

ZONING ORDINANCE

VILLAGE OF ADDISON, ILLINOIS

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ZONING ORDINANCE

VILLAGE OF ADDISON, ILLINOIS

SECTION I. TITLE, INTENT AND PURPOSE

A. Title. These regulations may be referred to as the "ZONING ORDINANCE."

B. Purpose and Intent. This Ordinance is adopted for the purpose of:

1. Promoting the public health, safety, comfort, morals, convenience and general welfare.
2. Securing adequate light, pure air and safety from fire and other dangers.
3. Conserving the taxable value of land and buildings throughout the Village of Addison.
4. These regulations have been based upon the comprehensive plan for the Village of Addison which was adopted by the Village Board of Trustees on September 8, 1970. Said comprehensive plan included a study of existing zoning, estimate of population growth, land use surveys, a land use plan, plans for major streets, community facilities, public utilities, annexation, housing, and a capital improvement program.
5. Need for public services and facilities in both size and location depends upon the character and intensity of land use. Regulation of the use land is thus fundamental to a Coordinated optimum physical development of the community. The land use regulations are intended to be the foundation of the entire process of improvement of the physical environment.
6. The regulations are intended to preserve and protect existing uses and values against adverse or unharmonious adjacent uses.
7. The Land use regulations divide the area into a number of zoning districts.
 - a. The comprehensive plan included careful estimates of the land area requirements, for the various land uses such as commerce, residence, industry, and public uses. These urban uses should be directed into that land area where they may be most efficiently served by the public services and facilities such as sewers, water, schools, streets, parks and the like.

- b. In the past, residential neighborhoods have deteriorated because they were invaded by small isolated commercial uses and by more intensive residential uses such as duplexes or apartment buildings. These regulations establish residential districts particularly designed to provide maximum protection for single-family homes.
- c. Other residential districts are established for two-family homes and for multiple-family dwellings. Density, yard, and parking regulations would insure good living conditions in these areas. Much of present day building is by large projects instead of lot by lot. The regulations provide for planned developments which may be located in any residential districts with approval of the site plan and conformity of the plan to the overall density standards of the ordinance. This introduces an important measure of flexibility into the regulations.
- d. Commercial districts recognize the different types of commercial areas that will be needed by the future growth of The Village. There is a zoning district for the office commercial area, i.e., the business and professional uses serving the Village. For the more widely used commercial areas along major streets and highways, there is a general commercial district. There is a central commercial district for the central area and a special planned commercial district for the shopping center.
- e. For industry there are three districts -- a light industrial district for the modern organized industrial area with landscaped front yards, and two general industrial districts for non-obnoxious manufacturing.
- f. The regulations emphasize character as well as location and density of the land uses. Special inducements are offered for good design of apartment areas. Landscape planting is required in all front yards and for automobile filling stations, parking lots and garages. Advertising is carefully controlled.
- g. The regulations are reasonable in relation to existing conditions. Yard dimensions are adjusted to peculiarities of existing lots. Lots that are too small may be used. Non-conforming uses are permitted to continue for adequate time periods.
- h. All uses are required to provide their own off-street parking.
- i. Each of the regulations has been designed to work harmoniously with the others with the totality providing that minimum degree of land use control essential to the realization of the most desirable urban environment.

SECTION II. GENERAL PROVISIONS

A. Interpretation.

1. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, morals, and welfare.
2. Where the conditions imposed by any provision of this ordinance upon (a) the use of land or buildings, (b) the bulk of buildings, (c) floor area requirements, (d) lot area requirements, and (e) yard requirements, are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this ordinance or of any other law, ordinance, resolution, rule, or regulation of any kind, the regulations which are more restrictive or which impose higher standards or requirements shall govern.
3. This ordinance is not intended to abrogate any easement, covenant or other private agreement, provided that where the regulations of this ordinance are more restrictive or impose higher standards or requirements than such easements, covenants, or other private agreement the requirements of this ordinance shall govern.
4. No building, structure, or use, not lawfully existing at the time of the adoption of this ordinance, shall become lawful or be made lawful solely by reason of the adoption of this ordinance and to the extent that, and in any manner that said unlawful building structure, or use is in conflict with the requirements of this ordinance, said building, structure, or use remains unlawful hereunder.

B. Separability. It is hereby declared to be the intention of the Board of Trustees of the Village of Addison that the several provisions of this ordinance are separable in accordance with the following:

1. If any court of competent jurisdiction shall adjudge any provision of this ordinance to be invalid, such judgment shall not affect any other provision of this ordinance not specifically included in said judgment.
2. If any court of competent jurisdiction shall adjudge invalid the application of any provision of this ordinance to a particular property, building, or structure, such judgment shall not affect the application of said provision to any other property, building or structure not specifically included in said judgment.

C. Building on Lot. In all use districts every principal building hereafter erected or structurally altered shall be located on one lot, and there shall be located not more than one principal building on one lot, except in a planned development.

These provisions may be varied upon a public hearing in the manner set forth in this ordinance.

A variation shall not be allowed if:

1. The acreage is adequate for a planned development;
2. The lot area and density requirements are not met;
3. The building does not have street frontage;
4. The set back requirements are not met.

D. Allowable Use of Land or Buildings. The following uses of land or buildings are allowed in the districts indicated hereinafter in Sections IV, V, and VI under the conditions specified in this ordinance;

1. Uses lawfully established on the effective date of this ordinance.
2. Permitted uses as designated in Sections IV, V and VI.
3. Special uses as designated in Sections IV, V and VI.

E. Prohibited Use of Land or Buildings. (19-72)

1. No building or tract of land shall be devoted to any use other than one which is specified as a permitted or special use in Sections IV, V and VI in the zoning district in which such building or land is located. However, where a building permit for a building or structure has been issued in accordance with law prior to the effective date of this ordinance, and where construction has been begun within six months of such effective date and diligently prosecuted to completion, said building or structure may be completed in accordance with approved plans on the basis of which the building permit was issued; and further, may upon completion be occupied under a certificate of occupancy by the use originally designated, subject to the provisions of Section II, (non-conforming uses) of this ordinance.
2. No building or tract of land shall be utilized for any of the following cannabis-related uses in the Village as defined by the Cannabis Regulation and Tax Act (65 ILCS 5/11-8-22): (a) Adult-Use Cannabis Craft Grower; (b) Adult-Use Cannabis Infusion Organization; (c) Adult-Use Cannabis Processing Organization; (d) Adult-Use Cannabis Transporting Organization; or (e) On-site smoking or other methods of consumption of cannabis at an Adult-Use Cannabis Cultivation Center, an Adult-Use Cannabis Dispensing Organization, a Medical Cannabis Dispensing Organization or a Medical Cannabis Cultivation Center.

F. Control Over Use. No building or premises shall hereafter be used or occupied, and no building or structure, or part thereof, shall be erected, raised, moved, reconstructed, extended, enlarged, or altered, except in conformity with the regulations herein specified for the district in which it is located, except that in

Residence Districts a lot in an ownership which was of record at the time of adoption of this ordinance, even though not meeting the requirements of this ordinance as to area and width, may be used for single-family residence purposes, provided the use conforms with all other regulations of the district in which it is located.

- G. Control Over Bulk. All new buildings and structures shall conform to the bulk regulations established herein for the district in which each building is located. Further, no existing building or structure shall be enlarged, reconstructed, structurally altered, converted, or relocated in such a manner as to conflict or to further conflict with the bulk regulations of this ordinance for the district in which such building shall be located. (Ord. 20-48)

H. Accessory Building and Uses.

1. Accessory uses shall be compatible with the principal use and shall not be established prior to the establishment of the principal use, and shall not include the keeping, propagation, or culture of pigeons, poultry, or livestock, whether or not for profit.
2. No accessory building, unless it is structurally a part of the principal building and unless it conforms with requirements of accessory buildings for special uses, shall be erected or altered at, nor moved to, a location within ten feet of the nearest wall of the principal building, nor within the required front, side or rear yard area, as set forth for the district, nor forward of the principal building; provided, however, an accessory structure incidental to a single family dwelling may be located less than ten feet from the principal structure provided it complies with the Addison Building Code. In residential districts, an accessory structure in a rear or side yard shall be not less than five feet from any rear or side yard property line.
3. No accessory building shall encroach upon that side yard of a corner lot which is adjacent to the street, nor upon that side yard of a reversed corner lot which is adjacent to the street, nor upon the rear yard of a through lot.
4. No accessory building shall have more than one story nor exceed 17 feet in height unless otherwise permitted as accessory to business and manufacturing uses, or to authorized special uses. The highest ridge on the accessory structure shall not exceed the height of the highest ridge on the principal structure in a residential district. In addition, the height of the accessory structure, as defined in this Ordinance, shall not exceed the height of the principal structure in a residential district or be more than one story, whichever is less. Detached accessory buildings shall not exceed a maximum of 700 square feet. (06-126)
5. Play Structures. Shall be limited to the rear yard only, setbacks shall not be less than 5 feet from any adjoining property line, and shall not be located in any easement areas. Play structures with foot area greater than 50 square feet shall be required to file for a building permit and shall not exceed 500

square feet of footprint area. Play structures may not exceed 17 feet in overall height. All roof and deck areas shall be included in the 30% maximum lot coverage. No electrical or plumbing service shall be connected to any such play structure at any time. Tree houses are not permitted. Any plastic or other toy-like fort, or play forts less than 50 sf attached to a play structure, will not require a permit. (88-17; 01-23; 03-58; 06-126)

6. Outdoor Seating Areas. Outdoor seating areas shall be allowed as accessory uses to any permitted restaurant use, subject to the following requirements:
 - (a) Location: Outdoor seating areas shall not encroach onto the public right-of-way or be located within any required yard abutting a residential district. No part of an outdoor seating area may interfere with the use of parking spaces or aisles.
 - (b) Appearance: Outdoor seating areas shall be delineated with a fence or other means of separation (such as planter boxes). Fencing shall be wood or metal and may be permanently secured to the ground or removable during the period in which outdoor seating is not open. No outdoor storage is permitted within an outdoor seating area. Outdoor seating elements including tables, chairs, temporary fencing, decorations, and umbrellas shall be removed when not in use during cold weather months. Tents or canopies are not permitted unless they are associated with a valid outdoor activity permit.
 - (c) Safety: Outdoor seating areas shall provide a continuous pedestrian path of travel at least four feet in width and comply with all ADA accessibility standards. Outdoor seating areas shall not obstruct ingress and egress from the business establishment, fire exits, traffic signs or devices, or access to utility meters and related facilities.
 - (d) Liquor license holders: Establishments that hold a valid license to serve alcohol outdoors may offer outdoor seating, provided that the service area is completely enclosed and has a 3-foot gate for emergency access.
 - (e) Approval: Outdoor seating areas shall be reviewed and approved by the Village Board prior to their first season of operation. Subsequent to their first season of operation, temporary or seasonal outdoor seating areas shall require annual approval from the Director of Community Development or his/her designee. (Ord. 22-41)

I. Special Uses.

1. To provide for the location of certain uses hereinafter specified which are deemed desirable for the public welfare within a given district or districts, but which might have an adverse effect upon nearby properties or upon the character and future development of the district in which they are located, a

classification of special uses is hereby established. Procedures for special uses are set forth in Sections VII and X.

2. Where a use exists on the effective date of this ordinance and it is classified as a special use by said ordinance, it shall be considered to be a lawful special use. Additions or alterations to existing buildings or land improvements, for expansion of lawful special uses may be made with the area of the lot included in the ownership existing at the time of adoption of this ordinance, and they shall be subject to yard, floor area ratio, and building height requirements set forth in this ordinance for permitted uses in the districts in which they are located.

J. Permitted Obstruction—Required Yards. (14-66)

For the purpose of this ordinance, the following shall not be considered as obstructions when located in the yards indicated:

1. In All Required Yards: (14-66)
 - a. Awnings and canopies projecting not more than thirty (30) inches into the yard.
 - b. Steps not more than four (4) feet above grade for the purpose of access to a permitted building.
 - c. Chimneys projecting not more than twenty-four (24) inches into the yard.
 - d. Arbors or trellises, flagpoles, fences, and walls subject to the regulations governing their location, placement and height indicated elsewhere in this Ordinance.
 - e. Signs (subject to the provisions of Ordinances 0-79-62 of the Addison Building Code.)
 - f. Trees, shrubs, and landscaping not higher than thirty (30) inches as measured above the nearest top of curb elevation if located within an area defined as follows: That triangular portion of a required front yard bounded by the lot corner (formed by the intersection of any two (2) street lines) and points along each street line a distance of thirty (30) feet away from said lot corner. If no curb and gutter exists, the vertical measurement shall be made from the nearest edge of street pavement. (81-05)
 - g. Fences. Fences shall not exceed six (6) feet in height in the Residential and Business Districts, or eight (8) feet in height in the Manufacturing and Industrial Districts.

In any residential or commercial district fences may not be placed forward of the principal building or in the front building setback. A fence may, however, be placed forward of the principal building in a residential zone to the extent that it is not over four (4) feet in height or over 10 feet in length, not forming an enclosure, not presenting a solid appearance, and not obstructing the view through the fence. (03-58)

Fences may be placed forward of the principal building but not in the front setback in any Manufacturing or Industrial District. Chain link is permitted.

The Planning and Zoning Commission may grant a variation to permit a fence in the front yard in all zoning districts. However, it may not consider the cost of such a fence, nor consider financial hardship as a sufficient reason to grant such a variation. (12-06)

The supporting posts and rails of a fence shall be installed so that the finished side of a fence faces the adjoining property and the public right-of-way. An exception is permitted to allow supporting posts spaced equally on each side of the fence, such as, but not limited to rail fences.

The style, material, color and height of any continuous run of fence or any fence placed on a property line or a line adjacent to a property line shall be consistent and uniform, unless otherwise approved by the Director of Community Development. This standard will also apply in the continuation of a fence erected on an adjoining property but not a fence adjacent to a fence. When fences are adjacent to a wall or another fence, there shall be enough room to maintain each side of the fence and also the area between the fence and the wall or adjacent fence wall or adjacent fence will be accessible and of such size as to allow maintenance. No site shall have more than two styles of fence except that the use of a decorative or temporary fence may be a third style. (03-58)

- h. Outside Storage in Residential Areas such as Portable on Demand Storage. Such units are permitted up to 7 consecutive days no more than twice a year in any yard of a particular residence. They may not be located in the street Right-of-way. (03-58)
- i. Driveways – General Requirements.
 - 1. Driveways shall be a minimum of 10 feet in width.
 - 2. Driveways for multiple-family and nonresidential uses shall follow the requirements of Section 8.B., Off-Street Parking.
 - 3. Single Family and Two-Family Residential Driveways (reference Figures 20 A-F):
 - a) Only one driveway is permitted per property.

- b) The maximum driveway width at the face of the garage is the sum of all garage door widths and any space between the doors plus four feet. Where open side yard parking is present on the property, the driveway may be widened by an additional 9 feet.
- c) All driveways must be the shortest length between the parking space and the street. The driveway width must begin to taper down beginning at a point no further than 20 feet from the face of the garage door to a maximum width of:
 - 1) 24 feet at the property line for attached three-car garages;
 - 2) 20 feet at the property line for attached two-car garages;
 - 3) 13 feet at the property line for attached one-car garages; and
 - 4) 12 feet for detached garages and homes with no garage.
- d) All driveway approaches require a three-foot straight line flare or equivalent radius on each side, beginning at the edge of the driveway on the property line or on the projected edge on the public walk and ending at the back of curb.
- e) Circular Drives and Turnarounds. In addition to the general requirements for driveways, circular drives and turnarounds shall be permitted in the front yards of Single Family Residential Districts only when meeting the following requirements:
 - 1) Circular drives and turnarounds shall be permitted in the R1 Single Family Residence District.
 - 2) Circular drives and turnarounds shall be permitted in the R2 and R3A Single Family Residence Districts only when needed to improve public safety on arterial and collector roadways as designated by the Illinois Department of Transportation (Addison Road, Army Trail Boulevard/Road, Fullerton Avenue, Grace Street, Kingery Highway (IL Route 83), Lake Street (US Route 20), Lombard Road, Medinah Road, Mill Road, North Avenue (IL Route 64), Rohlwing Road (IL Route 53), Swift Road, Villa Avenue, and Wood Dale Road).
 - 3) Driveways for circular drives shall maintain a 25-foot minimum setback from the corner.

