commercial automobile and/or bicycle parking requirements.
b. The waiver is not for residential parking requirements. Residential parking requirements cannot be waived.
c. A municipal lot exists within 300 feet of the business that has adequate parking to accommodate all or a portion of the number of required spaces for a new tenant or use or a public commuter parking lot exists within 300 feet of the business and can be used on weekends and weekdays (after 11:30 a.m.);
d. The development does not have the benefit of shared or collective parking;

e. It is determined that the waiver of parking requirements will not detrimentally impact surrounding single family residential neighborhoods with overflow parking and traffic.

f. The owner of the building makes a payment equal to $1,000 per required automobile and bicycle parking space that cannot be provided on the subject lot. The fees collected for the payment in lieu of parking will be used only for the acquisition of land or construction of municipally owned or leased off street parking facilities for automobiles or bicycles; landscape or streetscape; bike trails, lanes, or paths; or maintenance or illumination of off-street parking facilities.

2011 LEGACY CODE

APPENDIX

A. General Thoroughfare Standards

1. Standard Corridor

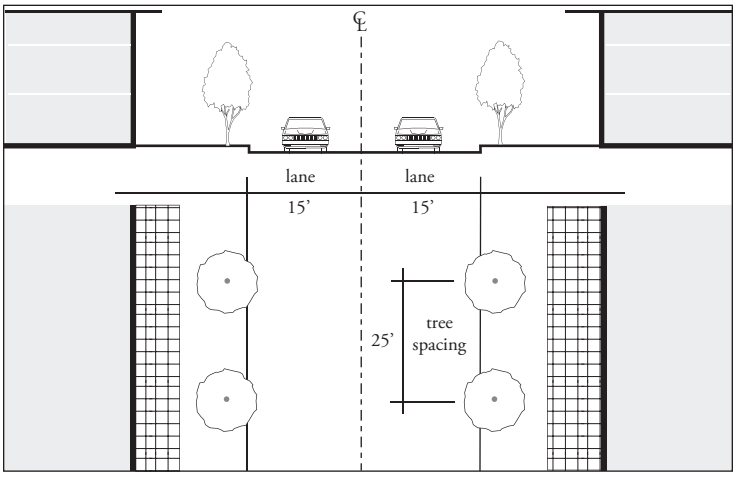


Figure Appendix.A.1

2. Corridor Type A

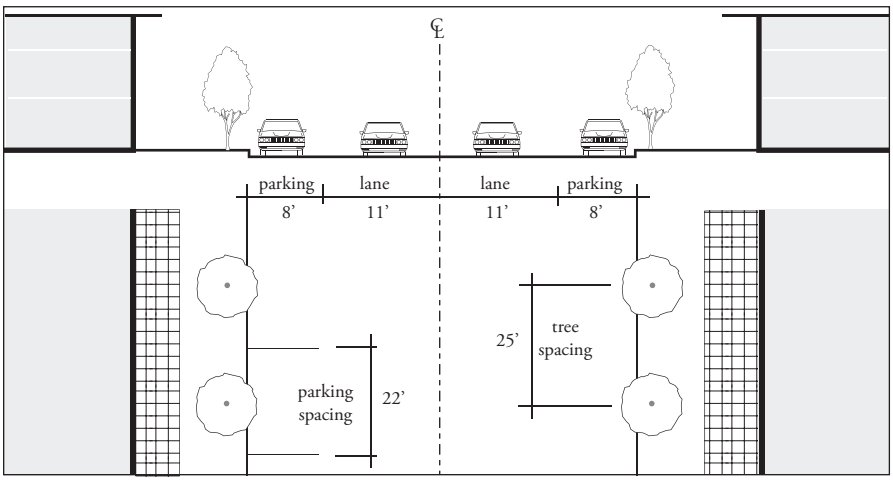


Figure Appendix.A.2

3. Corridor Type B

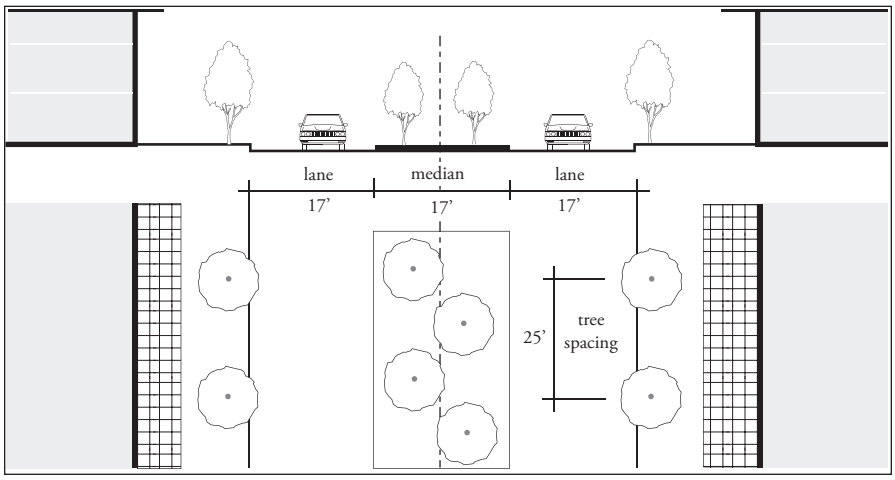


Figure Appendix.A.3

4. Corridor Type C

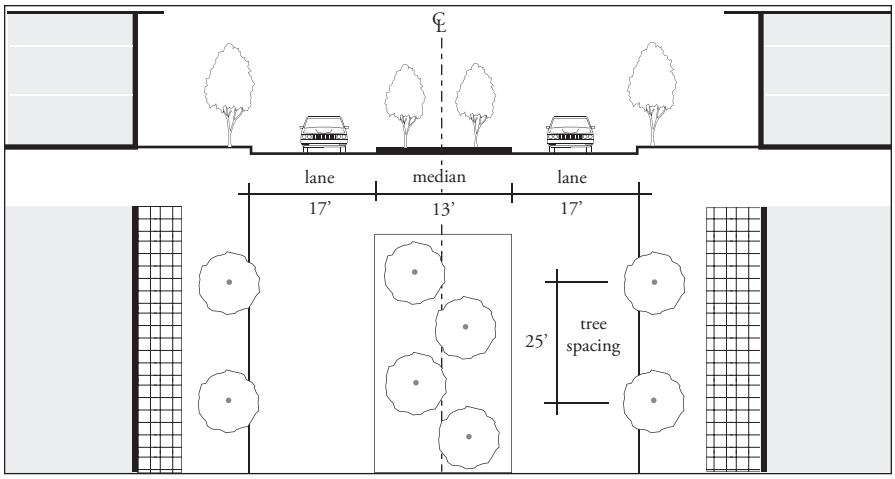


Figure Appendix.A.4

5. Corridor Type D

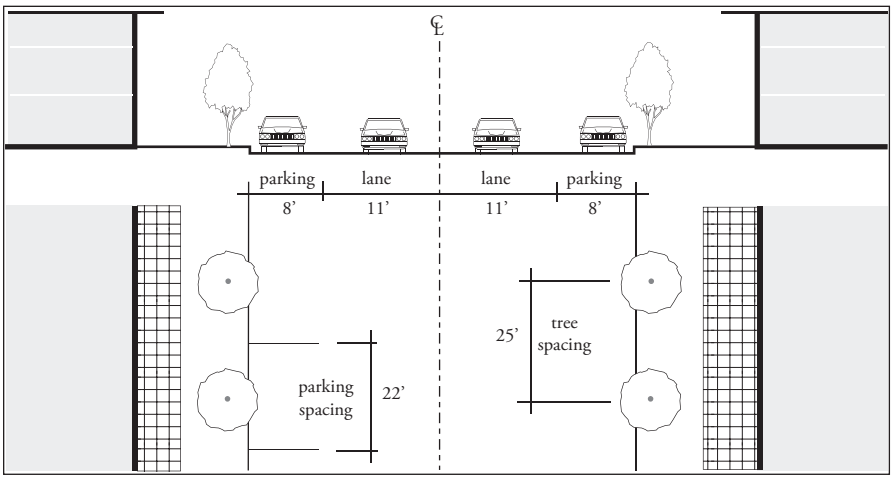


Figure Appendix.A.5

6. Corridor Type E

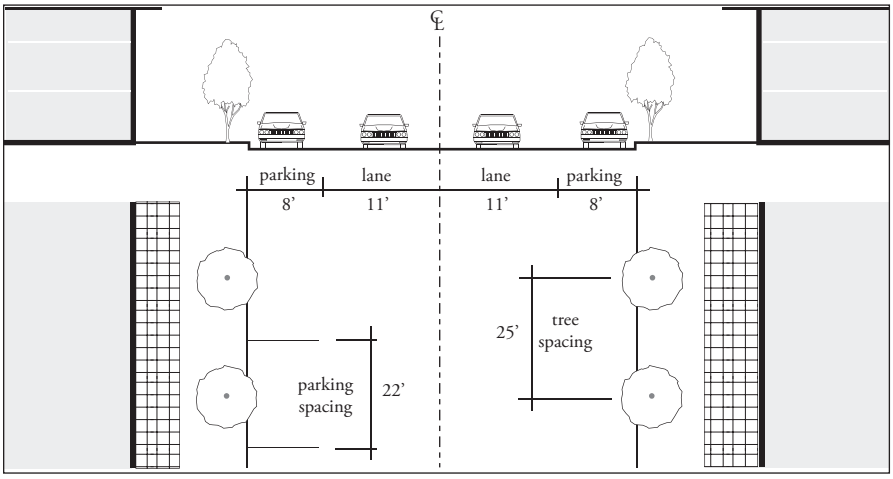


Figure Appendix.A.6

7. Corridor Type F

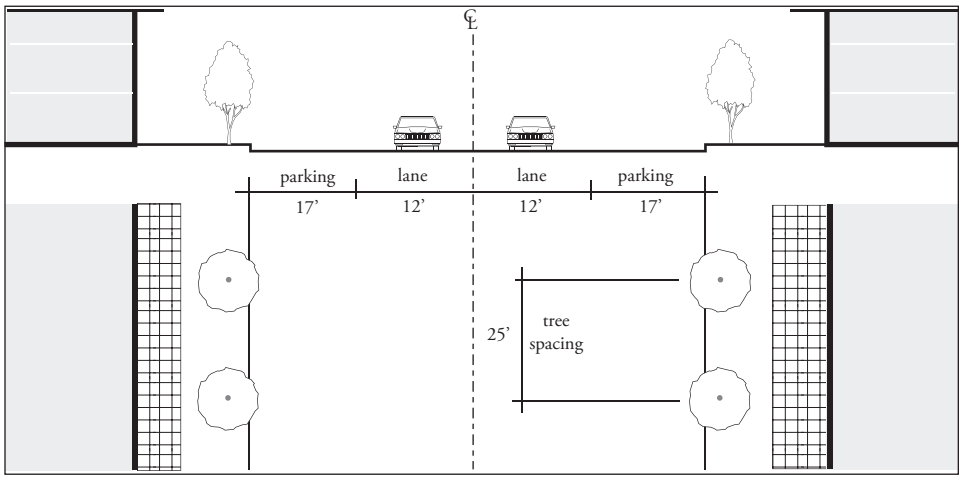


Figure Appendix.A.7

8. Corridor Type G

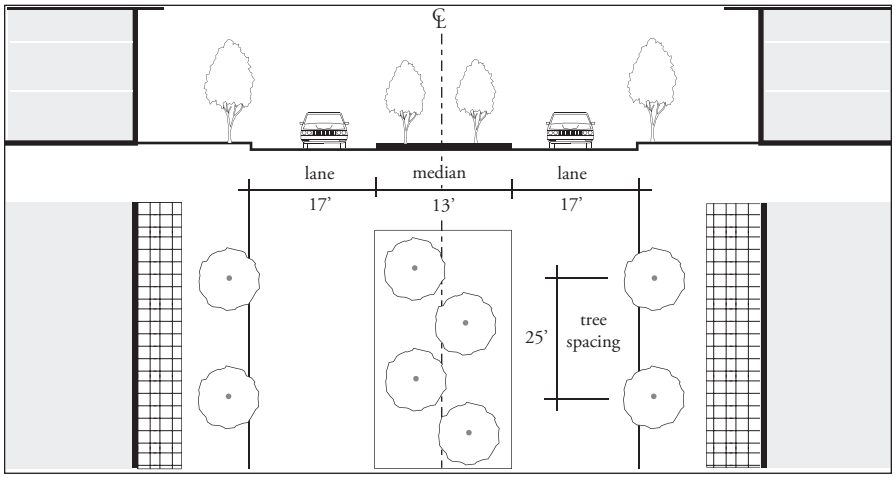


Figure Appendix.A.8

9. Corridor Type T

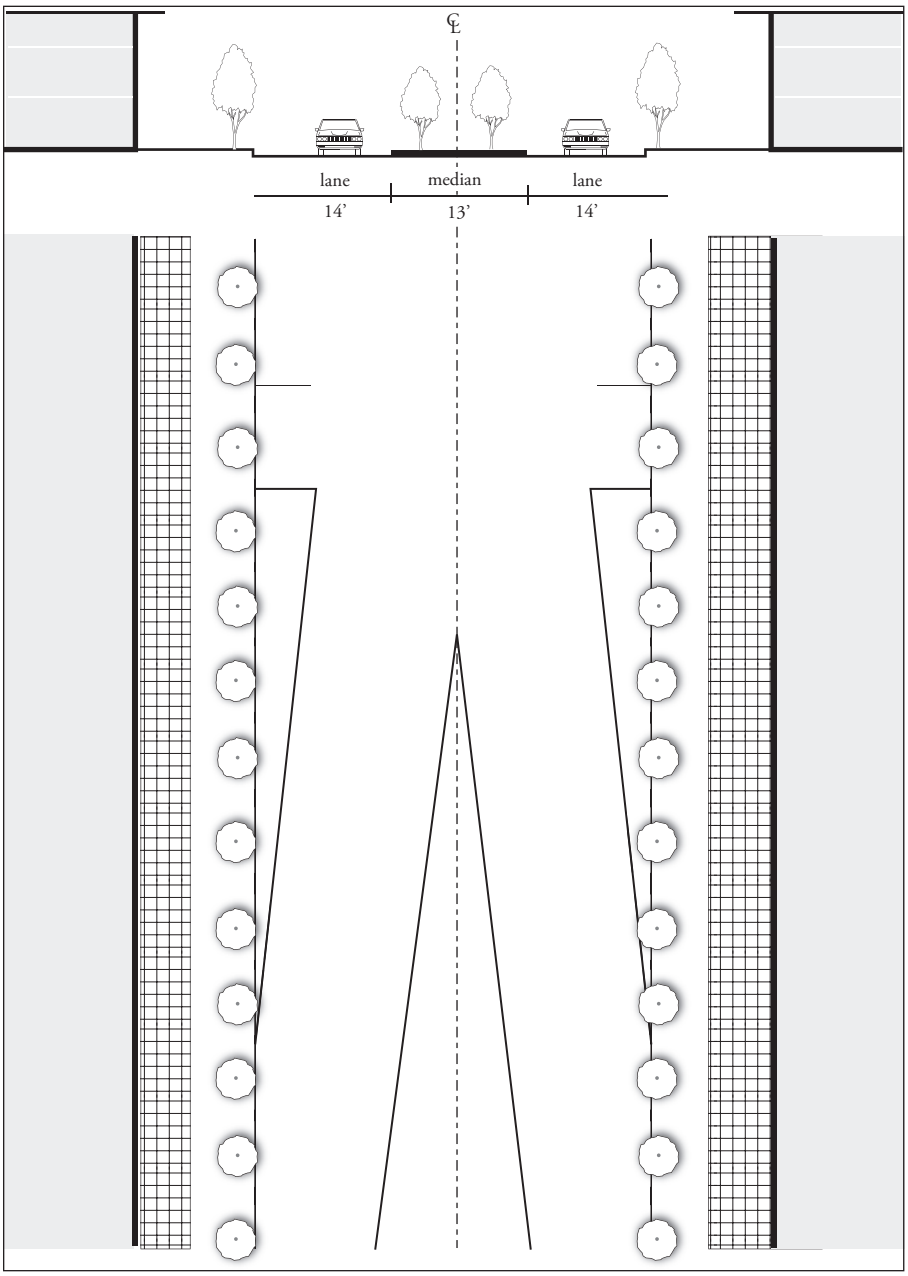


Figure Appendix.A.9

B. Potential Right-of-Way Transitions

Oak Park Avenue consists of the following dimensions:

Street Segment (moving from north to south)	*Right-of-Way Width*
159th Street to Ravinia Drive / 170th Street	100’
Ravinia Drive / 170th Street to 175th Street	66’
175th Street to 179th Street	80’
179th Street continuing south	100’

Table Appendix.B.1

The *Legacy Plan* recommends that the 80 foot and 100 foot sections of Oak Park Avenue transition in the long term to a boulevard with a landscaped median at the center. The diagrams below show options for how sidewalks, medians, bike lanes and traffic lanes can transition between the narrower 66 foot section and the future boulevard sections.

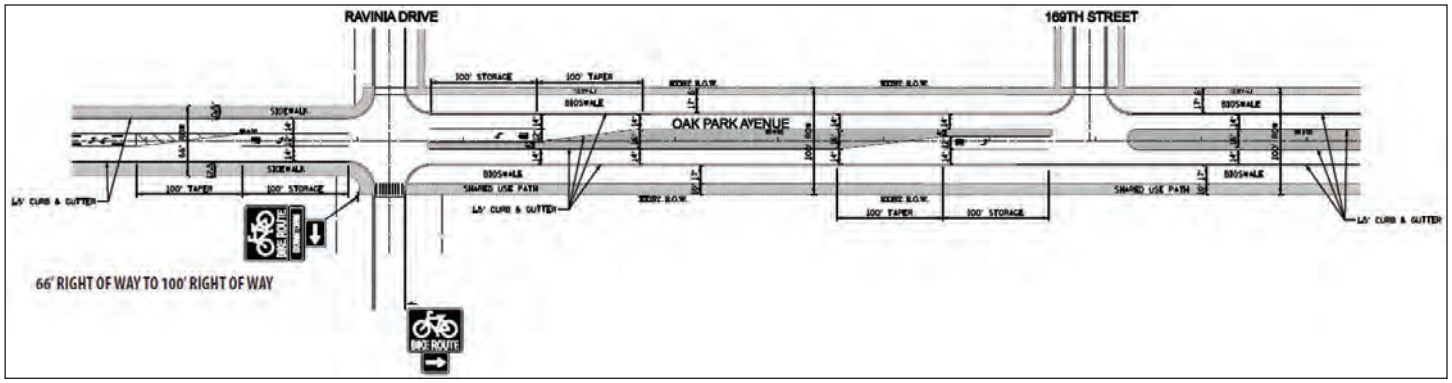


Figure Appendix.B.1

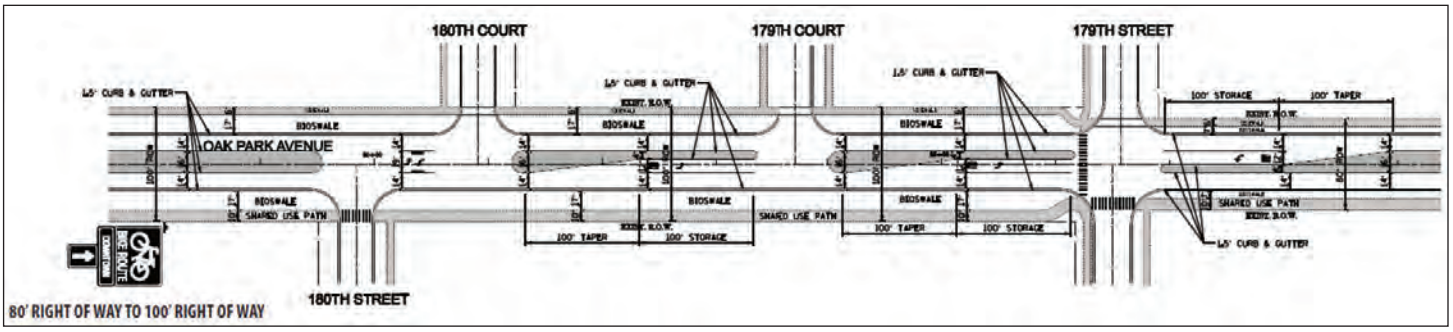


Figure Appendix.B.2

C. Stormwater Management Analysis

All detention volumes are approximation and based on the following criteria:

1. All required detention volumes are based on Bulletin 70 rainfall data
2. Detention required assumes 0.00 CFS release rate for worst case scenario
3. Detention volumes provided are based on a 5' deep basin with 4:1 slopes
4. Permeable paver base is assumed to be of 14" overall thickness which provides 0.47 ac.-ft. of detention per acre of surface. Assumes zero run-off on permeable pavers.
5. C-Values are approximated based on current redevelopment plan.