- 4) A circular drive shall not be permitted to exceed 24 feet in combined width at the front property line.
- 5) The interior radius of a circular drive shall be landscaped at a minimum with grass and shrubs.
- 6) Turnaround areas must be a minimum of 5 feet from a building and may not exceed 12 feet in width or 18 feet in depth. (Ord. 20-48)

- j. Private sidewalks not closer than 2 feet from the side or rear property line and only so long as the sidewalk does not obstruct the flow of stormwater.

Private sidewalks adjacent to a driveway are allowed a maximum width of 5 feet and a minimum width of 3 feet. The connection between the sidewalk and the driveway may be no more than 5 feet. In addition, the balance of the sidewalk shall be separated from the driveway by at least 2 feet.

Private sidewalks within 10 feet of a driveway may not extend to the front property line or to a public sidewalk. (Ord. 20-48)

2. In Required Front Yards: (14-66)

- a. One-story bay windows projecting three (3) feet or less into the yard.
- b. Overhanging eaves and gutters projecting two and one half (2 ½) feet or less into the yard. (81-05)
- c. Vegetation-type landscaping that does not exceed 48 inches in height. Hardscape landscaping, which includes lawn ornaments, such as statues, figurines, fountains, walls, fence-type structures, floral containers, that do not exceed 48 inches in height and 10 feet in length in any one direction, and which do not form an enclosure, and which do not present a solid appearance or obstruct the view through the fence-type structure. Corner lots shall further comply with Section II.J.I.f of this ordinance regarding line of sight requirements. (05-116)
- d. Driveways - General Requirements. In all residential properties, except where previously permitted, as of November 1, 2009, driveways shall meet the standards illustrated in Figure 20, as now existing or hereafter amended. (reference Figure 20) (05-116; 09-73)
- e. Circular Drives. In addition to the general requirements for driveways, circular drives shall be permitted in the front yards of Single Family Residential Districts only when meeting the following requirements:

- (1) Circular drives shall be permitted in the R-1 Single Family Residential Zoning District.
 - (2) Circular drives shall be permitted in the R-2 and R-3A Single Family Residential Districts only when needed to improve public safety on streets with high traffic volumes,
 - (3) Corner lots shall not be permitted to have a driveway on one street and a circular drive on another street.
 - (4) Corner lots shall maintain a 25 foot minimum setback from the corner for circular drives.
 - (5) A circular drive shall not be permitted to exceed 24 feet in combined width at the front property line.
 - (6) The interior radius of a circular drive shall be landscaped at a minimum with grass and shrubs. (01-23)
 - f. Central air conditioners shall be located in the secondary front yard of a corner lot, and such air conditioners may be permitted forward of the building line and secondary front yards of corner lots with adequate screening. Where necessary, they may be permitted in a side yard with adequate screening. In side yards, the location of windows of adjacent properties shall be considered in the location of a central air conditioning unit. (03-58)
3. In Required Side Yards: (14-66)
- a. Open accessory off-street parking. The minimum open parking space is nine feet in width by 18 feet in length. Where adjacent to a principal building, such parking shall not extend beyond the rear of the principal building. Where adjacent to an accessory structure, such parking shall not extend beyond the rear of the accessory structure. (Ord. 20-48)
 - b. Overhanging eaves, gutters and bay windows projecting into the required side yard for a distance of two (2) feet. (14-66)
 - c. Sidewalks not closer than 2 feet from the side property line and only so long as the sidewalk does not obstruct the flow of stormwater. (06-126)
 - d. Window wells not to project further than 2 feet into the side setback. (06-126)
 - e. Air conditioning units and back-up generators located not closer than two (2) feet from the side property line. In Residential Districts, the location of windows of adjacent properties shall be considered in the

placement of a central air conditioning unit and/or back-up generator.
(06-126, 14-66)

NOTE: For the purpose of this ordinance a side yard that adjoins a street shall be considered a front yard.

4. In Required Rear Yards: (14-66)

- a. Enclosed, attached or detached off-street parking spaces.
- b. Open accessory off-street parking. The minimum open parking space is nine feet in width by 18 feet in length. Where adjacent to a principal building, such parking shall not extend beyond the rear of the principal building. Where adjacent to an accessory structure, such parking shall not extend beyond the rear of the accessory structure. (Ord. 20-48)
- c. Accessory structures, tool rooms, and similar buildings or structures for domestic storage.
NOTE: Accessory structures may occupy not more than thirty (30) percent of a rear yard. In Residential Districts, this shall include buildings, walls, fences, signs, pools, decks, sheds, patios, sidewalks and driveways. In Residential Districts, the rear yard shall be defined as that which was to the rear of the building at the time of original construction.
- d. Balconies.
- e. Breezeways and open porches.
- f. One story bay windows projecting three (3) feet or less into the yard.
- g. Recreational and laundry drying equipment.
- h. Arbors and trellises.
- i. Fences not to exceed six (6) feet in height, except in Manufacturing Districts.
- j. Overhanging eaves and gutters projecting two and one half (2 ½) feet or less.
- k. Patios not closer than 2 feet from the side and rear property lines and only so long as the patio does not obstruct the flow of stormwater. (06-126)
- l. Window wells. (06-126)

(81-05)

K. Yards, General.

1. The minimum yard space required for one structure shall not again be considered as yard space for another adjoining structure.
2. No lot shall be reduced in area so that the yards or other open space become less than required by this ordinance.
3. On streets where a front-yard setback has been maintained for buildings existing on lots or tracts having a frontage of 30 percent or more of the total frontage on one side of that portion of any street lying between two intersecting streets, there shall be maintained a front-yard setback of not less than the average setback of the aforementioned existing buildings, but not less than ten feet.
4. On a vacant through lot, either of the lot lines abutting a street right-of-way may be established as its front lot line, except that where two or more through lots are contiguous and a front lot line has been duly established, the same street lot line has been duly established, the same street lot line shall thereafter be deemed to be the front lot line of all such contiguous lots. On a through lot a front yard shall be provided along any lot line abutting a street. (Ord. 20-48)

L. Flood Plain Regulations. Information regarding floodplains and floodways is referenced in the Addison Storm Water and Floodplain Management Ordinance (Ord. No.O-90-40)* and in the DuPage County Countywide Stormwater and Flood Plain Ordinance (Latest Revision). (05-116; 19-41)

*See Chapter 26 of the Addison Village Code

M. Non-Conforming Uses of Land and Buildings.

1. Non-conforming uses of land. In the Residential Districts, where open land is being used as a non-conforming use, and such use is the principal use and not accessory to the main use conducted in a building, such use shall be discontinued not later than eight years from the date of passage of this ordinance. During the eight year period such non-conforming use shall not be extended or enlarged, either on the same or adjoining property. Any building incident and subordinate to such use of land, such as a shed, tool house, storage building, office, or trailer, shall be removed at the end of the eight year period, or if such building is so constructed as to permit the issuance of a permit for a use not excluded from the district, such building may remain as a conforming use; thereafter both land and building shall be used only as conforming uses.

2. Non-conforming use of building. Except as otherwise provided herein, the lawful use of a building existing at the effective date of this ordinance may be continued, although such use does not conform to the provisions hereof. If no structural alterations are made, a non-conforming use of a building may be changed to another non-conforming use of the same or of a more restricted classification. Whenever a non-conforming use has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted use. The non-conforming use of a building may be hereafter extended throughout those parts of a building which were lawfully and manifestly arranged or designed for such use at the time of the enactment of this ordinance.
3. Time limit for non-conforming uses. All non-conforming commercial or industrial buildings located within the Residential Districts, and built before June 1, 1930, shall be removed and converted and the building thereafter devoted to a use permitted in the district in which such building is located, on or before June 1, 1980; and that non-conforming commercial or industrial buildings located within the Residential Districts for which a building permit was issued after June 1, 1930 shall be removed or converted and the building thereafter devoted to a use permitted in the district in which such building is located, within 40 years from the date of issuance of a building permit therefore, but in all cases on or before June 1, 1990.
4. Discontinuance of non-conforming uses. No building or portion thereof used in whole or in part for a non-conforming use in a Residential District, which remains idle or unused for a continuous period of one year whether or not the equipment or fixtures are removed, shall again be used except in conformity with the regulations of the Residential District in which it is located.

No building or portion thereof used in whole or in part for a non-conforming use in a Commercial or Manufacturing District, which use is discontinued for a continuous period of 6 months, whether or not the equipment or fixtures are removed, shall again be used except in conformity with the regulations of the Commercial or Manufacturing District in which it is located. (03-58)
5. Destruction of a non-conforming use. No building which has been damaged by any cause whatsoever, to the extent of more than 50 percent of the fair market value of the building immediately prior to the damage, shall be restored except in conformity with the regulations of this ordinance, and all rights as a non-conforming use are terminated. If a building is damaged by less than 50 percent of the fair market value it may be repaired or reconstructed and used as before the time of damage, provided that such repairs or reconstruction be substantially completed within twelve months of the date of such damage.

6. Conditional uses not non-conforming. Existing uses eligible for conditional use permits shall not be non-conforming uses but shall require a conditional use permit for any alterations, enlargement, or extension.
7. Intermittent use. The casual, intermittent, temporary, or illegal use of land or buildings shall not be sufficient to establish the existence of a non-conforming use on the part of a lot or tract and shall not be construed to establish a non-conforming use on the entire lot or tract.
8. Existence of a non-conforming use. Whether a non-conforming use exists shall be a question of fact and shall be decided by the Planning and Zoning Commission after Public Notice and Hearing and in accordance with the rules of the Commission. (12-06)
9. Non-conforming uses not validated. A non-conforming use in violation of a provision of the ordinance which this ordinance repeals shall not be validated by the adoption of this ordinance.
10. Amortization of non-conforming buildings and structures. in any district, any lawfully existing 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, shall be abated or it shall be altered, remodeled or converted to a building or structure designed for a use permitted in the district in which it is located within 180 days after termination of the respective periods of time set forth hereafter and which are fixed as the normal useful life of said buildings and structures:
 - a. Buildings or structures and all other improvements which shall on July 1, 1973, or at the end of the year following the year in which erected, whichever is the last to occur, have an assessed valuation before equalization of more than \$5,000 in accordance with the following types of construction classification.
 - (1) Fireproof and fire resistive construction - 40 years from date of the building permit for the construction of either of the entire structure or the initial part thereof, or 30 years from July 1, 1973 whichever last occurs.
 - (2) Exterior masonry wall construction - 35 years from date of the building permit for the construction of either the entire structure or the initial part thereof, or 25 years from July 1, 1973, whichever last occurs.
 - (3) Light non-combustible ordinary and frame construction - 30 years from date of the building permit for the construction of either the entire structure or the initial part thereof or 25 years from July 1, 1973, whichever last occurs. (98-61)

- b. Buildings or structures and all other improvements which shall on July 1, 1973, or at the end of the year following the year in which erected, whichever is the last to occur, have an assessed valuation before equalization of at least \$2,000 but not more than \$5,000.
 - (1) Eight years from date of the building permit for the construction of either the entire structure or the initial part thereof, or four years from July 1, 1973, whichever last occurs.
 - c. Buildings or structures and all other improvements which shall on July 1, 1973, or at the end of the year following the year in which erected, whichever is the last to occur, have an assessed valuation before equalization under \$2,000.
 - (1) Four years from date of the building permit for the construction of either the entire or initial part thereof, or two years from July 1, 1973, whichever is later.
 - d. A non-conforming use of a building or structure subject to the amortization provisions of the Section shall be terminated and shall not thereafter be continued on the premises after the end of the applicable period of time as set forth in this Section.
11. Non-Conforming Off-Street Parking Areas. In any district, any off-street parking areas lawfully existing on January 6th, 1992, which fail to meet the requirements of Section VIII of this ordinance, shall be abated or brought into conformity with said Section VIII upon the happening of any of the following events:
- a. Damage to or destruction of the principal building, to which the off-street parking area is an accessory use, to the extent of more than 50% of the fair market value of the principal building immediately prior to the damage; or
 - b. Any substantial modification, alteration or expansion of the off-street parking area exceeding 50% of the fair market value of the property and improvements thereon; or
 - c. The expansion of the building area by more than 25%;
 - d. The lot is subdivided for the purpose of the sale of land; or
 - e. There is a change of use of the property, which use requires additional parking spaces under Section VIII. (92-1; 02-01)
- N. Use of Burglar Bars, Security Gates and Similar Devices. Except as hereinafter provided, no building in any district shall have any metal bar, channel, angle, strip or

chain installed on the exterior of the building which cover or are intended to cover doors or windows from the outside of the building.

1. Burglar bars, security gates and similar devices may be installed only on the interior of a building.
2. In business districts and in buildings in other districts which are open to the public, burglar bars, security gates and similar devices shall be retractable and shall be stored out of sight of the public in a closet or other enclosure at all times during which the building is open for business.
3. All burglar bars, security gates and similar devices shall have quick-release fastener hardware to facilitate egress in case of an emergency.
4. Notwithstanding the foregoing, decorative wrought iron applied to windows and doors shall be permitted in residential districts. (95-16)

O. Accessory Building Height. No accessory building shall have more than one story nor have a roof height or roof peak higher than the principal structure unless otherwise permitted as accessory to business and manufacturing uses, or to authorized special uses. (03-58)

P. Mechanical Equipment Screening.

1. For all use groups other than single family residential all mechanical equipment shall be adequately screened from view.
2. For the purpose of this section, mechanical equipment shall include all heating, ventilating air conditioning, refrigeration units, trash compactors, dust collectors, exhaust fans or vents, fuel tanks, holding or storage tanks, duct work, process piping, pool equipment, generators and similar installations. Chimneys, fireplaces, thru wall or window air conditioning/heating units and solar equipment shall not be required to be screened.
3. For roof top equipment, the minimum height of the screening shall be equal to the maximum height of the tallest equipment.

Exception 1. If there is more than one piece or location of rooftop equipment, then each piece or location may be screened on an individual basis.

Exception 2. If any equipment is located away from the edge of the building and cannot be seen from a point ten feet above grade at any property line for the site the equipment is located on, or ten feet above grade at the center of the adjacent right-of-way, whichever is further from the building, then screening shall not be required.

4. For wall mounted or ground mounted equipment, screening shall be provided to block from view this equipment, so that it cannot be seen from a point six (6) feet above grade at any property line for the site the equipment is located on.
5. The screening material must be aesthetically compatible with the building using the equipment. It must also provide a minimum fifty percent (50%) opacity, year around. (03-58)

SECTION III. ZONING DISTRICTS

A. Establishment of Districts. In order to carry out the purposes and provisions of this ordinance the Village of Addison is hereby divided into the following districts:

1. Residence Districts

R1 Single-Family Residence

R2 Single-Family Residence

R3A Single-Family Residence

R3B Multiple-Family Residence (Low Density)

R3C Multiple-Family Residence (Medium Density)

R3D Multiple-Family Residence (High Density)

R3E Two Family Detached Residence

R3F Single-Family Semi-detached and Single-Family attached Residence

R4 Multiple-Family Residence

R5 Multiple-Family Residence

2. Business Districts

B/P Professional Office

B1 Local Business

B2 Community Business

B3 Service Business

B4 Regional Shopping Center

3. Manufacturing Districts

M1 Limited Manufacturing

M2 General Manufacturing

M3 General Manufacturing

B. Map. The location and boundaries of the districts established by this ordinance are set forth on the Zoning District Map dated April 16, 1973, as heretofore or hereafter

amended, which is incorporated by reference herein. The said map, together with everything shown thereon, and all amendments thereto, shall be as much a part of this ordinance as though fully set forth and described herein. The said map shall be filed with the office of the Village Clerk, and certified copies thereof shall be kept in the office of the Director of Community Development and shall be open to the public reference at all times during which those offices are open. (12-06)

- C. Boundaries of Districts. When uncertainty exists with respect to the boundaries of the various districts, as shown on the Zoning District Map, the following rules shall apply:
1. District boundary lines are either the center lines of railroads, highways, streets, alleys or easements, tract or lot lines, or such lines extended unless otherwise indicated.
 2. In areas not subdivided into lots and blocks, wherever a district is indicated as a strip adjacent to and paralleling a street, highway or railroad, the depth of such strips shall be in accordance with dimensions shown on maps measured at right angles from the center line of a street, highway, or railroad, and the length of frontage shall be in accordance with dimensions shown on the map from center lines of streets, highways, or railroad right-of-way unless otherwise indicated.
 3. Where a district boundary line divides a lot in single ownership, the regulations for either portion of the lot may, in the owner's discretion, extend to the entire lot, but not more than 25 feet beyond the boundary of the district.
- D. Annexed Territory. Any additions to the incorporated area of the Village, shall be annexed under a pre-annexation agreement unless said requirement is waived by a two-thirds (2/3) vote of the Board of Trustees. (See annexation procedure in the Subdivision Control Ordinance.)
- E. Exemptions. The following public utility uses are permitted in any district: poles, towers, wires, cables, conduits, vaults, laterals, pipes, mains, valves, or any other similar distributing equipment, and telephone booths, provided that installation shall conform with rules and regulations of the applicable administrative authorities. (See Subdivision Control Ordinance for further definition and restrictions.)