Figure Appendix.C.1

Block 1	
Area	4.46 ac. C-Value = 0.68
Detention Required	2.06 ac.-ft.
Detention Available	4.30 ac.-ft. (max.)
Block 2	
Area	4.61 ac. C-Value = 0.67
Detention Required	2.10 ac.-ft.
Detention Available	6.00 ac.-ft. (max,)
Block 3	
Area	4.34 ac. C-Value = 0.71
Detention Required	2.06 ac.-ft.
Detention Available	2.16 ac.-ft. (max.)
Block 4	
Area	3.30 ac. C-Value = 0.73
Detention Required	1.63 ac.-ft.
Detention Available	1.10 ac.-ft.
Required Off-Site	0.53 ac.-ft.
Block 5 (using permeable pavement)	
Area	6.48 ac. C-Value = 0.37
Detention Required	1.63 ac.-ft.
Detention Available	1.29 ac.-ft. (provided in paver base)
Required Off-Site	0.34 ac.-ft.
Block 6	
Area	3.75 ac. C-Value = 0.70
Detention Required	1.79 ac.-ft.
Detention Available	2.40 ac.-ft.
Block 7	
Area	1.42 ac. C-Value = 0.71
Detention Required	0.71 ac.-ft.
Detention Available	Detention to be provided off-site
Required Off-Site	0.71 ac.-ft.
Block 8	
Area	1.42 ac. C-Value = 0.75
Detention Required	2.78 ac.-ft.
Detention Available	6.80 ac.-ft.

Table Appendix.C.1

D. Historic Properties & Special Uses

Key	
Legacy Code Boundary	
Existing Special Uses	
Gas Station	16701 S. Oak Park Ave.
Day Care Center	17007 S. Oak Park Ave.
Temporary Parking Lot	17248 S. 67th Ct.
2nd Floor Residence	17211 S. Oak Park Ave.
2nd Floor Residence	17217 S. Oak Park Ave.
Drive-thru Facility	17432 S. Oak Park Ave.
Trailer Hitch Business	17501 S. Oak Park Ave.
Car Dealership	17514 S. Oak Park Ave.
2nd Floor Residence	17601 S. Oak Park Ave.
Used Car Dealership	17651 S. Oak Park Ave.
2nd Floor Residence	17659 S. Oak Park Ave.
Vet Tech School	18020 S. Oak Park Ave.
Auto Repair	18040 S. Oak Park Ave.
2nd Floor Residence	6926 W. 183rd St.
Historically Significant Properties	
Fulton Home	16800 S. Oak Park Ave.
Rose Brown House	16820 S. Oak Park Ave.
Henry Hopman House	17207 S. Oak Park Ave.
Stoeckmann Home	17237 S. Oak Park Ave.
Funk/Hirsch Funeral Home	17250 S. Oak Park Ave.
Hick & Messenbrink's Meat Market	17302 S. Oak Park Ave.
Schreiber's Cobbler	17342 S. Oak Park Ave.
Columbia Hotel	17332 S. Oak Park Ave.
Andres Block	17344 S. Oak Park Ave.
JW Hollstein	17358 S. Oak Park Ave.
Dini Home	17424 S. Oak Park Ave.
Poorman Residence	17301 S. 66th Ct.
Fred Henke Home	17231 S. 67th Ave.
Brueggemann Home	17247 S. 67th Ct.
Henry Vogt Home	17420 S. 67th Ct.
Alfred Swan Home	17437 S. 67th Ct.
Christian Andres Home	6832 W. 173rd Pl.
Methodist Church	6875 W. 173rd Pl.
Methodist Church Parsonage	17342 S. 68th Ct.
Old Zion Landmark	6724 W. 174th St.
Carl Vogt Building	6811 W. Hickory St.