SECTION IV. RESIDENCE DISTRICTS

A. General Requirements - All Residence Districts

1. Home Occupations. Home occupations shall be governed by the following regulations:
 - a. Permitted home occupations may include any of the following:
 - (1) Art studio.
 - (2) Dressmaking.
 - (3) Professional offices of a clergyman, lawyer, architect, or accountant.
 - (4) Teaching - including musical instruments or dancing, but limited to one pupil at a time.
 - (5) Offices. (81-07)
 - (6) Home day care which is limited to not more than eight (8) persons under the age of twelve (12) years old, including children who reside in the household, and which is licensed by the State. (87-58)
 - b. Permitted home occupations shall not include any other use such as, but not limited to, the following:
 - (1) The operation of any wholesale or retail business unless conducted entirely by mail and does not involve the sale, receipt, or delivery of merchandise on the premises.
 - (2) Any manufacturing or processing of goods, materials, or products.
 - (3) A repair shop or service establishment of any kind operating on or from the premises.
 - (4) A clinic or hospital.
 - (5) A barber shop or beauty parlor.
 - (6) A stable or kennel.
 - (7) A restaurant.
 - (8) Any activity that produces noxious matter.

(9) Sale of firearms. (04-71)

c. Permitted home occupations shall contain the following restrictions:

- (1) A sign is not used other than a nameplate, not more than 96 square inches or less in area, and there is no other display or activity conducted that will indicate from the exterior of the dwelling unit that it is being utilized in whole or in part for any purpose other than a residential use.
- (2) There is not sold or conducted a commodity or service that requires receipt and delivery of merchandise, goods, or equipment by other than letter carrier, United States mail service, parcel post or passenger motor vehicle of the occupant of the dwelling unit conducting the home occupation.
- (3) There is not employed or otherwise engaged another person, in addition to one member of the family residing in the dwelling unit in the pursuit of such home occupations.
- (4) An accessory building is not used in whole or in part for such home occupation. A professional person may use his dwelling for consultation or performance of religious rites, but not for the general practice of the profession. Teaching of musical instruments or singing to not more than two pupils at one time, and dancing, academic or religious instructions to not more than two pupils at one time shall be permitted, but only in a single-family detached dwelling. (81-07)

2. Conversions. In R3 Residence Districts conversions of existing residential buildings shall be governed by the following:

- a. The quotient secured by dividing the floor area of all dwelling units on a lot by the number of dwelling units on such lot shall not be less than 500 square feet.
- b. No existing residential use shall be so converted to conflict with, or further conflict with the requirements in Section IV. A.2.a.
- c. Where applicable, an efficiency dwelling unit or a lodging room may be considered 0.75 dwelling unit in determining compliance with Section IV. A.2.a. above.

3. Corner Lots. Unless otherwise required by a private recapture agreement, corner Lots shall be required to pay recapture, whether public or private, only for the side of the property to which they connect to public improvements such as water and sewer. (03-58)

4. Motor Vehicle Repair. No motor vehicle repair work or service of any kind shall be permitted in conjunction with off-street parking facilities in any residential district or any residential driveway, except for minor repairs on motor vehicles owned by the owner or occupant of the property. Service and repairs that cannot be completed within a forty-eight (48) hour period shall not be considered minor repair. Vehicles shall include all licensed or registered motor vehicles, as well as any type of motor vehicle that is not licensed or registered. In addition:
 - a. Major vehicle repairs such as painting, assembly, engine, drive-train, chassis, exhaust system, bodywork, brake, and transmission repairs are not permitted in residential zones on driveways.
 - b. Minor vehicle repair of any RV or vehicle of less than ten thousand (10,000) pounds gross weight shall include, but not be limited to: tune-ups, lights, changing fluids, starters, alternators, replacement of belts, routine adjustments, and tire changes. The maximum time allowed for minor repairs is two (2) days.
 - c. Property owners may perform both major and minor vehicle repair on their personal vehicles within a closed residential garage.
 - d. Such work shall be done only between the hours of 8 a.m. and 10 p.m.
 - e. Such work shall not be done in a public right-of-way. (03-58)
5. Dimensional Requirements. Residential lots including those on cul-de-sacs served by public sewerage and water systems shall not have an area or width less than that required by the Zoning Ordinance and shall conform to the following requirements:

	R-1	R-2, R-3A, R-3F	R-3B, R-3C, R-3D R-3E, R4, R5
	12,000 sf and over	6,000 to 11,999 sf	less than 6,000 sf
Minimum Lot Width at Building line (ft.)	80	60	75
Minimum Lot Depth (ft.)	125	115	120
Maximum Lot Depth (ft.)	3 times width	3 times width	3 times width
Minimum Lot Width For Corner Lots (ft.) (03-58)	85	80	85

B. R1 Single-Family Residence District.

1. Permitted Uses.

- a. Single-Family detached dwellings.
- b. Home occupations as regulated in Section IV.A.1 hereof.
- c. Parks and playgrounds-- publicly owned and operated.
- d. Schools--elementary, junior high, and high (non-boarding).
- e. Signs--as regulated in the Building Code.
- f. Temporary buildings for construction purposes for a period not to exceed such construction.
- g. Small community residence provided that:
 - (1) It is located not less than 1000 feet from another small community residence; and
 - (2) For small community residences with 4 or fewer residents, prior to occupancy, a certificate of zoning compliance is applied for and received; and
 - (3) For small community residences with 5 to 8 residents, in addition to the requirements of subsection g.2, the village manager shall determine that there are no health, safety and welfare concerns to be addressed (ingress and egress for emergency vehicles, traffic, security, hazards and the like) or shall address the health, safety and welfare concerns as necessary and report his findings to the Village Board. (91-82)
- h. Accessory buildings and uses to the above permitted uses, including, but not limited to, off-street parking and off-street loading.
- i. Religious institutions and churches. (05-116)

2. Special Uses.

- a. Art galleries and museums
- b. (Ord. 05-116)
- c. Cemeteries
- d. Convents, monasteries, and seminaries

- e. Colleges and universities and uses accessory and incidental thereto, but not colleges or trade schools operated for profit
- f. Golf courses - but not including commercially operated driving ranges or miniature golf courses
- g. Hospitals
- h. Libraries
- i. Nurseries - provided that no offensive odors or dusts are created, and further, that no retail sales are conducted from a store erected or maintained on the premises.
- j. Parks and playgrounds--private owned and operated.
- k. Planned development. (04-71)
- l. Schools - Private and boarding
- m. Utility and public service uses including:
 - (1) Electric substations and distribution stations
 - (2) Fire stations
 - (3) Police stations
 - (4) Railroad right-of-way
 - (5) Transit and public transportation facilities, including shelter, terminals, parking areas, and service buildings
 - (6) Telephone exchanges, micro-wave relay towers, and telephone transmission equipment buildings
 - (7) Water filtration plants, pumping stations, reservoirs, and sewage treatment plants - municipal
- n. Large community residence, provided that:
 - (1) No such residence shall be located less than 1000 feet from a small or large community residence; provided, however, that this spacing requirement may be waived if the President and Board of Trustees find that the cumulative effect of such uses would not alter the residential character of the neighborhood, would not create an institutional setting, and by its operation would not create an adverse effect on surrounding properties.
 - (2) Prior to admitting residents, the operator of such residence shall demonstrate that the dwelling will comply with all applicable licensing and code standards.

- (3) Applicant shall submit a statement of the exact nature of the residence, the qualifications of the agency that will operate the residence, the number and type of personnel who will be employed, and the number and nature of the residents who will live in the residence.
 - (4) The residence shall, to the extent possible, conform to the type and outward appearances of the residences in the area in which it is located.
 - (5) Prior to occupancy, a certificate of zoning compliance is applied for and received. (91-82)
- o. Day Care Centers (82-58)
- p. Clubs and Lodges (82-58)
- q. Buildings and uses accessory to the above allowable special uses, including but not limited to, off-street parking and off-street loading.
- 3. Lot Area. Not less than 12,000 square feet.
- 4. Lot Width. Not less than 80' at the building area (buildable area).
- 5. Floor Area Ratio - Non-Residential Permitted Uses and Special Uses. Not to exceed 0.6.
- 6. Building Height - Single-Family Dwelling Uses. Not to exceed 30 feet. No accessory building shall have more than one story nor have a roof height or roof peak higher than the principal structure. (03-58)
- 7. Ground Floor Area Per Dwelling. In accordance with requirements set forth in the Building Code of the Village of Addison.
- 8. Front Yard--Single-Family Dwelling Uses. Not less than 30 feet in depth.
- 9. Side Yards - Single-Family Dwelling Uses.
 - a. Two side yards having a combined width of not less than 20 feet, and neither side yard less than eight feet in width.
 - b. A side yard abutting a street not to be less than 30 ft. wide.
 - c. If a corner lot, subdivided and duly recorded on the effective date of this ordinance, has insufficient width to provide such yard of 30 feet and still to maintain a buildable width of 32 feet including the side yard along the opposite side lot line, then the side yard abutting the street may be reduced in width by the distance necessary to maintain a buildable width of 32 feet, provided the side yard abutting a street is not reduced to less than 30 per cent of the width of the lot.

10. Rear Yard--Single-Family Dwelling Unit Uses. Not less than 40 feet in depth.
11. Yards - Non Residential Permitted Uses and Special Uses. Front, side, and rear yards as required for single-family dwelling uses for buildings less than 30 feet in height; but for a building 30 feet or more in height, each yard--front, side and rear, as required for single-family dwellings--shall be increased in width or depth by two feet for each additional one foot of building height over 30 feet.
12. Off-Street Loading - Non-Residential permitted Uses and Special Uses. Loading berths shall be provided in accordance with provisions set forth in Section VIII of this ordinance.
13. Off-Street Parking. Parking spaces shall be provided in accordance with provisions set forth in Section VIII of this ordinance.

C. R2 Single-Family Residence District.

1. Permitted Uses. Uses permitted in the R1 District.
2. Special Uses. Special Uses allowed in the R1 District.
3. Lot Area. Not less than 8,400 square feet.
4. Lot Width. Not less than 60' at the building area (buildable area)
5. Floor Area Ratio -Non-Residential Permitted Uses and Special Uses. Not to exceed 0.6.
6. Building Height-Single-Family Dwelling Uses. Not to exceed 30 feet. No accessory structure shall have more than one story nor have a roof height or roof peak higher than the principal structure. (03-58)
7. Ground Floor Area Per Dwelling. In accordance with requirements set forth in the Building Code of the Village of Addison.
8. Front Yard--Single-Family Dwelling Uses. Not less than 30 feet in depth.
9. Side Yard - Single Family Dwelling Uses
 - a. Two side yards having a combined width of not less than 16 feet; one side yard not less than 10 feet in width, the other not less than six feet in width, excepting with an attached private garage, then neither side yard less than six feet in width.
 - b. A side yard abutting a street not to be less than 30' wide.
 - c. If a corner lot, subdivided and duly recorded on the effective date of this ordinance, has insufficient width to provide such yard of 30 feet

width and still maintain a buildable width of 32 feet, including the side yard along the opposite lot line, then the side yard abutting the street may be reduced in width by the distance necessary to maintain a buildable width of 32 feet, provided the side yard abutting the street is not reduced to less than 30 percent of the width of the lot.

10. Rear Yard. Not less than 30 feet in depth.
11. Yards--Non Residential Permitted Uses and Special Uses. Front, side and rear yards, as required for single-family dwelling uses for buildings less than 30 feet in height; but for a building 30 feet or more in height, each yard--front, side, and rear, as required for single-family dwellings--shall be increased in width or depth by two feet for each additional one foot of building height over 30 feet.
12. Off-Street Loading--Non-Residential Permitted Uses and Special Uses. Loading berths in accordance with provisions set forth.
13. Off-Street Parking. Parking spaces in accordance with provisions set forth in Section VIII of this ordinance.

D. R3A Single-Family Residence District

1. Permitted Uses.
 - a. Uses permitted in the R2 District
 - b. Special Libraries
2. Special Uses.
 - a. Special Uses allowed in the R2 District, except libraries. (04-71)
 - b. Municipality-operated health centers
 - c. Sanitariums and nursing homes
 - d. Schools, boarding-nursery, elementary, junior high and high
3. Lot Area. Not less than 7,800 square feet.
4. Lot Width. Not less than 60' at the building area (buildable area)
5. Floor Area Ratio - Non Residential Permitted Uses and Special Uses. Not to exceed 0.6.
6. Building Height--Single-Family Dwelling Uses. Not to exceed 30 feet. No accessory building shall have more than one story nor have a roof height or roof peak higher than the principal structure. (03-58)

7. Front Yard. Not less than 30 feet in depth.
8. Side Yard.
 - a. Two side yards having a combined width of not less than 16 feet; one side yard not less than 10 feet in width, the other not less than six feet in width, excepting with an attached private garage, then neither side yard less than six feet in width.
9. Rear Yard. Not less than 30 feet in depth.
10. Yards - Non-Residential Permitted Uses and Special Uses. Front, side, and rear yards, as required for single-family dwelling uses for building less than 40 feet in height; but for a building 40 feet or more in height, each yard--front, side and rear; as required for single-family dwellings--shall be increased in width and depth by two feet for each additional one foot of building height over 40 feet.
11. Off-Street Loading. Loading berths in accordance with provisions set forth in Section VIII of this Ordinance.
12. Off-Street Parking. Parking spaces in accordance with provisions set forth in Section VIII of this Ordinance.

E. R3B Multiple Family Residence (Low Density).

1. Permitted Uses
 - a. As in the R2 District.
 - b. Multiple-Family dwellings
2. Special Uses. As in the R3A Single-Family Residence District. (04-71)
3. Lot Area.

- a. Multiple-Family Dwellings:

<u>Type of Dwelling Unit</u>	<u>Minimum lot area per dwelling unit in sq. ft.</u>
3 bedrooms and over	4,800
2 bedrooms and 1 bedroom convertible	4,100
1 bedroom and efficiency	3,700

- b. Other uses as in the R3A District.
4. Lot Width. Not less than 70' at the building area (buildable areas)

5. Floor Area Ratio--Non-Residential Permitted Uses and Special Uses. Not to exceed 0.6.
 6. Building Height--All Permitted Dwelling Uses.
 - a. As in the R1 District for single-family detached dwellings.
 - b. Not to exceed 40 feet. No accessory building structure shall have more than one story nor have a roof height or roof peak higher than the principal structure. (03-58)
 7. Front Yard. Not less than 30 feet in depth.
 8. Side Yard.
 - a. Two side yards having a combined width of not less than 30 feet, with one side yard not less than 12 feet in width.
 - b. A side yard abutting a street shall not be less than 30' in width.
 - c. If a corner lot, subdivided and duly recorded prior to the effective date of this ordinance, has insufficient width to provide such yard of 30 feet width and still to maintain a buildable width of 32 feet, including the side yard along the opposite side lot line, then the side yard abutting the street may be reduced by the distance necessary to maintain a buildable width of 32 feet, provided such side yard is not reduced to less than 30 per cent of the width of the lot.
 9. Rear Yard. Not less than 40 feet in depth.
 10. Yards - Non-Residential Permitted Uses and Special Uses. As in the R3A Single-Family detached district.
 11. Off-Street Loading. As in the R3A Single-Family detached district.
 12. Off-Street Parking. As in the R3A Single-Family detached district.
- F. R3C Multiple Family Residence District (Medium Density)
1. Permitted Uses
 - a. Uses permitted in the R3B District
 2. Special Uses. As in the R3B District.
 3. Lot Area
 - a. Multiple Family Dwellings:

<u>Minimum lot area per dwelling unit in sq. ft.</u>	<u>Type of Dwelling Unit</u>
3 bedrooms and over	4,000
2 bedrooms and 1 bedroom convertible	3,400
1 bedroom and efficiency	3,000

b. Other uses as in the R3A District

4. Lot Width. Not less than 70' at the building area (buildable area)
5. Floor Area Ratio--Non-Residential Permitted Uses and Special Uses. As in the R3B District.
6. Building Height--All Permitted Dwelling Uses. As in the R3B District.
7. Front Yard. As in the R3B District.
8. Side Yard. As in the R3B District.
9. Rear Yard. As in the R3B District.
10. Yards--Non-Residential Permitted Uses and Special Uses. As in the R3B District.
11. Off-Street Loading. As in the R3B District.
12. Off-Street Parking. As in the R3B District.