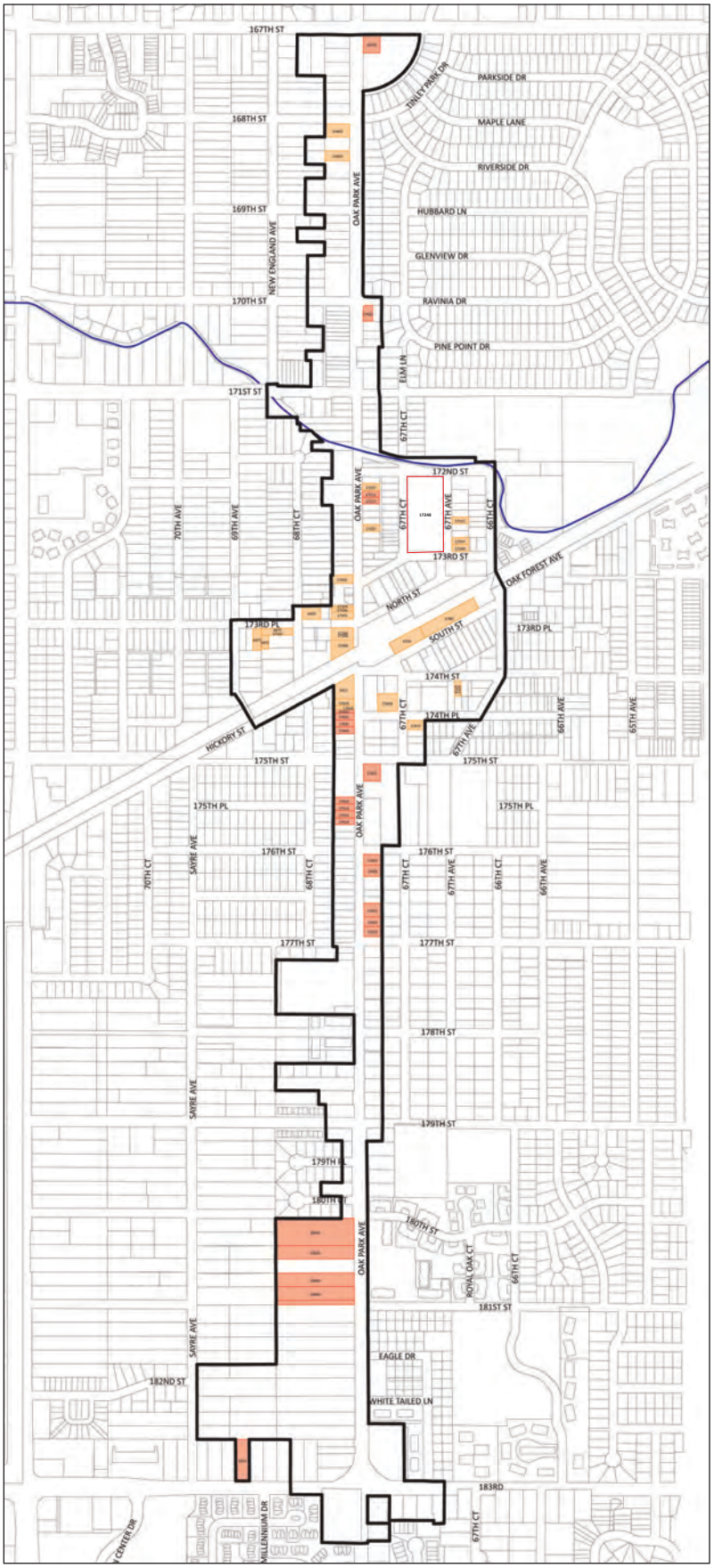
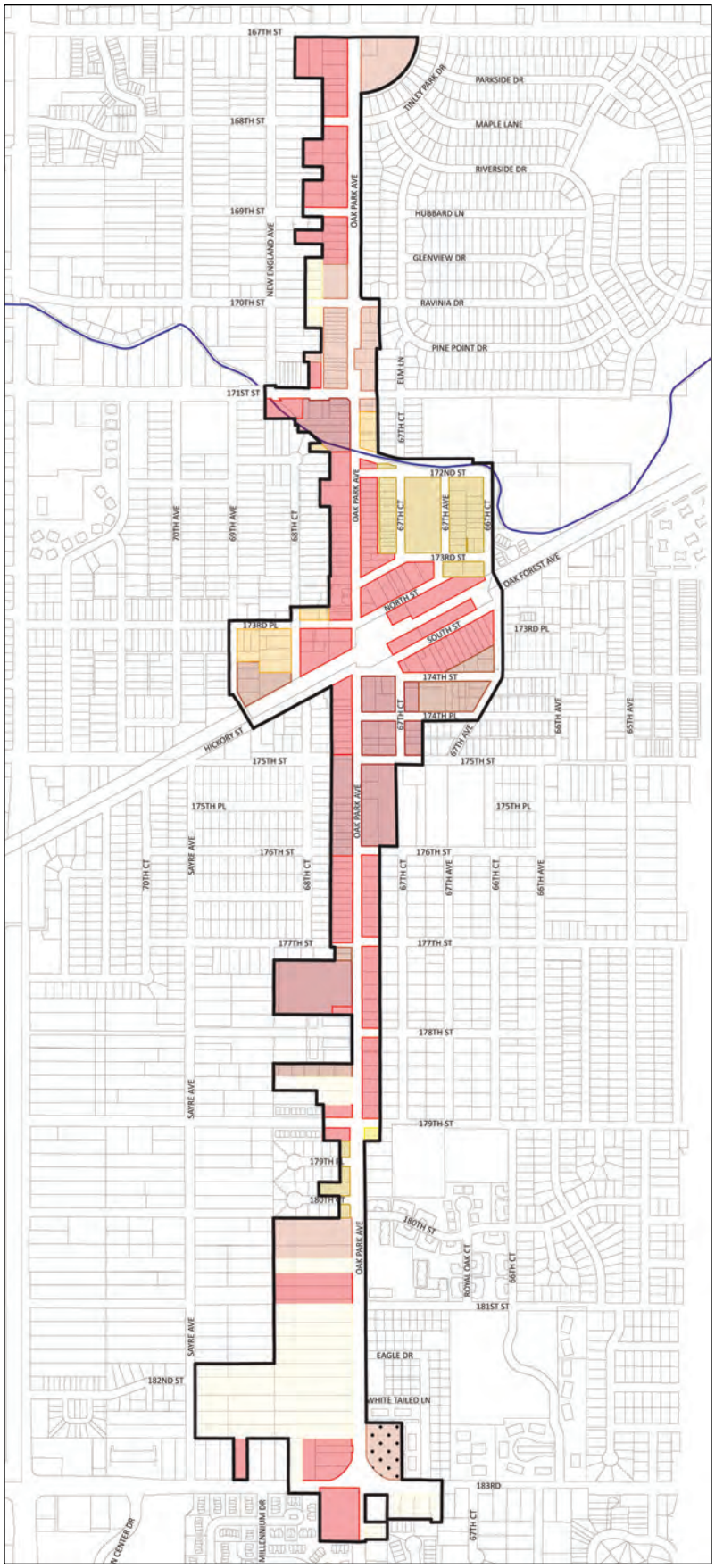