G. R3D Multiple-Family Residence District (High Density).

1. Permitted Uses. As in R3B District.
2. Special Uses. As in R3B District.
3. Lot Area.

a. Multiple Family Dwellings:

<u>Minimum lot area per dwelling unit in sq. ft.</u>	<u>Type of Dwelling Unit</u>
3 bedrooms and over	3,300
2 bedrooms and 1 bedroom convertible	2,800
1 bedroom and efficiency	2,500

b. Other uses as in the R3A District.

4. Lot Width. Not less than 70' at the building area (buildable area)

5. Floor Area Ratio - Non-Residential Permitted Uses and Special Uses. As in the R3B District.
 6. Building Height--All Permitted Dwelling Uses. As in the R3B District.
 7. Front Yard As in the R3B District.
 8. Side Yard. As in the R3B District.
 9. Rear Yard. As in the R3B District.
 10. Yards--Non-Residential Permitted Uses and Special Uses. As in the R3B District.
 11. Off-Street Loading. As in the R3B District.
 12. Off-Street Parking. As in the R3B District.
- H. R3E Two-Family Detached Residence District.
1. Permitted Uses
 - a. Uses permitted in the R3A District
 - b. Two-Family detached dwellings
 2. Special Uses. As in the R3B District.
 3. Lot Area
 - a. Two-Family detached, 5,000 square feet per dwelling unit.
 - b. Other uses, as in the R3A District.
 4. Lot Width. As in the R3B District.
 5. Floor Area Ratio - Non-Residential Permitted Uses and Special Uses. As in the R3B District.
 6. Building Height - All Permitted Dwelling Uses. As in the R3A District.
 7. Front Yard. As in the R3B District.
 8. Side Yard. As in the R3B District.
 9. Rear Yard. As in the R3B District.
 10. Yards - Non-Residential Permitted Uses and Special Uses. As in the R3B District.

11. Off-Street Loading. As in the R3B District.
12. Off-Street Parking. As in the R3B District.
- I. R3F Single-Family Semi-detached and Single-Family Attached Residence District.
 1. Permitted Uses
 - a. Uses permitted in the R3A District
 - b. Single-Family Semi-detached and Single-Family Attached.
 2. Special Uses. As in the R3B District.
 3. Lot Area
 - a. Single-Family Attached and Single-Family Semi-detached, 6,000 square feet per dwelling unit.
 - b. Other uses as in the R3A District.
 4. Lot Width. As in the R3B District.
 5. Floor Area Ratio - Non-Residential Permitted Uses and Special Uses As in the R3B District.
 6. Building Height--All permitted Dwelling Uses. As in the R3A District.
 7. Front Yard. As in the R3B District.
 8. Side Yard. As in the R3B District.
 9. Rear Yard. As in the R3B District.
 10. Yards - Non-Residential Permitted Uses and Special Uses. As in the R3B District.
 11. Off-Street Loading. As in the R3B District.
 12. Off-Street Parking. As in the R3B district.
- J. R4 Multiple-Family Residence District.
 1. Permitted Uses: All permitted uses are to be Planned Development Only. See Section VII.
 - a. Multiple-family dwellings having from 4 to and including 6 stories.
 - b. All uses allowed in the R3D District.

- c. Public utility installation for sewers, water, gas, electric and telephone facilities.
- d. Temporary buildings for construction period or two years, whichever lesser. An extension may be permitted by the Building Commissioner if construction is continuing or if construction is to be continued within a six (6) month period.
- e. Accessory buildings limited to a use totally incidental to a swimming pool unless approved by means of a planned development procedure.
- f. Small community residence, provided that:
 - (1) It is located not less than 1000 feet from another small community residence; and
 - (2) For small community residences with 4 or fewer residents, prior to occupancy, a certificate of zoning compliance is applied for and received; and
 - (3) For small community residences with 5 to 8 residents, in addition to the requirements of subsection g.2, the village manager shall determine that there are no health, safety and welfare concerns to be addressed (ingress and egress for emergency vehicles, traffic, security, hazards and the like) or shall address the health, safety and welfare concerns as necessary and report his findings to the Village Board. (91-82)

2. Special Use:

- a. A maximum of five per cent of lot area may be used for a commercial purpose. This commercial use must be clearly intended to serve only the occupants of the development and shall have no exterior entrances or advertising. All such uses must be set forth in the ordinance reclassifying the property.
- b. Large community residence, provided that:
 - (1) No such residence shall be located less than 1000 feet from a small or large community residence; provided, however, that this spacing requirement may be waived if the President and Board of Trustees find that the cumulative effect of such uses would not alter the residential character of the neighborhood, would not create an institutional setting, and by its operation would not create an adverse effect on surrounding properties.

- (2) Prior to admitting residents, the operator of such residence shall demonstrate that the dwelling will comply with all applicable licensing and code standards.
- (3) Applicant shall submit a statement of the exact nature of the residence, the qualifications of the agency that will operate the residence, the number and type of personnel who will be employed, and the number and nature of the residents who will live in the residence.
- (4) The residence shall, to the extent possible, conform to the type and outward appearances of the residences in the area in which it is located.
- (5) Prior to occupancy, a certificate of zoning compliance is applied for and received. (91-82)

3. Minimum Lot Area Requirements. None.

4. Intensity of Use-Lot Area per Dwelling Unit

<u>Minimum lot area per Type of Dwelling Unit</u>	<u>Dwelling unit in sq. Ft.</u>
1 bedroom	1,300
2 bedroom	1,500
3 bedroom	2,000

These requirements are not subject to a planned development bonus or a variation. There shall be no living units below or partially below grade.

5. Lot Width. No minimum requirements.

6. Yards

- a. A Yard at the boundary of the area being developed shall not be less than 30 feet.
- b. All buildings exceeding 40 feet or 3 stories, whichever is lesser, shall be set back from the minimum as set forth in subsection (a) an additional foot for each two feet of height above 3 stories or 40 feet, whichever is lesser. Under a Planned Development a variation may be granted under this subsection for front yards only if the development fronts in a manufacturing or business zone.

7. Maximum Lot Coverage and Minimum Open Space

- a. The total ground floor area for all buildings on a lot, including open parking spaces, private access roads and access ways shall not exceed 40%.
 - b. Building coverage not to exceed 20%.
 - c. Minimum open space or grass area not less than 60%.
 - d. Parking and access drives may be allowed within or under any building. All unenclosed parking areas shall not be located closer than 10 feet to a building.
8. Off-Street Parking. Parking spaces in accordance with provisions set forth in Section VIII of this ordinance and the following:
- a. Two spaces per unit with one space contained within or under the building for all one and two bedroom dwelling units. (88-53)
 - b. Two and one-half spaces per unit with two spaces contained within or under the building in all three bedroom dwelling units.
 - c. All parking contained within the building shall be in the lower portion or underground.
 - d. Additional space outside the building shall be provided to assure compliance with the off-street parking ordinance of the Village of Addison with minimum requirement of one-half space per unit.
9. General Requirements
- a. Plans shall be submitted with the application for a change in use classification. Said plans shall be subject to review if no building permit has been issued within 2 Years from the date of said ordinance changing the uses classification.
 - b. All architectural and site Plans shall be submitted to the Planning and Zoning Commission for recommendation to the Village Board for final approval. Plans are to be submitted to the Director of Community Development for recommendations with respect to the Building Code. Plans are also to be submitted to the Village Engineer for recommendations on all on-site, off-site and utilities improvements. The Village Engineer shall also make recommendations on structural plans with all costs to be incurred by the petitioner. (12-06)

K. R5 Multiple-Family Residence District.

1. Permitted Uses. All permitted uses are to be planned development only. See Section VII.

- a. Multiple-family dwellings for 7 stories and above.
 - b. Uses permitted in the R4 District.
2. Special Uses.
- a. Special uses as in R4
 - b. Office buildings, clinics
 - c. Other commercial uses on ground floor as outlined in B/P and B-1 districts.
3. Minimum Lot Area Requirements. Same as R4 District.
4. Intensity of Use-Lot Area Per Dwelling Unit.

Type of Dwelling Unit	Minimum lot area per dwelling unit in sq. Ft.
1 bedroom	1,000
2 bedroom	1,300
3 bedroom	1,700

These requirements are not subject to a planned development bonus or a variation.

5. Lot Width. Same as R4 District.
6. Yards. Same at R4 District.
7. Maximum Lot Coverage and Minimum Open Space.
- a. The total ground floor area for all buildings on a lot including open parking spaces, private access roads and access ways shall not exceed 35%.
 - b. Building coverage not to exceed 15%.
 - c. Minimum open space or grass area not less than 65%.
8. Off-Street Parking. Same as R4 District.
9. General Requirements. Same as R4 District.

SECTION V. BUSINESS DISTRICT

A. General Requirements - All business districts.

1. All business, service, storage, merchandise, display, and where permitted, repair and processing, shall be conducted wholly within an enclosed building, except as otherwise permitted herein for specified uses such as off-street automobile parking, off-street loading, and open-sales lots or outside storage in districts where they are permitted.
2. Goods sold shall consist primarily of new merchandise, and any goods produced on the premises shall be sold at retail on the premises unless otherwise permitted herein for specified uses.
3. Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, noise, vibration, refuse matter, or water-carried waste.
4. There shall be permitted in all shopping centers, regardless of zoning classification, containing ten (10) acres or more, one (1) free standing Kiosk for the purpose of receiving and distributing films.
5. Outside Storage.
 - a. Outside storage of goods or materials is prohibited in this District unless a variation has been granted in the manner provided by law, which variation shall be subject to the following conditions:
 - (1) That the business in question is unique and cannot continue to operate if required to conform to the conditions imposed by this ordinance.
 - (2) That the variation, if granted, will not alter the essential character of the area.
 - (3) That the particular operation of the specific business involved brings a specific hardship upon the owner as distinguished from a mere inconvenience.
 - (4) That the granting of the variation will not be detrimental to public welfare or injurious to other properties in the neighborhood.
 - (5) That the proposed variation will not increase the danger of fire, hinder the fighting of fire or contribute to spreading of fire, were it to occur.

- (6) That the proposed variation will not reduce the effectiveness of police patrol and the department's ability to protect said property.
 - (7) That the proposed variation will not encourage the breeding of vermin nor permit the collection of debris or foreign material. (80-60; 86-20; 02-01)
 - b. Outside storage of any vehicle being serviced by an automobile repair shop is limited to the interior side yard and the rear yard of the repair shop premises. If the vehicles being serviced are screened so that they are not visible to adjacent properties, the public roadway or the general public, then the outside storage of a vehicle being serviced shall be permitted for not more than six months. If the vehicles being serviced are not screened in the manner heretofore provided, then the outside storage of a vehicle being serviced shall be permitted for no more than seven (7) days. (02-01)
 - c. Grace Period: There will be a six (6) month period of grace for all parties involved, except for new construction. This grace period starts from the day of the official enactment of this Ordinance and effective date. (80-60; 86-20; 02-01)
 - d. Trucks and semi-trailers shall not be parked or stored out-of-doors overnight, in the parking lot or on the premises except within an enclosed loading dock, garage, or within a walled and gated sight screen enclosure, open only to the sky, constructed of the same masonry exterior materials as the principal building and equal in height to the height of the first floor of the principal building. However, temporary parking overnight, not to exceed a 48-hour time period, may be permitted for delivery vehicles which arrive after normal business hours. (06-126)
- 6. Gasoline and Fuel Dispensing units where permitted shall not be located nearer than twenty (20) feet to a lot line. (81-05; 86-20)
- 7. All noise performance standards as set forth in Section VI.B.1 of this Zoning Ordinance shall apply to all Business districts. (86-20)

B. Business-Professional Office District

- 1. General Conditions - No dwelling units permitted.
- 2. Permitted Uses
 - a. Banks, savings and loans and financial institutions
 - b. General business offices

- c. Professional offices
 - d. Studio for artist, sculptor or musician
 - e. Related retail and service facilities within an office building, but limited to only 25% of the gross ground floor area of the building. These facilities shall not have any exterior entrances or exits or signs.
 - f. Other business uses similar to the above
 - g. Accessory building and uses
 - h. Single and multi-family residential uses, in buildings which were legally constructed on or before July 1, 1998, and which buildings were actually used for single or multi-family residential purposes on July 1, 1998. (98-61)
 - i. Employment or temporary staffing agency, not including day labor staffing. (06-126)
3. Special Uses.
- a. Radio and television towers
 - b. Radio and television broadcasting studios
 - c. Mortuary
 - d. Day Care Centers (83-26)
4. Floor Area Ratio - not to exceed 0.8.
5. Front Yard - not less than 30 feet in depth
6. Side yards - on a one story building these shall be a minimum of 5 ft. on one side and 15 ft. on the other side; if a building is over one story, a 20 ft. setback on both sides is required.
7. Rear Yard - not less than 20 ft. in depth.
8. Additional Requirements:
- a. On lots fronting on two non-intersecting streets, a front yard shall be provided on both streets.
 - b. On a corner lot, the narrow frontage of the lot shall be considered the front yard; the side yard abutting the other street shall have a minimum setback of 15 ft.

- c. Required front yards shall be devoted entirely to landscaped area except for the necessary paving of parking areas as permitted under Section VIII, driveways and sidewalks to reach parking areas. Landscaped areas shall mean that the area is permanently devoted and maintained to the growing of shrubbery, grass and other plant material. (92-1)
 - d. The rear yard shall contain a screening of shrubs of a minimum of 5 ft. height dense planting.
- 9. Minimum Lot Area - not less than 6,000 square feet.
- 10. Off-Street Parking and Loading - parking spaces and loading berths shall be in accordance with provisions set forth in Section VIII of this ordinance.
- 11. Waste Materials - all waste materials shall be contained within the principal building or accessory building.
- 12. Height - building height shall not exceed 30 ft., measured from the curb line or two stories whichever is lower.

C. B1 Local Business District

- 1. General Conditions
 - a. Dwelling units are not permitted.
 - b. Each business establishment is restricted to not more than 5,000 square feet of floor area.
- 2. Permitted Uses
 - a. Barber shops
 - b. Beauty parlors
 - c. Candy and ice cream stores
 - d. Dollar stores – only when they are at least two miles from any other dollar store (24-73)
 - e. Drug stores
 - f. Dry-cleaning and laundry-receiving establishments --processing to be done elsewhere
 - g. Food stores, including grocery stores, meat markets, bakeries, and delicatessens -- retail sales only
 - h. Libraries

- i. Shoe stores
 - j. Shoe and hat repair stores
 - k. Temporary buildings for construction purposes for a period not to exceed the duration of such construction
 - l. Variety stores
 - m. Accessory structure and uses
 - n. Mortuary, undertaking and funeral parlors
 - o. Religious institutions and churches (05-116)
 - p. Employment or temporary staffing agency not including day labor staffing. (06-126)
3. Special Uses
- a. Other business uses similar to the permitted uses listed above.
 - b. Electric and telephone substations
 - c. Planned development on a parcel of land not less than two acres in area. See Section II
 - d. Automobile service stations with carry-out restaurants (Ord. 26-27)
 - e. Automobile laundries
4. Floor Area Ratio - not to exceed 0.8
5. Front Yard - not less than 30 ft. in depth
6. Side Yards - If a side yard is provided, it shall be not less than 5 ft. wide except where a side lot line coincides with a side lot line in an adjacent Residence District, a yard shall be provided along such side lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this ordinance for residential use on the adjacent residential lot. A side yard adjoining a street shall be not less than 30' in width.
7. Rear Yard - not less than 20 ft. in depth.
8. Off-Street Loading - Loading berths Shall be in accordance with provisions set forth in Section VIII of this ordinance.
9. Off-Street Parking - Parking spaces shall be in accordance with provisions set forth in Section VIII of this ordinance.
10. Building Height - Shall not exceed 30', measured at the curb line or two stories whichever is lower.

D. B2 Community Business District

1. General Conditions (06-126)

- a. Dwelling units are not permitted below the second story in this district.
- b. From and after December 1, 2006, permitted uses marked with an asterisk (*) are not permitted below the second story within this district on properties adjacent to Lake Street or having a Lake Street address, between Medinah Road on the west and Itasca Road on the east. Permitted uses marked with an asterisk but established as a use at a particular location prior to December 1, 2006 shall continue to be treated as legal nonconforming uses at that location only.

2. Permitted Uses - Any permitted use allowed in the B-1 District; also (06-126)

- a. Adult Daycare Facility (14-66)
- b. Antique Shops
- c. Art and school supply stores
- d. Art galleries -- but not including auction rooms
- e. Bakeries -- where not more than 50 percent of the floor area is devoted to processing, and not employing more than eight persons
- f. Banks, savings and loans and financial institutions, except as an ancillary to a principal use in a grocery store that is 40,000 sf, or greater.*
- g. Barber shops
- h. Beauty Parlors
- i. Bicycle stores -- sales, rental and repair
- j. Book and stationery stores
- k. Camera and photographic supply stores
- l. Candy and ice cream stores
- m. Carpet and rug stores
- n. China and glassware stores
- o. Coin and philatelic stores

- p. Currency exchanges – no pay day loan services*
- q. Custom dressmaking
- r. Department stores
- s. Dollar stores – only when they are at least two miles from any other dollar store (24-73)
- t. Drug stores
- u. Dry cleaning establishments - retail or automatic self service, employing not more than 2 persons in addition to one owner or manager. In addition, the following requirements must be complied with:
 - (1) Retail phase of operation must be confined to the premises
 - (2) Objectionable odors to be completely contained within said premises. Owner is to comply with existing and future pollution control ordinances designed to protect the health, welfare and safety of both occupants, customers and adjacent uses.
 - (3) Self service phase of operation - must have an attendant in the establishment at all times during business hours.
 - (4) If combined with laundromat, B2 dd. all "Additional Requirements" of both uses must be complied with and the total number of employees may not exceed five persons, including the owner.
- v. Dry-goods stores
- w. Electrical and household appliance stores, including radio and television sales
- x. Flower shops and conservatories
- y. Food stores, including grocery stores, meat markets, bakeries and delicatessens
- z. Furniture stores - including upholstery when conducted as part of the retail operation and secondary to the principal use
- aa. Furrier shops -- including the incidental storage and conditioning of furs
- bb. Garden supply and seed stores

- cc. Gift shops
- dd. Haberdasheries
- ee. Hardware stores
- ff. Hobby shops -- for retailing of items to be assembled or used away from the premises
- gg. Hotels and motels -- including dining and meeting rooms, provided that business uses, other than those which are commonly incidental to a hotel business, shall not occupy space fronting on a hotel hall or lobby.
- hh. Interior decorating shops -- including upholstery and making of draperies, slip covers, and other similar articles when conducted as part of the retail operations and secondary to the principal use
- ii. Jewelry stores - including watch repair
- jj. Laboratories—medical and dental, also research and testing*
- kk. Laundromats-- automatic self service type or hand, employing not more than two persons in addition to one owner or manager. In addition, the following requirements must be complied with:
 - (1) There must be an attendant in the establishment from 7:00 p.m. until closing.
 - (2) A separate water meter must be provided for this use and no combination with other uses is to be permitted. (86-06)
- ll. Leather goods and luggage stores
- mm. Liquor stores - retail sales
- nn. Loan offices*
- oo. Locksmith shops
- pp. Mail order service stores
- qq. Medical and dental clinics
- rr. Millinery shops
- ss. Mortuary, undertaking and funeral parlors*
- tt. Musical instrument sales and repair

- uu. Newspaper offices, but not including printing
- vv. Offices – business, professional and public
- ww. Office supply stores
- xx. Opticians and optometrists
- yy. Paint and wall paper stores
- zz. Photographs studios - including developing and printing of photographs when conducted on the premises as a part of the retail business
- aaa. Physical culture and health services, gymnasiums, reducing salons, masseurs and public baths
- bbb. Picture framing -- when conducted on the premises for retail trade
- ccc. Post offices
- ddd. Restaurants -- when no entertainment or dancing is provided
- eee. Restricted production and repair limited to the following: art needlework, clothing, custom manufacturing and alterations for retail only of jewelry from precious metals
- fff. Schools—music, dance or business
- ggg. Sewing machine sales and services -- household machines only
- hhh. Shoe stores
- iii. Shoe and hat repair stores
- jjj. Sporting goods stores
- kkk. Tailor shops
- lll. Taverns, where live entertainment other than music or dancing is not provided
- mmm. Telegraph offices
- nnn. Toy shops
- ooo. Travel bureaus and transportation ticket offices
- ppp. Variety stores

- qqq. Wearing apparel shops
 - rrr. Wholesale establishment – with storage of merchandise limited to samples only
 - sss. Accessory uses to the above permitted uses
3. Special Uses - any special use allowed in the B1 District, except such as are permitted in the B2 District, also:
- a. Art galleries and museums – public
 - b. Schools, commercial or trade - including those teaching music, dance, business, commercial, or technical subjects when not thereby involving increased danger of fire and explosion, nor of noise, vibration, smoke, dust, odor, glare, heat, and other objectionable influences
 - c. Convents, monasteries, theological schools, rectories, and parish houses
 - d. Health centers
 - e. Libraries - public
 - f. Parking lots and storage garages - for motor vehicles under one and one-half tons capacity.
 - g. Planned development on a tract of land not less than two acres in area. See Section VII.
 - h. Drive in restaurants
 - i. Public utility and public service uses including:
 - (1) Electric substations
 - (2) Fire stations
 - (3) Police stations
 - (4) Railroad rights-of-ways
 - (5) Telephone exchanges, micro-wave relay towers and telephone transmission equipment buildings
 - (6) Transit and transportation facilities, including shelter, terminals, parking areas, and service buildings

- (7) Water filtration plants, pumping stations, reservoirs, and sewage treatment plants, municipal
- (8) Other similar uses
- k. Recreational buildings and community centers
- l. Game room
- m. Discotheques which include non-alcoholic beverage and food service on the premises. (89-62)

(Ord. 22-41)

- 4. Floor Area Ratio - Not to exceed 1.3.
- 5. Front Yard - There shall be provided a front yard of not less than 10 ft. in depth.
- 6. Side Yards - If a side yard is provided it shall not be less than five feet wide, except where a side lot line coincides with a side lot line in an adjacent Residence District, a yard shall be provided along such lot line. Such yard shall be equal in dimension to the minimum side yard which would be required under this ordinance for a residential use on an adjacent residential lot. A side yard adjoining a street shall be not less than 10' in width.
- 7. Rear Yard - There shall be provided a rear yard of not less than twenty feet in depth.
- 8. Off-Street Loading - Loading berths in accordance with provisions set forth in Section VIII of this ordinance.
- 9. Off-Street Parking - Parking spaces in accordance with provisions set forth in Section VIII of this ordinance.
- 10. Building Height shall not exceed 30', measured at the curb line or 2 stories, whichever is lower.

E. B3 Service Business District

- 1. General Conditions - dwelling units and lodging rooms, other than those in a transient hotel or motel, are not Permitted.
- 2. Permitted Uses
 - a. Uses permitted in the B2 District, subject, however, to compliance of the use with the General Conditions of the B2 District. (06-126)

- b. Amusement establishments - bowling alleys, gymnasiums, swimming pools, and skating rinks and other similar uses. (02-01)
- c. Auction rooms
- d. Automobile accessory stores
- e. (05-116)
- f. Blueprinting and photo-copying establishments.
- g. Building materials sales -- with accessory enclosed storage.
- h. Caskets and casket supplies
- i. Catering establishments
- j. Clothing establishments
- k. Contractors and construction offices
- l. Clubs and lodges -- private, fraternal, or religious
- m. Dollar stores -- only when they are at least two miles from any other dollar store (24-73)
- n. Extermination shops
- o. Feed stores
- p. Fire stations
- q. Frozen food shops -- including locker rental in conjunction therewith
- r. Fuel and ice sales - retail only
- s. Garages - public
- t. Greenhouses
- u. Job printing shops -- using presses having beds of not more than 14 inches and 20 inches.
- v. Libraries
- w. Machinery and equipment sales - including service, repair, or reconditioning and storage of all machinery within enclosed buildings.
- x. Mail order houses

- y. Meat markets - including the sale of meat and meat products to restaurants hotels, clubs, and other similar establishments when conducted as part of the retail business of the premises
- z. Meeting halls
- aa. Monument sales
- bb. Orthopedic and medical appliance stores -- but not including the assembly or manufacture of such articles
- cc. Parking lots and storage garages -- automobiles
- dd. Pet shops
- ee. Police station
- ff. Plumbing showrooms and shops
- gg. Radio and television service and repair shops
- hh. Recording studios
- ii. Recreational buildings, community centers, and meeting halls
- jj. Restaurants -- including live entertainment and dancing
- kk. Schools, commercial or trade - not involving any danger of fire, explosion, nor of offensive noise, vibration, smoke, dust, odor, glare, heat, or other objectionable influences
- ll. Taxidermists
- mm. Telephone exchanges, micro-wave relay towers, and telephone transmission equipment buildings and electric distribution centers
- nn. Typewriter and adding machine sales and service establishments.
- oo. Undertaking establishments and funeral parlors
- pp. Accessory structure and uses to the above permitted uses (14-66)

3. Special Uses

- a. Special uses allowed in the B2 District, except such as are permitted in the B3 District
- b. Animal hospitals

- c. Dog kennels
- d. Open-sales lots
- e. Other service business uses
- f. Outdoor amusements establishments -- golf driving range, miniature golf courses, par 3 golf courses, kiddie parks, and other similar amusement centers and places of amusements such as stadiums
- g. Automobile accessory stores (tires batteries and accessories) with associated automobile service station
- h. Flea markets. (81-55)
- i. Pool halls/billiard parlors (02-01)
- j. New and used auto and recreational vehicle sales. (05-116; 12-50)

(Ord. 22-41)

- 4. Floor Area Ratio - not to exceed 1.3
- 5. Yards - as in the B2 District
- 6. Off-Street Loading - Loading berths in accordance with provisions set forth in Section VIII of this ordinance
- 7. Off-Street Parking - Parking spaces in accordance with provisions set forth in Section VIII of this ordinance.
- 8. Building Height - Shall not exceed 30', measured at the curb line or 2 stories whichever is lower.

F. B4 Regional Shopping Center District

- 1. General Conditions
 - a. No area shall be eligible for this zoning classification unless it is a compact, contiguous parcel of land containing 60 or more acres under unified ownership or control.
 - b. Dwelling units and lodging rooms, other than those in a transient hotel or motel, are not permitted.

- c. No building or other structure shall exceed 125 feet or 12 stories, whichever is greater, in height.
- d. Except as otherwise specified, all sales and other uses permitted in this zoning district shall be conducted in permanent buildings, and in no case shall retail sales from trailers be permitted.
- e. All permitted uses are to be Planned Unit Development only.

2. Permitted Uses.

- a. Antique shops
- b. Art and school supply stores, art galleries, picture framing
- c. Automotive vehicle or recreational vehicle sales, not including mobile homes (no open sales lots)
- d. Bakeries (not more than 50% of the floor space is devoted to processing)
- e. Bank or financial institution including currency exchanges and drive-in banking facilities
- f. Bicycle stores, including sales, rental and repair
- g. Camera and photographic supply stores
- h. Candy and ice cream stores
- i. Carpet and rug stores
- j. China and glassware stores
- k. Churches
- l. Clothing stores
- m. Cocktail lounges
- n. Commercial recreational uses (indoor)
- o. Customer dressmaking
- p. Department stores
- q. Display and sales room

- r. Dollar stores – only when they are at least two miles from any other dollar store (24-73)
- s. Drug stores
- t. Dry goods
- u. Electrical and household appliance stores
- v. Flower shops
- w. Food stores, including grocery stores, meat markets and delicatessens
- x. Furniture stores with associated upholstery service
- y. Furrier shops
- z. Garden supply stores
- aa. Gift shops
- bb. Hardware stores
- cc. Hobby shops
- dd. Interior decorating shops
- ee. Jewelry stores
- ff. Laundries - automatic self-service type or hand - subject to the restrictions contained in Section V.D.2.dd) and dry-cleaning establishments. (86-06)
- gg. Leather and luggage stores
- hh. Libraries
- ii. Liquor stores
- jj. Loan offices
- kk. Locksmith and key shops
- ll. Mail order stores
- mm. Meeting halls
- nn. Motels and hotels

- oo. Musical shops, including associated instrument repair
- pp. Office or office buildings, including medical and dental clinics, laboratories and professional offices
- qq. Office supply stores
- rr. Paint and wallpaper stores
- ss. Personal service uses, including barber shop, beauty parlor, card shop, coin shop, photographic or art studio, tailoring, shoe repairing, laundry or dry cleaning receiving station, taxi cab stands, and bus depots, and other uses of similar character (24-73)
- tt. Pet shops, provided that dogs shall not be boarded or bred in such shops.
- uu. Physical culture and health stores
- vv. Post offices
- ww. Public garage and automobile repair shop (not including automobile body repairs)
- xx. Radio or television broadcasting station or studio
- yy. Restaurants, including sale of alcoholic beverages
- zz. Schools - music, dance, commercial or business
- aaa. Shoe stores
- bbb. Sporting goods stores
- ccc. Stationery and book stores
- ddd. Variety stores
- eee. Temporary outdoor demonstration and exhibitions of merchandising primarily for outdoor use - not to exceed two weeks duration at any one time.
- fff. Theater, not including drive-in Theater
- ggg. Toy shops
- hhh. Travel bureaus
- iii. Trailer or boat sales with no open storage lots

- jjj. Accessory uses to the above permitted uses
3. Special Uses
- a. Animal hospitals
 - b. Automotive vehicle or recreational vehicle sales with open sales lots
 - c. Car wash
 - d. Dog kennels
 - e. Drive-in restaurants
 - f. Electric, telephone and gas substations and facilities
 - g. Trailer or boat sales with open sales lots
 - h. Water storage tanks
4. Floor Area Ratio. Not to exceed 2.0.
5. Yards. For the purpose of interpreting and enforcing the yard regulations of this section, the entire area included within the B4 District shall be considered as a single lot. No building shall be erected within 40 feet of any lot line. This shall not prevent the construction of service drives, parking area or underground utilities within 40 feet of lot lines. Notwithstanding the provisions of Section II C) of this Ordinance, in B4 zoning districts only, more than one principal building or structure may be erected on a lot.
6. Off-Street Loading. in lieu of the requirements of Section VIII of this ordinance, one loading berth shall be provided for each 75,000 square feet of floor area devoted to retail sales and one loading berth shall be provided for each 100,000 square feet of floor area devoted to other purposes (except mall, hallways, etc.) Each loading berth shall be at least ten feet in width and at least 50 feet in length, exclusive of aisle and maneuvering space, and shall have vertical clearance of at least 14 feet.
7. Off-Street Parking. In addition to the requirements of Section VIII of this ordinance, whenever any building is erected or land is used for the purposes of a B-4 District, off-street parking facilities shall also meet the following requirements:
- a. No off-street parking spaces shall be located closer than 10 feet to the boundary of the District. If the adjoining district is residential, the parking shall not be closer than 30 feet to the boundary.