Figure Appendix.D.1

Appendix

E. Zoning Prior to Adoption



Key	
▬	*Legacy Code* Boundary
	R-1 Single Family Residential
	R-2 Single Family Residential
	R-3 Single Family Residential
	R-4 Single Family Residential
	R-5 Low Density Residential
	R-6 Medium Density Residential
	B-1 Neighborhood Shopping
	B-3 General Business & Commercial
	B-4 Office & Service Business
	Planned Development

Figure Appendix.E.1

F. Main Street Commission Boundary

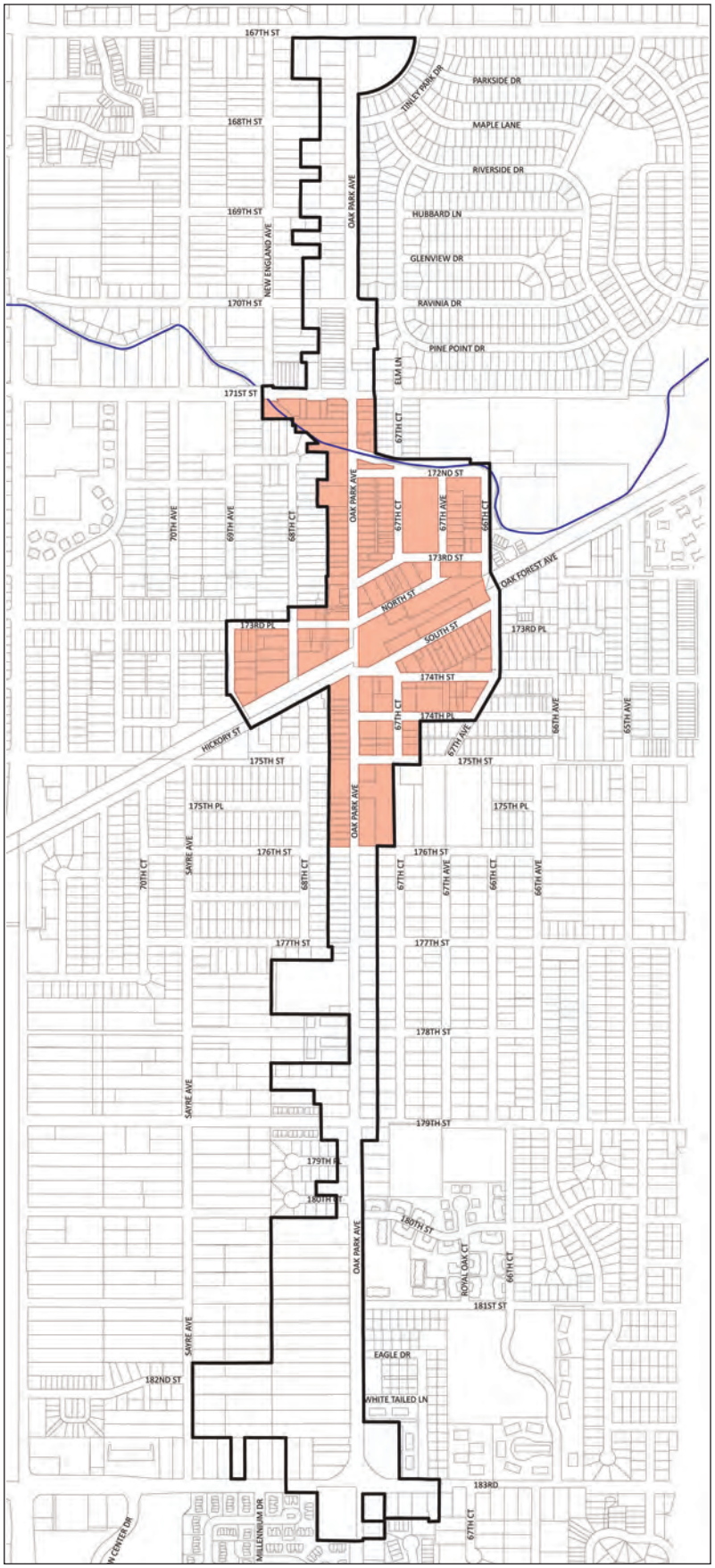


Figure Appendix.F.1

Appendix

2011 LEGACY CODE

DEFINITIONS

1. Applicability

Where conflicts occur between these definitions and those found in other sections of the Village's Zoning Ordinance and this section of the Zoning Ordinance, the regulations of this section supersede.

Access Drive
A private driveway that links parking facilities to an abutting public street.

Attached Parking
A parking structure of one or more levels that is connected to a building but that is situated either in whole or in part outside the footprint of the building.

Below Grade Parking
Parking facilities located either in whole or in part below grade.

Block End
A lot having at least two (2) adjacent sides abut for their full length upon a street.

Building Height
The number of stories between the floor of the first story (exclusive of basements or cellars) and the roof, and shall include both habitable and mechanical space.

Corridor
That area comprised of the thoroughfare, public frontage, and private frontage, and extending across a street from building façade to building façade.

Front Yard Parking
Surface parking facilities located between the building façade and the curb of the thoroughfare, and accessed directly from the thoroughfare without the use of a drive aisle.