- b. A system of floodlights shall be installed to provide an adequate standard of illumination over the entire parking lot during all hours of darkness. All floodlights shall be shielded so that minimum glare will extend to the adjacent property and shall meet requirements of the Village Engineer. (92-1)

G. B5 Planned Community Commercial/Office District (83-74)

1. Purpose. The Planned Community Commercial/Office District is an incentive zoning district intended to provide for alternative development of compatible commercial and office uses providing shopping, services and professional and business offices in locations which provide convenient access for residents of Addison and surrounding communities. The District regulations include standards for site development intended to allow a scale of commercial and office use related to the available land area and surrounding areas, and encourage assembly of smaller parcels so that proper site development and access may be provided. The District also provides specific standards for landscaping and other features to produce a high quality of site development.
2. General Requirements.
 - a. No district shall be established under this classification unless it is a contiguous compact parcel of land with not less than 100 feet of frontage on a major street as identified in the Official Map of the Village; or unless it is contiguous to an established Planned Community Commercial/Office District.
 - b. No lot, parcel, or tract of land shall be used and no building or structure shall be erected, unless a Special Use Permit for a Planned Development is granted in accordance with the following standards:
 - (1) A Planned Development shall conform to all requirements of Section VII and Section VI, A., except that where there is a conflict between the requirements contained in this section and other requirements, the requirements of this section shall govern.
 - (2) A Planned Development may consist of conventionally subdivided lots to be sold; undivided single ownership; separate condominium units; or other ownership methods, provided that any instrument by which the Planned Development is established shall be binding in perpetuity on all property within the Planned Development. (83-74)
 - (3) A Planned Development may consist of separate phases or units, provided that no separate phases or unit shall be less than two acres in size if two acres of consolidated,

undeveloped property can be contiguously achieved. Where parcels of smaller size cannot be assembled to incorporate two acres and if a finding is made by the Planning and Zoning Commission and Village Board that special circumstances are present not caused by the owner and that it is in the best interests of the Village to have the property developed as part of a planned development rather than allow it to lie fallow and unused or to be improvidently planned, a variation of the minimum acreage required may be granted through the Planned Unit Development ordinance. (87-22, 12-06)

- c. No outside storage shall be permitted in the district, and no variation to allow any outside storage may be granted; provided, however, that indoor storage, warehousing, showroom storage and distribution may be permitted as accessory uses if said uses are confined to less than thirty percent (30%) of the floor area of a particular use. (90-107)
- d. Drive-in and drive-through facilities shall not be permitted on parcels of less than two acres in size.
- e. Dwelling units are not permitted. (83-74)

3. Permitted uses

- a. Antique shops
- b. Art and school supply stores
- c. Art galleries and studios
- d. Banks, savings and loans, and financial institutions
- e. Banquet facilities (90-107)
- f. Barber shops and beauty parlors
- g. Bicycle stores
- h. Book and stationery stores
- i. Candy and ice cream shops
- j. Camera and photographic supply shops for retail sales
- k. China and glassware stores
- l. Coin and philatelic stores
- m. Currency exchanges

- n. Custom dressmaking, millinery, tailoring, or shoe repair shops, when conducted for retail sale on the premises only
- o. Day Care centers (90-107)
- p. Dollar stores – only when they are at least two miles from any other dollar store (24-73)
- q. Dry cleaning and laundry receiving facilities, drop off and pickup only
- r. Employment agency
- s. Florists shops and conservatories for retail trade on the premises only
- t. Furrier when conducted for retail trade on the premises only
- u. Gift shops
- v. Health clubs (90-107)
- w. Hobby shops, for retail sales of items to be assembled or used away from the premises
- x. Hotels and motels (90-107)
- y. Interior decorating shops, including upholstery and making of draperies, slip covers and similar articles, when conducted as part of the retail operations and secondary to the principal use
- z. Jewelry and watch repair shops
- aa. Leather goods and luggage stores
- bb. Locksmith
- cc. Mail order service stores
- dd. Millinery shops
- ee. Musical instrument sales, retail trade only
- ff. News stands
- gg. Offices, business and professional, including medical clinics
- hh. Office supply stores
- ii. Optician, optometrist

- jj. Orthopedic and medical appliance store, but not including the assembly or manufacture of such articles
 - kk. Paint and wallpaper stores
 - ll. Photography studios, including the development of film and pictures when done as a part of the retail business on the premises
 - mm. Phonograph record stores
 - nn. Picture framing, when conducted for retail trade on the premises only
 - oo. Restaurants and cocktail lounges (90-107)
 - pp. Retail stores (90-107)
 - qq. Shoe and hat stores, and repairing when done as a part of the retail business
 - rr. Sporting goods stores
 - ss. Toy stores
 - tt. Travel agencies and transportation ticket offices
 - uu. Wearing apparel shops
 - vv. Accessory uses
4. Floor Area Ratio. The maximum floor area ratio shall be 0.75. Parking areas and basements shall not be included in the calculation of the floor area ratio. (Ord. 90-107)
5. Yards.
- a. Front Yard. A front yard shall be provided of not less than 30 feet in depth.
 - b. Side Yards. A side yard of not less than 10 feet in width shall be provided on each side of the principal structure, except that:
 - (1) A side yard abutting a street shall be not less than 30 feet in width.
 - (2) A side yard abutting a residential district shall be not less than 20 feet in width.
 - (3) A five foot parking setback shall be allowed. (90-107)

- c. Rear Yard. A rear yard of not less than 20 feet in depth shall be provided, with a parking setback of 5 feet, except where a rear lot line abuts a residential district a rear yard of not less than 30 feet in depth shall be provided. (90-107)

6. Building Height

- a. The maximum building height shall be nine stories, but not more than 85 feet, exclusive of chimneys, cooling towers, mechanical appurtenances, or other rooftop structures. (90-107)
- b. All cooling towers, mechanical equipment or appurtenances, vents, intakes or stacks, or other rooftop structures shall be screened from view on all sides of the building by a parapet wall, solid sight screen or other means which shall completely conceal the rooftop structures from view. A chimney constructed of the same masonry as the exterior of the building is excepted, but a chimney of any other material must be screened. The screens shall comply with all building code requirements for fire rating, wind loads, and structural integrity. (90-107)

7. Development Standards

a. Storm Water Detention/Retention

- (1) Every Planned Community Commercial/Office District shall provide for facilities to control storm water runoff from the site in accordance with the requirements of the Storm Water Control Ordinances of the Village of Addison.

b. Landscaping

- (1) All yards and open space between and abutting buildings, structures, off-street parking and loading areas, streets and driveways shall be landscaped, and such landscaped area shall be properly and continually maintained by the owner and/or tenant of the premises.
- (2) All on-site stormwater retention/detention facilities and open channels shall have suitable landscaping installed to accommodate fluctuating water levels.
- (3) Where any side or rear yard abuts a residential district, buffer strip shall be provided:
 - (a) Where no building or structure on the parcel exceeds 30 feet in height, the buffer strip shall be 10 feet in width, and shall be improved and maintained with landscaping

providing a full year-round visual screen to a height of eight (8) feet.

- (b) Where any building on the parcel exceeds 30 feet in height, the buffer strip shall be 25 feet in width improved with a combination of earth berms and full landscaping to a height of eight (8) feet above the grade of the adjoining lot lines. The height of the berms shall be from four (4) to eight (8) feet in height depending on the grades of the abutting residential property in relation to the proposed building height and finished grades of the new development.
 - (4) Where any front or side yard abuts a public right-of-way, a landscaped area 10 feet in width shall be provided. This landscaped area shall be improved and maintained with a combination of deciduous and evergreen plant material. If parking is located in front of the principal building, the landscape plantings shall be maintained as a full year-round visual screen to a height of three (3) feet, except as necessary to provide adequate site distance at points of ingress or egress.
 - (5) Within the required landscaped area, existing mature vegetation on the site shall be preserved to the maximum extent consistent with other development standard.
- c. Lighting. All exterior lighting, parking lot lights, exterior building lights and landscape lighting shall be directed away from adjoining highways, streets, and properties. No direct light from any lighting within a Planned Community Commercial/Office District shall be cast on any property in a residential District.
- d. Refuse and Trash Collection Areas. Refuse or trash collection areas shall be provided within or at the rear of a structure or positioned in or near a common parking lot or a driveway, and shall be completely screened from view on all sides, with solid fencing of either wood or masonry construction, to a height of seven (7) feet and shall include concrete pad and an operable door of adequate width. Each such refuse area shall be provided with a closed and covered trash container. It shall be the responsibility, either separate or joint, of the owners and/or manager of the structure to ensure that the refuse areas are kept in a neat and well-ordered manner at all times. The owner and/or manager of the structure shall ensure that the spillover at the time of refuse removal is promptly and properly cleaned up, and that refuse is removed on a regular basis.

- e. Off-Street Parking and Loading. Off-street parking and loading facilities shall be provided in accordance with the requirements of Section VIII, except that:
 - (1) No off-street parking facilities shall be located closer than 10 feet to any residential district or any public right-of-way.
 - (2) No off-street parking facilities shall be located in the front yard or closer than 25 feet to any residential district.
 - (3) Trucks and semi-trailers shall not be parked or stored out-of-doors overnight, in the parking lot or on the premises except within an enclosed loading dock, garage, or within a walled and gated sight screen enclosure, open only to the sky, constructed of the same masonry exterior materials as the principal building and equal in height to the height of the first floor of the principal building. However, temporary parking overnight, not to exceed a 48-hour time period, may be permitted for delivery vehicles which arrive after normal business hours.
- f. Architectural Character. The architectural character shall include the general arrangement of all buildings or structures designed to be open to view from a public street or right-of-way; kind, color, and texture of the building material of the buildings or structures; and the type of windows, doors, lights, and other fixtures attached to the buildings or structures. To maintain a desirable architectural character for development, all building materials should be selected for suitability to the type of buildings and style in which they are used, and for harmony with adjoining buildings.
- g. Site Access.
 - (1) A maximum of one driveway curb cut along the principal street frontage of the parcel shall be permitted for each parcel, except that where the principal street frontage is greater than 50 feet, and where warranted by specific site conditions, an exception may be allowed to permit one additional driveway curb cut. However, the additional curb cut shall not be closer than 50 feet to any existing driveway along the same street frontage, whether on the same parcel or on an adjacent parcel.
 - (2) Where a parcel abuts a parcel zoned for business use, access easements for vehicular use shall be provided to allow a safe and convenient flow of traffic between the parcels.
 - (3) No driveway curb cut along a street frontage shall be located closer than 10 feet to any side or rear lot line or closer than 20 feet to any public right-of-way intersecting that street frontage.

8. Development Plan

- a. An applicant for Planned Community Commercial/Office District shall prepare and submit a Development Plan for approval as part of the Special Use Permit for a Planned Development. The plan shall include all property within the proposed District, shall be drawn to scale, and shall show the existing topography with contour intervals not greater than one (1) foot. The plan shall show existing and proposed streets, access easements, and other public ways or public property, lots, boundaries location of all principal and accessory structures, including signs, setbacks and area of building sites. If the Planned Community/ Commercial Office District is to be subdivided, the plan shall be accompanied by a plat giving the full information as required by the subdivision regulations of the Village. The Development Plan shall also include:
 - (1) A landscaping plan showing all proposed landscaping and screening, including size, location and varieties of plant material, location and elevations of any proposed berms; relations of landscaping to any proposed structures, including signs, within the landscaped area; and location and elevation of refuse disposal facilities.
 - (2) A drainage plan showing preliminary grading and preliminary design of all on-site storm water control facilities and location of easements and drainage canals. Where a donation for off-site storm water control facilities is to be proposed in lieu of on-site facilities, the engineering evaluation and appraisal report shall be submitted with the Development Plan.
 - (3) Preliminary architectural elevations of all proposed buildings and structures, including signs, with sufficient detail to show the proposed style and materials.
- b. Stages of development, if any, shall be indicated on the plan along with the sequence which will be followed in construction. The plan shall also be accompanied by any private covenants or restrictions by which development within the district shall be governed. (83-74)

SECTION VI. MANUFACTURING DISTRICTS

A. General Requirements.

1. No lot, parcel, or tract of land shall be used, and no building or structure shall be erected, altered, or remodeled for any of the following uses: abattoirs; manufacture of acid; arsenals; crematories; manufacture of treatment of creosote; fat rendering; manufacture of fertilizer; manufacture or storage of fireworks or explosives; dumping or reduction of garbage, dead animals, offal, or refuse; processing or refining of petroleum; ore reduction; manufacture of nitrocellulose; manufacture of synthetic polymers; manufacture or treatment of gutta percha; salt works; manufacture of sauerkraut; manufacture of soap; smelters; stock yards or slaughter of animals or fowls; manufacture or treatment of tallow, grease or lard; tanning, curing, or storage of rawhides or skins; distillation of tar; or batch asphaltic concrete and Portland Cement concrete mixing plants.
2. No activities involving the storage, utilization, or manufacture of materials or products which decompose by detonation shall be permitted, except such as are specifically licensed by the Village of Addison. Such materials shall include but shall not be confined to all primary explosives such as lead azide, lead styphnate, fulminates, and tetrocene; all high explosives such as TNT, RDX, HMX, PETN, and picric acid; propellants and components thereof such as cellulose nitrate of a nitrogen content of 12.5 per cent or greater, 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, perchloric acids; perchlorates, chlorates, hydrogen peroxide in concentrations greater than 35 per cent and nuclear fuels, fissionable materials, and products and reactor elements such as Uranium 235 and Plutonium 239.
3. Within 300 ft. of a residential district boundary line, parking for vehicles in operable condition and off street loading and unloading spaces shall be located in accordance with requirements set forth in Section VIII.
4. No building, structure or land within 100 ft. of any lot line of a lot located in a residential district shall be used in connection with the operation, including Manufacturing or Storage of any manufacturing establishment; provided however, a variance may be permitted reducing such distance to 50 feet if the conditions of Section VI.A.8 herein are met. This section will apply only to new construction or additions to existing buildings. (88-17)
5. Any use establishment in a Manufacturing District hereinafter shall be operated in such manner as to comply with applicable performance standards as hereinafter set forth governing noise, smoke, particulate matter, toxic or noxious matter, odors, fire and explosive hazards, or vibration, or

glare or heat. Certification from a properly certified testing laboratory, approved by the Village Board, may be required to indicate compliance with applicable standards. (88-17)

6. [Reserved for future use.]

7. Outside Storage

- a. Outside storage in M-1 Districts is prohibited.
- b. Outside storage is prohibited in M-4 Districts unless specifically permitted in P.U.D. agreements approved by the Village Board.
- c. Outside storage in M-2 Districts shall be permitted subject to the following restrictions:
 - (1) Outside storage is prohibited in front yards and forward of the principal building.
 - (2) Outside storage is prohibited in any yard within 100' of any lot line of a lot located in a residential district, except as provided in Section VI.A.4 hereof.
 - (3) Outside storage is prohibited in required side yards (see definition of required yard).
 - (4) Outside storage is prohibited on driveways, on required parking areas, and on fire lanes.
 - (5) Outside storage of flammable or combustible material is prohibited within 30 feet of any electric transmission tower or within 30 feet of any land directly under electric transmission tower power lines.
 - (6) Outside storage of any material on a lot or right of way being used for electric transmission towers shall be limited to 8 feet in height and must be 10 feet from towers.
 - (7) Outside storage is prohibited on utility, railroad or other rights of way unless (a) the right of way is adjacent to a lot which is fully improved with a principal building and (b) the lawful occupant of the principal building (either owner or tenant) on said adjacent lot is utilizing the right of way for outside storage incidental to use of the principal building. In addition, outside storage on rights of way shall not be permitted forward of the adjacent principal building nor forward of the building setback line, and outside storage on rights of way shall be screened from normal view from all streets.

- (8) Outside storage is prohibited on a vacant lot unless (a) the vacant lot or right of way is adjacent to a lot which is fully improved with a principal building and (b) the lawful occupant of the principal building (either owner or tenant) on said adjacent lot is utilizing the vacant lot for outside storage incidental to use of the principal building. In addition, outside storage on a vacant lot shall not be permitted forward of the adjacent principal building nor forward of the building setback line, and outside storage on a vacant lot shall be screened from normal view from all streets.
- (9) Development plans shall be submitted with outside storage variation applications.
- (10) Outside storage is permitted in rear yards except as specifically prohibited.
- (11) All outside storage shall comply with the following:
 - (a) Storage is prohibited within 10 feet of any exterior door.
 - (b) Combustible and flammable material cannot be stored within 10 feet of any exterior window.
 - (c) Outside storage is prohibited in rear yards 10 feet or less from the rear lot line in order to permit emergency vehicle access; provided, however, outside storage may be permitted in such areas if equal or better access for emergency vehicles is otherwise provided.
 - (d) All storage of materials shall be confined to areas improved with concrete, asphalt or gravel properly drained and approved by the Village Engineer.
 - (e) Storage in trailers or other vehicles shall be limited to those vehicles in road-worthy condition displaying current vehicle registration and a valid safety sticker; provided, however, construction trailers being used on a lot which is being improved under a valid building permit issued by the Village of Addison are permitted.
 - (f) All outside storage shall be screened from normal ground level view of any residential lot.
 - (g) All screening required in this section shall be maintained by the property owner as follows:

- (i) Fences and decorative walls shall be maintained in a structurally sound condition.
 - (ii) Plantings, i.e., trees and hedges, shall be maintained at effective height and density.
 - (iii) Screening shall be installed and maintained entirely on properties zoned manufacturing.
 - (iv) Repair or maintenance shall be performed or under contract within 30 days of notification by the Village of Addison.
- (h) Maximum permitted height of storage is 14 feet. No material shall be stored on a lot in such a manner that it might be transferred off the storage area by natural causes.
- (i) Outside storage of hazardous material must be contained in a manner which prevents any release which could result in exposure of the general public or the environment to such material.
- (j) Hazardous chemicals/materials must be properly identified and labeled at all times while residing in the outside storage area.
- (k) The storage within any flood plain of materials that are buoyant, flammable or explosive, or which are determined by the village engineer to be dangerous to life, health or property in time of flooding is prohibited, unless such materials are located above the flood limit elevation for the area in which such materials are to be located. (88-17)
- (12) Outside storage of any vehicle being serviced by an automobile repair shop is limited to the interior side yard and the rear yard of the repair shop premises. If the vehicles being serviced are screened so that they are not visible to adjacent properties, the public roadway, or the general public, then the outside storage of a vehicle being serviced shall be permitted for not more than six months. If the vehicles being serviced are not screened in the manner heretofore provided, then the outside storage of a vehicle being serviced shall be permitted for no more than seven (7) days. (02-01)
- d. Outside storage of a substance or material in a quantity and form which, by determination of the village in reference to applicable state

and federal environmental and health standards is deemed an unreasonable risk to health and safety or property shall be terminated within the time period stated in the notice to any person that owns, leases, operates or controls the property or business where the storage is taking place.

- e. Outside storage in M3 Districts shall be the same as in M2 except as permitted under special use permit or variation.
 - f. The provisions of Section 7.c.1 apply to any lot improved prior to April 16, 1973 and having its principal use established, except in the following instances: That a corner lot having its principal use established with the building set back from one of the two front yard building lines may use that area for outside storage.
8. Outside Storage Variations.
- a. Variations of the provisions of Section VI.A.7 may be permitted with respect to outside storage pursuant to Section IX.A.2.b.14.
9. All existing, nonconforming uses for outside storage shall be amortized over a period of two years from the effective date of this Ordinance. At the end of said two-year period, all nonconforming uses for outside storage shall be terminated unless otherwise permitted by variation or as a special use. (88-17)
10. In all Manufacturing Districts, a variation may be granted to allow fences forward of the principal building but not forward of the building setback line. This fencing shall be subject to Addison Fire Protection District and Addison Police Department review and subject to the approval of the village engineer. This fencing shall be of chain-link type of suitable aesthetic substitute, with low plantings to augment it but not to obscure visibility for security purposes and safety, all to be approved by the village engineer. (89-19)
11. All business, service, merchandise, display, and where permitted, repair and processing, shall be conducted wholly within an enclosed building, except as otherwise permitted herein for specified uses such as off-street automobile parking, off-street loading, and open-sales lots or outside storage in districts where they are permitted. (Ord. 24-61; 26-27)

B. Performance Standards

- 1. Noise Performance Standards. Sound levels shall be measured with a precision sound level meter and associated octave band filter manufactured according to the American National Standards Institute or its successor bodies. Measurements shall include steady sound.

- a. During the hours of 7:00 A.M. to 10:00 P.M., local time, no person shall cause or allow the emission of sound from any property-line-noise source located in any Manufacturing or Business District to any receiving Residential District which exceeds any allowable octave band sound pressure level specified in the following table, when measured at any point within such receiving Residential District, provided, however, that no measurement of sound pressure levels shall be made less than twenty-five (25) feet from such property-line-noise source.

Allowable Octave Band Sound Pressure
Levels (dB) of Sound Emitted to Any
Receiving Residential District from Any:

Octave Band Center Frequency (Hertz)	Manufacturing District	Business District
31.5	75	72
63	74	71
125	69	65
250	64	57
500	58	51
1000	52	45
2000	47	39
4000	43	34
8000	40	32

- b. During the hours of 10:00 P.M. to 7:00 A.M., local time, no person shall cause or allow the emission of sound from any property-line-noise source located in any Manufacturing or Business District to any receiving Residential District which exceeds any allowable octave band sound pressure level specified in the following table, when measured at any Point within such receiving Residential District, provided, however, that no measurement of sound pressure levels shall be made less than twenty-five (25) feet from such property-line-noise source.

Allowable Octave Band Sound Pressure
Levels (dB) of Sound Emitted to Any
Receiving Residential District from Any:

Octave Band Center Frequency (Hertz)	Manufacturing District	Business District
31.5	69	63
63	67	61
125	62	55

250	54	47
500	47	40
1000	41	35
2000	36	30
4000	32	25
8000	32	25

- c. No person shall cause or allow the emission of sound from any property-line-noise source located in any Manufacturing or Business District to any receiving Business District which exceeds-any-allowable octave band sound pressure level specified in the following table, when measured at any point within such receiving Business District, provided, however, that no measurement of sound pressure levels shall be made less than twenty-five (25) feet from such property-line-noise source.

Allowable Octave Band Sound Pressure
Levels (dB) of Sound Emitted to Any
Receiving Business District from Any:

Octave Band Center Frequency (Hertz)	Manufacturing District	Business District
31.5	80	79
63	79	78
125	74	72
250	69	64
500	63	58
1000	57	52
2000	52	46
4000	48	41
8000	45	39

(86-20, 14-66)

2. Vibrations-- M1, M2 and M3 District. No industrial operation or activity (except those not under the direct control of the manufacturer) shall cause at any time ground transmitted vibrations in excess of the limits set forth below. Vibration (the periodic displacement, measured in inches, of earth) shall be measured at any point along a Residence District boundary line with a three component measuring instrument approved by the Village Board, and shall be expressed as displacement in inches.

Frequency Cycles per second	Maximum Permitted Displacement along Residence District Boundaries (in inches)
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0 to 10	.0008
10 to 20	.0005
20 to 30	.0003
30 to 40	.0002
40 and over	.0001

(86-20)

3. Smoke and Particulate Matter - M1, M2 and M3 Districts. The emission of smoke or particulate matter in such manner or quantity as to endanger or to be detrimental to the public health, safety, comfort, or welfare is hereby declared to be a public nuisance, and shall henceforth be unlawful.

For the purpose of grading the density of smoke, the Ringelmann Chart, published and used by the United States Bureau of Mines, shall be employed. The emission of smoke or particulate matter of a density greater than No. 2 on the Ringelmann Chart is prohibited at all times except as otherwise provided hereinafter.

The emission from all sources within any lot area of particulate matter containing more than ten per cent by weight of particles having a particle diameter larger than 44 microns is prohibited.

Dust and other types of air pollution, borne by the wind from such sources as storage areas, yards, roads, and the like, within lot boundaries shall be kept to a minimum by appropriate landscaping paving, oiling, fencing, or other acceptable means. Emission of particulate matter from such sources in excess of the weight limitation hereinafter specified is prohibited.

- a. Smoke - M1 District. The emission of more than eight smoke units per hour per stack is prohibited, including smoke of density in excess of Ringelmann No. 2. However, during one one-hour period in each 24-hour day, each stack may emit up to 16 smoke units when blowing soot or cleaning fires. Only during fire-cleaning periods, however, shall smoke of Ringelmann No. 3 be permitted, and then for not more than three minutes.
- b. Smoke-M2 and M3 Districts. The emission of more than 16 smoke units per hour per stack is prohibited, including smoke of a density in excess of Ringelmann No.2. However, during two one-hour periods in each 24-hour period, each stack may emit up to 24 smoke units, twice for blowing soot and twice for cleaning fires. During fire-cleaning periods only shall smoke of a density of Ringelmann No. 3 be permitted, and then for not more than four minutes per period.
4. Toxic or Noxious Matter - M1, M2 and M3 Districts. No use shall for any period of time discharge across the boundaries of the lot wherein it is located

toxic or noxious matter in such concentrations as to be detrimental to or endanger the public health, safety, comfort, or welfare or cause injury or damage to property or business.

5. Odors - M1, M2 and M3 District. The emission of odorous matter shall be controlled in such a manner as to be at or below the odor threshold value within any part of a Residence District.

6. Fire and Explosive Hazards - M1, M2 and M3 Districts.

a. M1 District

(1) The storage, utilization, or manufacture of solid materials or products ranging from incombustible to moderate burning is permitted.

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

(a) Said materials or products shall be stored, utilized, or manufactured within completely enclosed buildings or structures having incombustible exterior walls and handled in accordance with the standards and regulations of the Village of Addison and the National Fire Protection Association.

(b) All such buildings shall be set back at least 40 feet from all lot lines or in lieu thereof, shall be protected throughout by an automatic fire extinguishing system installed in accordance with the standards and regulations of the Village of Addison and the National Fire Protection Association.

(3) The storage, utilization, or manufacture of flammable liquids or materials which produce flammable or explosive vapors, shall be permitted in accordance with the following limitations--exclusive of storage in underground tanks and exclusive of storage of finished products in original sealed containers:

(a) Said materials or products shall be stored, utilized or manufactured within completely enclosed buildings or structures having incombustible exterior wall and handled in accordance with the standards and regulations of the Village of Addison and the National Fire Protection Association.

- (b) All such buildings shall be set back at least 40 feet from all lot lines or in lieu thereof, shall be protected throughout by an automatic fire extinguishing system installed in accordance with the standards and regulations of the Village of Addison and the National Fire Protection Association.
- (c) The capacity of flammable liquids in excess of the following quantities shall not be permitted:

<u>Closed Cup Flash Point</u>	<u>Quantity (gallons)</u>
Less than 24 F	1,000
24 F to less than 105 F	10,000
105 F to less than 187 F	50,000

Total of all flammable liquids permitted 50,000

b. M2 and M3 Districts

- (1) The storage, utilization, or manufacture of solid materials or products ranging from incombustible to moderate burning is permitted.
- (2) The storage utilization or manufacture of solid materials or products ranging from free or active burning to intense burning is permitted provided the following conditions are met:
 - (a) Said materials or products shall be stored, utilized, or manufactured within completely enclosed buildings or structures having incombustible exterior walls and handled in accordance with the standards and regulations of the Village of Addison and the National Fire Protection Association.
 - (b) All such buildings shall be set back at least 20 feet from all lot lines in lieu thereof, shall be protected throughout by an automatic fire extinguishing system installed in accordance with the standards and regulations of the Village of Addison and the National Fire Protection Association.
 - (c) Said materials may be stored outdoors in conformance with the standards and regulations of the Village of Addison and the National Fire Protection Association.
- (3) The storage, utilization, or manufacture of flammable liquids or materials which produce flammable or explosive vapors shall

be permitted in accordance with the following limitations--exclusive of storage in underground tanks.

- (a) Said materials or products shall be stored utilized or manufactured within completely enclosed buildings having incombustible exterior walls, or may be stored out of doors, and handled in accordance with the standards and regulations of the Village of Addison and the National Fire Protection Association and, in addition, all such buildings shall be set back at least 25 feet from all lot lines or in lieu thereof shall be protected throughout by an automatic fire extinguishing system installed in accordance with the standards and regulations at the Village of Addison and the National Fire Protection Association.

- (b) The capacity of flammable liquids in excess of the following quantities shall not be permitted:

<u>Closed Cup Flash Point</u>	<u>Quantity (gallons)</u>	
	<u>M2</u>	<u>M3</u>
Less than 24 F	10,000	20,000
24 F to less than 105 F	50,000	100,000
105 F to less than 187 F	100,000	200,000
Total of all flammable liquids permitted	150,000	300,000

7. Glare--Heat in M1. M2 and M3 Districts.

- a. Glare-Heat - M1 District. Any operation producing intense glare or heat shall be performed within a completely enclosed building in such a manner as not to create a public nuisance or hazard along lot lines.
- b. Glare - Heat - M2 and M3 Districts. Any operation producing intense glare or heat shall be performed within an enclosure in such a manner as not to create a public nuisance or hazard along lot lines.

(14-66)

C. M1 Limited Manufacturing District

1. Permitted Uses.

- a. The following uses are permitted, provided they conform with regulations herein set forth in Section V.A and V.B of this Ordinance;

when specifically required by the Village Board, they shall conform with applicable requirements set forth in General Requirements and Performance Standards of this Section.

- (1) Animal hospitals
- (2) Automobile service stations
- (3) Building material sales - with outside storage
- (4) Contractor's shops - with outside storage
- (5) Frozen food lockers
- (6) Fuel and ice sales--retail only with outside storage, except ice sales may be wholesale
- (7) Garages - public
- (8) Greenhouses, wholesale - without restrictions as to floor area, provided heating plant conforms with applicable performance standards set forth under General Requirements of this Section
- (9) Heliports - provided they conform with applicable Federal, State and other local governmental regulations
- (10) Machinery sales and service
- (11) Monument sales
- (12) Motor vehicle and equipment sales and service
- (13) Open - sales lots
- (14) Parking lots - commercial
- (15) Public utility and public service uses including:
 - (a) Electric substations and distribution stations
 - (b) Railroad right-of-ways
 - (c) Telephone exchanges, microwave relay towers, and telephone transmission equipment buildings
 - (d) Public Transportation facilities, including shelters, terminals, parking areas, and service buildings

- (e) Water filtration plants, pumping stations, reservoirs, and sewage treatment plants—public (Ord. 12-50)

(16) Trade schools

(Ord. 12-50; 23-5; 23-46)

- b. Manufacturing, fabricating, storing, cleaning, testing, assembling, repairing, or servicing establishments as determined by operations conforming with performance standards for M1 Districts and other regulations as set forth in Section VI, A & B of this Ordinance.

2. Special Uses.

- a. Planned Developments, manufacturing - on tracts of land not less than 10 acres in area. See Section VII.
- b. Half-way houses and after-care centers for the treatment of alcohol or substance abuse.
- c. Public and private clubs and lodges, including health clubs and related recreational facilities. (Ord. 89-81, 24-61)

3. Lot Width. Not less than 70 feet.

4. Floor Area Ratio

- a. Not to exceed 0.50 for one-story buildings.
- b. Not to exceed 1.00 for buildings containing two or more stories.

5. Front Yard. Not less than 40 feet in depth.

6. Side Yards. Not less than 20 feet in width.

7. Rear Yard. Not less than 20 feet in depth, except a rear yard abutting an alley or railroad right-of-way may be reduced to ten feet in depth.

8. Building Height shall not exceed 30 ft.- measured at the curb line or two (2) stories, whichever is lower.

9. Off-Street Loading. Loading berths in accordance with provisions set forth in Section VIII of this ordinance.

10. Off Street Parking. Parking spaces in accordance with provisions set forth in Section VIII of this ordinance.

D. M2 General Manufacturing District

1. Permitted Uses.

- a. Uses as permitted in the M1 District.
- b. Adult uses, but not within 1,000 feet of any residential area. (89-60)
- c. Currency exchanges. (12-50)

- d. Manufacturing, assembling, disassembling, fabricating, repairing, storing, cleaning, servicing or testing establishments as determined by operations conforming with performance standards for M2 Districts as set forth in Section VI.B of this ordinance.
- e. Non-passenger vehicle renting or leasing. (Non-passenger vehicle rental or leasing shall include any of the following: truck, boat, motorcycle, golf cart, other motorized conveyance, or towed trailer of any kind). (07-81)
- f. Precious metal and gem dealers. (09-60)
- g. Pawnbrokers. (09-60)
- h. Pay day loan services. (12-50)
- i. Title loan offices. (12-61)
- j. Registered medical cannabis dispensing organization.* (13-59)
- k. Registered medical cannabis cultivation center.* (13-59)
- l. Resale shops, rummage shops and second hand goods stores. (14-66)
- m. No more than 0 Licensed Adult Use Cannabis Cultivation Centers. (19-72)
- n. No more than 2 Licensed Adult Use Cannabis Dispensing Organizations. (19-72)

Any use permitted under Subparagraphs VI.D.1.m and n above shall be open for business between the hours of 9:00 a.m. and 10:00 p.m. only. (19-72; 24-39)

No Cannabis Business Establishment shall be located within two-hundred and fifty (250) feet of any residential structure. (19-72)

*Subject to 401 ILCS 130/1 et seq.
(Ord. No. 12-50)

2. Special Uses.

- a. As allowed in M1 District
- b. Office building not to exceed five (5) stories or sixty-five (65) ft., whichever is less.
- c. Employment or temporary staffing agency, including day labor staffing. (02-01; 06-126)
- d. Restaurants, including sale of alcoholic beverages.
- e. Clinics, and related medical facilities. (81-14)
- f. Banks, Savings and Loans and other financial institutions. (85-28)

- g. Fire and law enforcement training facilities operated by governmental entities. Notwithstanding anything contained within this Zoning Ordinance to the contrary, fire and law enforcement training facilities shall not exceed four (4) stories or forty-six (46) ft. in height, whichever is less, and shall not exceed a maximum of 1,600 square feet in area. (25-23)

General Requirements

Under Special Use, a site plan shall be submitted and approved by the Planning and Zoning Commission and Village Board. The site plan shall indicate location and height of all buildings, driveway locations and off-street parking.