Heritage Sites
Those lots with structures or uses that lawfully existed prior to the adoption of the *Legacy Code*. Heritage Sites are generally classified as such until they incur voluntary, private-owner initiated site improvements that exceed 50% of the property's market value, at which time they shall be reclassified as redevelopment sites and subject to the pertinent provisions within its district. Absent such voluntary, private-owner initiated site improvements, Heritage Sites may retain their Heritage Site status in perpetuity, and can change owner and/or use, be maintained and repaired as part of normal upkeep, undergo site improvements that do not exceed 50% of the property's market value, and be rebuilt following an Act of God, all without altering this status. In those instances involving an Act of God (i.e. natural disaster, fire, etc.), nonconforming uses and building types lawfully established at the time of the event may be reestablished, provided that no new nonconformities are created and that the existing degree of nonconformity is not increased, and with the condition that the property be reconstructed to meet the private lot, corridor and alley standards of its district. In order to reestablish previous nonconforming uses and building types following an Act of God, a building permit relative to such reestablishment must be obtained within one (1) year of the date of the damage or destruction by an Act of God, and construction must be completed within one year of issuance of the building permit. In the event that the permit is not obtained within

one (1) year from the date of damage or destruction by an Act of God, or construction is not completed within one (1) year of the issuance of the building permit, the Heritage Site status shall be lost, and the building or use must thereafter conform to those allowed in the District.

Lineal Frontage (Block)
The distance as measured along the front lot line of one or more properties abutting one (1) side of a thoroughfare and lying between the two nearest intersecting streets as determined by staff.

Lot Assemblage
The assemblage of two (2) or more contiguous parcels to form a single lot.

Market Value
Shall mean and be determined, within the *Legacy Code* Area, by dividing the assessed valuation of the property as determined by the Cook or Will County Assessor, and as shown on the most recent tax bill for the property, by the level of assessment used by the Assessor for the type of property (i.e. vacant, single-family, commercial, etc.). For example, a property with an assessed valuation of $40,000, and a level of assessment of 16%, shall have a Market Value of $250,000 (40,000/.16).

Mixed-Use
A mixed-use building contains residential dwelling units above or behind ground floor commercial, group assembly, and/or civic uses, and may be designed to accommodate office and/or group assembly space on the second level.

Moderate Conformance
Project proposals shall be considered in Moderate Conformance with the *Legacy Code* when Village staff determines that the plans match the spirit and intent of the *Legacy Plan*, but there are qualitative differences (i.e. site layout) that do not require a variance from the *Legacy Code*, or need special approval.

Multi-Family
A multi-family structure is a residence for multiple households where dwelling units are located above or below one another and share a common lobby (Syn: condominium; apartment).

Precise Conformance
Project proposals shall be considered in Precise Conformance with the *Legacy Code* when Village staff determines that the plans match the development or redevelopment scenario presented in the *Legacy Plan*, including use, site plan, massing, and architectural details. In addition, the proposal requires no variances or other special approvals.

Primary Façade
The primary façade of a building is the entire linear exposed exterior surface that fronts a thoroughfare and extends from exterior grade to the roofline. On interior and corner lots, the primary façade shall be face of the building used for its primary mailing address, as determined by Village staff.

Private Frontage
The privately owned area between the front lot line of a parcel and the building façade.

Public Frontage
The publicly held area between the curb of the thoroughfare and the front lot line of a parcel.

Redevelopment Sites
Those lots, structures, and uses that are subject to the redevelopment requirements of a *Legacy Code* zoning district. Property shall be classified as a Redevelopment Site when it is part of a lot assemblage and/or when voluntary, private-owner initiated site improvements exceed 50% of the property's market value. Redevelopment Sites include those lots, structures, and uses that did not lawfully exist prior to the adoption of the *Legacy Code*, those lots that are, at present, undeveloped, and those lots that lose their status as Heritage Sites by operation of a provision of the *Legacy Code*.

Secondary Façade
On corner lots, the secondary façade is the entire linear exposed exterior surface that fronts a thoroughfare and extends from exterior grade to the roofline, and is the face of the building not used as the primary mailing address, as determined by Village staff.

Single-Family Attached
A single-family attached structure is a residence designed to house a single-family unit from lowest level to roof, with a private outside entrance and a shared common wall with an adjoining dwelling unit (Syn: rowhouse; townhouse).

Single-Family Detached
A single-family detached structure is a residence designed to house a single-family unit only, and is separated from other dwelling units by open space.

Site Improvements
Voluntary, private-owner initiated modifications to a property, including structures, that require a building permit. In determining the value of such Site Improvements in relation to Heritage Site status, the final costs shall exclude the costs of underground Public & Private Improvements required by the Heritage Sites section of the property's district.

Stand-Alone Commercial
A stand-alone commercial building contains retail, office, group assembly, and/or civic uses on all levels of the structure.

Structure Expansion
A modification that results in an increase in the floor area and/or volume of a structure.

Thoroughfare
That portion of a corridor consisting of the pavement upon which vehicle and bicycle movement occurs.

Tucked-in Parking
Parking facilities located in their entirety within the envelope of a building.

Undeveloped Sites
Those vacant sites upon which there were no structures or uses lawfully established at the time of adoption of the *Legacy Code*.

Water Collection Area
An area where rain water is harvested and stored above ground and open to the sky. (Syn. bioswales, rain gardens)