All requirements of Section VI of the Zoning Ordinance shall apply and in the event of reversion to a manufacturing use all conditions of applicable ordinances shall be enforced except those conditions previously granted under Special Use Ordinance.

Height limitations within 300 ft. of a residential district shall not exceed 30 ft. at the curb line or two stories, whichever is lower. (12-06)

- 3. Floor Area Ratio.
 - a. Not to exceed 0.60 for one-story buildings.
 - b. Not to exceed 1.20 for buildings, containing two or more stories with maximum lot coverage of 60%.
- 4. Lot Width. Not less than 100 feet.
- 5. Front Yards. Not less than 27 feet in depth. Except that in Special Use granted under the provisions of this section, the depth of front yard shall be increased by one foot for each two feet of permitted building height over 30 feet. (See Height Limitations Special Use)
- 6. Side Yards. Not less than 10 feet in width. For a side yard abutting a residential district, see Section VI, A, 3 and 4. In addition, the following requirements will apply to a Special Use granted under the provisions of this ordinance:
 - a. The width of a side yard shall be increased by one foot for each two feet of permitted additional building height over 30 feet.
 - b. Office building not to exceed five (5) stories or sixty-five (65) ft., whichever is less.
 - c. Employment or temporary staffing agency, including day labor staffing. (02-01; 06-126)
 - d. Restaurants, including sale of alcoholic beverages.
 - e. Clinics, and related medical facilities. (81-14)
 - f. Banks, Savings and Loans and other financial institutions. (85-28)

7. Rear Yards. Not less than 10 feet in depth. A rear yard abutting a residential district shall be governed by provisions in Section VI, Mfg. Districts, A, 3 and 4. The following will be required in addition, if permit is granted under Special Use Provisions of this ordinance:
 - a. The depth of a rear yard shall be increased by one foot for each two feet of permitted additional building height over 30 feet.
8. Building Height. Shall not exceed 30 feet measured at the curb line or two stories, whichever is lower except that the buildings not exceed 65 feet or five stories, whichever is lower, may be permitted under the Special Use Provisions of this ordinance.
9. Off-Street Loading. Loading berths in accordance with provisions set forth in Section VIII of this ordinance.
10. Off-Street Parking. Parking spaces in accordance with provisions set forth in Section VIII of this ordinance. (25-23)

E. M3 General Manufacturing District.

1. Permitted Uses.
 - a. Uses as permitted in the M2 District except for registered medical cannabis dispensing organizations, registered medical cannabis cultivation centers, licensed adult use cannabis dispensing organizations and licensed adult use cannabis cultivation centers which shall be prohibited in the M3 District. (19-72)
 - b. Manufacturing, assembling, disassembling, fabricating, repairing, storing, cleaning, servicing, or testing establishments as determined by operations conforming with performance standards for M3 Districts as set forth in Section VI of this ordinance.
2. Special Uses. As allowed in the M2 District.
3. Floor Area Ratio. As in the M2 District.
4. Lot Width. Same as in M2.
5. Yards. As in the M1 District.
6. Building Height. Building height shall not exceed 45 ft. measured at the curb, or 3 stories, whichever is lesser.
7. Off-Street Loading. Loading berths in accordance with provisions set forth in Section VIII of this ordinance.

8. Off-Street Parking. Parking spaces in accordance with provisions set forth in Section VIII of this ordinance.

F. M4 office-Research/Industrial District.

1. Purpose. The Planned Office-Research/Industrial District is an incentive zoning district intended to provide for office-research and nuisance-free industrial uses in a well-designed and maintained environment. This district would be less intense in character than the M1 Limited Manufacturing District while providing a broader base of services to meet the needs not only of those working within the district, but also of the general public. Ancillary limited commercial uses such as hotels, restaurants and health clubs may be located in the district where access is available from the rest of the district and the surrounding road network. Development in the district is to be characterized by innovative planning to provide a campus-like environment; spacious building sites with extensive setbacks; controlled ingress and egress; permanent landscaping of open spaces; and screening necessary to maintain a proper relationship with adjacent areas. (83-73)
2. General Requirements. The following general requirements, performance standards, uses, bulk regulations and development standards shall apply to all development in the Planned Office-Research/Industrial District, except for such variations as may be permitted by the Board of Trustees: (96-47)
 - a. No district shall be established under this classification unless it is a compact, contiguous parcel of land, not less than 20 acres in size and under unified ownership or control at the time such district is established; or unless it is contiguous to an established Planned Office-Research/Industrial District and is at least five acres in size.
 - b. No lot, parcel, or tract of land shall be used and no building or structure shall be erected unless a special Use Permit for a Planned Unit Development is granted in accordance with the following standards:
 - (1) A Planned Development shall conform to all requirements of Section VII and Section VI. A, except that where there is a conflict between the requirements contained in this section and other requirements, the requirements of this section shall govern.
 - (2) A Planned Development may consist of conventionally subdivided lots to be sold; undivided single ownership; separate condominium units; or other ownership methods, provided that any instrument by which the Planned Development is established shall be binding in perpetuity on all property within the Planned Development. (83-73)

- (3) A Planned Development may consist of separate phases or units, provided that no more than four phases or units shall be permitted; no phase or unit shall be less than four acres in size; and a separate final plan shall be submitted for each phase or unit.
 - c. Notwithstanding the foregoing, no outside storage shall be permitted in the district, and no variation to allow any outside storage may be granted. (96-47)
- 3. Performance Standards. Uses in the Planned Office-Research/Industrial District shall be limited to those uses which will not create any dangerous, injurious, noxious or otherwise objectionable conditions. Neither will they create any fire, explosive, radio-active or other kind of hazardous conditions, nor will they produce noise, vibrations, smoke, dust, odor or other forms of air pollution, electrical disturbances, glare, heat or any other condition, substance or elements that are in a manner or amount so as to adversely affect the community will not be permitted. All uses in the district shall operate in conformance with the following standards:
 - a. Noise. No noise from operations (other than that emanating from vehicular traffic), either continuous or intermittent, shall be detectable at the limits of the tract or parcel on which the use is located.
 - b. Glare or Heat. No glare or heat shall be detectable at the limits of the tract or parcel on which the use is located.
 - c. Vibrations. No vibrations shall be detectable at the limits of the tract on which the use is located.
 - d. Toxic Matter, Odors, Particulate Matter. No toxic matter, noxious matter, smoke or gas, and no odorous or particulate matter shall be detectable at the limits of the tract on which the use is located.
 - e. Fire and Explosive Hazards. Materials that present potential fire and explosive hazards shall be stored and used only in conformance with the requirements of Section VI.B.6.
 - f. Radiation Hazards. Materials that present potential radiation hazards shall be stored and used only in conformance with the most restrictive of the applicable municipal, state and federal regulations.
 - g. Electromagnetic Interference. Electromagnetic interference shall not adversely affect the operation of any equipment other than that belonging to the creator of such interference, and must conform to the regulations of the Federal Communications Commission.
- 4. Permitted Uses.

- a. Artwork, commercial graphics and drafting services.
- b. Bingo parlors.
- c. Bookbinding, engraving, lithographing, photoengraving, printing, and publishing.
- d. Blueprinting and photostating and photocopying services.
- e. Banks, Savings and Loan Associations, and other financial service offices.
- f. Clinics, Medical and Dental with related stresstesting and examination facilities; and facilities for education in preventive medicine.
- g. Public and private clubs and lodges, including health clubs and related recreation facilities.
- h. Hotels and motels with related retail and service facilities as defined in section t. below.
- i. Laboratories for research and development, including testing of products.
- j. Business offices such as corporate headquarters, district, branch, sales, insurance, real estate, advertising, computer facility and other similar business offices.
- k. Professional offices such as medical and dental offices and clinics, legal offices, certified public accountants and other similar professional offices.
- l. Governmental offices, but not including vehicular maintenance or service buildings.
- m. Sales offices, with incidental repairs and service, for business and office equipment and supplies with incidental storage of parts and supplies not to exceed a storage area of 100 percent of the gross square foot area of the sales area and offices.
- n. Wholesale sales, showrooms, displays and offices.
- o. Restaurants, but excluding drivethrough and drivein restaurants.
- p. Business and professional schools; data processing, electronic, and corporate training facilities; and other similar educational and training facilities.

- q. Public service uses such as electric and telephone substations, but not including transmitting or receiving towers or microwave facilities as a principal use.
- r. Radio and television studios but not including broadcasting towers.
- s. Theaters, indoor.
- t. Retail and service uses, limited to barber and beauty shops; drug stores; gift shops, newspaper, tobacco and candy stores; office supply stores, travel agencies; car rental services with storage of no more than five automobiles (no maintenance or washing of these vehicles allowed on site); and valet services. These uses shall be located within a hotel, motel or office building; shall not occupy more than 25 percent of the gross ground floor area of such building; and shall not have a separate exterior entrance or any exterior sign.
- u. Warehousing, storage and distribution.
- v. Accessory uses.
- w. Assembly, fabrication, and processing of goods, materials or products, providing that all operations of the establishment shall conform to the performance standards for the district, and further provided that before issuing any occupancy permit, the Planning & Zoning Administrator shall be given information by the applicant sufficient to enable the Planning & Zoning Administrator to determine that all performance standards of this Section can and will be complied with at all times. At the request of the Planning & Zoning Administrator the applicant shall provide:
 - (1) A plot plan showing the location of all present and proposed structures, waste disposal areas and other construction features relevant to the proposed operations.
 - (2) A description of the activity to be conducted in sufficient detail to indicate the extent to which the proposed operation will produce waste products, conditions, or external effects which are regulated or otherwise limited by this Section.
 - (3) A description of the type and location of any abatement devices, waste disposal measures or recording instruments used to control or measure conformity with any of the standards set forth herein.
 - (4) Such other data and certification as may reasonably be required by the Planning & Zoning Administrator to reach a determination.

All information and evidence submitted in application to indicate conformity with the performance standards set forth herein shall constitute a certification and an agreement on the part of the applicant that the proposed use can and will conform to such standards at all times.

- x. Registered medical cannabis dispensing organizations; (19-72)
- y. Registered medical cannabis cultivation center; (19-72)
- z. No more than 0 Licensed Adult Use Cannabis Cultivation Centers; (19-72)
- aa. No more than 0 Licensed Adult Use Cannabis Dispensing Organizations. (19-72)
- bb. Thrift stores. (24-73)

Any use permitted under Subparagraphs VI.F.4.z and aa above shall be open for business between the hours of 9:00 a.m. and 10:00 p.m. only. (19-72; 24-39)

No Cannabis Business Establishment shall be located within two-hundred and fifty (250) feet of any residential structure. (19-72)

(Ord. 23-45)

- 5. Floor Area Ratio. The maximum floor area ratio shall be 0.50, except that where at least 50 percent of the required off-street parking spaces are provided within a structure, the maximum floor area ratio may be increased to 0.70.
- 6. Lot Area and Width. Each-lot, parcel or tract shall have a minimum area of two acres, and a minimum lot width of 200 feet.
- 7. Yards. No building or structures shall be located closer than 40 feet to any lot line, except that:
 - a. No building or structure shall be located closer than 75 feet to any right-of-way line of a major street as designated on the official Map of the Village.
 - b. No building or structure shall be located closer than 100 feet to any property line abutting a residential district.
 - c. An additional setback of one foot from all property lines shall be provided for each two feet by which the building or structure exceeds

35 feet in height, and for each one floor by which the building or structure exceeds 65 feet in height.

8. Building Height. The maximum building height shall be five stories, but not more than 65 feet, provided that:
 - a. On a lot or parcel of five acres or more, a maximum building height of eight stories or 105 feet may be allowed.
 - b. No chimney, cooling tower, mechanical appurtenances, or other rooftop structure shall extend above the maximum permitted building height.
 - c. All cooling towers, mechanical equipment or appurtenances, vents, intakes or stacks, or other rooftop structures, except for electronic transmitting and/or receiving equipment, shall be screened from view on all sides of the building by a parapet wall, solid sight screen or other means which shall completely conceal the rooftop structures from view. A chimney constructed of the same masonry as the exterior of the building is excepted but a chimney of any other material must be screened. The screens shall comply with all building code requirements for fire rating, wind loads and structural integrity.
9. Development Standards
 - a. Storm Water Detention/Retention. Every Planned Office Research/Industrial District shall provide for facilities to control storm water runoff from the site in accordance with the requirements of the storm water control ordinances of the village of Addison.
 - b. Landscaping
 - (1) All yards and open space between and about buildings, structures, off-street parking and loading areas, and areas along exterior and interior streets within the planned Office-Research/Industrial District shall be landscaped. All landscaping shall be properly and continually maintained by the owner and/or tenant of the premises.
 - (2) All on-site retention areas shall have permanent landscaping installed above the permanent water level, and such landscaping shall be suitable to accommodate projected fluctuation in the water level.
 - (3) Where any side or rear yard abuts a residential district, a buffer strip improved with earth berms and full landscaping, shall be provided and maintained along the lot lines abutting such residential districts, to a height depending on the finished

grades of the abutting residential property in relationship to the proposed building height and finished grades of the new development. The width of the buffer strip shall be 25 feet, except that where a building or structure exceeds 65 feet in height, the width of the buffer strip shall be 40 feet.

- (4) Fencing may be allowed within the landscaped areas, provided that the architectural character of the fencing is compatible with the principal structure, and the fencing is constructed of architectural materials such as masonry or ornamental iron.
 - (5) Landscaping within off-street parking area shall be provided in the ratio of one planting area of at least 200 square feet for every 20 parking spaces. The spacing and plant material of the planting area shall be subject to approval as part of the overall landscape plan for the parcel.
- c. Lighting. All exterior lighting, parking lot lights, exterior building lights, and landscape lighting shall be directed away from adjoining highways, streets, and properties. No direct light from any lighting within a Planned Office-Research/Industrial District shall be cast on any property in a residential district.
- d. Refuse and Trash Collection Areas. Refuse or trash collection areas shall be provided within a structure at the rear of each structure or positioned in or near a common parking lot or a driveway. Such areas shall be completely screened from view on all sides, with solid fencing of either wood or masonry construction, to a height of six feet and shall include concrete pad and an operable door of adequate width. Each such refuse area shall be the responsibility, either separate or joint, of the owners and/or manager of the structure to ensure that the refuse areas are kept in a neat and well-ordered manner at all times. The owner and/or manager of the structure shall ensure that any spillover at the time of refuse removal is promptly and properly cleaned up, and that refuse is removed on a regular basis.
- e. Off-Street Parking and Loading. Off-street parking and loading facilities shall be provided in accordance with the requirements of Section VIII, except that:
 - (1) No off-street parking shall be located closer than 40 feet to any residential district or located within any front yard.
 - (2) Trucks and semi-trailers shall not be parked or stored out-of-doors overnight, in the parking lot or on the premises except within an enclosed loading dock, garage, or within a walled and gated sight screen enclosure, open to the sky,

constructed of the same masonry exterior materials as the principal building and equal in height to the height of the first floor of the principal building. However, temporary parking overnight, not to exceed a 48-hour time period, may be permitted for delivery vehicles which arrive after normal business hours.

- (3) No off-street loading facilities shall be located within 40 feet of any lot line, and shall be screened from view from any residential district by a permanent masonry wall.

10. Development Plans

- a. An applicant for a Planned Office-Research District shall prepare and submit a Development Plan for approval as part of the Special Use Permit for a Planned Development as provided in Section VII. The plan shall include all property within the proposed Planned Office-Research/Industrial District, shall be drawn to scale, and shall show the existing topography with contour intervals not greater than one (1) foot. The plan shall show existing and proposed streets and other public ways or public property, lots, boundaries, building sites, setbacks, and areas of building sites. If the Planned Office-Research/Industrial District is to be subdivided, the plan shall be accompanied by a plat giving the full information as required by the subdivision regulations of the Village. The Development Plan shall also include:
 - (1) A landscaping plan showing all proposed landscaping, fencing and screening, including location, size and varieties of plant material and location and elevations of terms.
 - (2) A drainage plan showing preliminary grading and preliminary design of all on-site storm water control facilities. Where a donation for off-site storm water control facilities is in lieu of on-site facilities, the engineering evaluation and appraisal report in contingency with the Storm Water Control Ordinance shall be submitted with the Development Plan.
- b. Where stages of development may be contingent on the sale or lease of lots, the applicant shall indicate on the plans the anticipated stages of development to be followed. If it is to be developed for single occupancy the applicant shall, if known, indicate on the plan the stages and sequence which will be followed in construction. The plan shall also be accompanied by all private covenants or restrictions by which development within the district shall be governed. (83-73)

SECTION VII. PLANNED DEVELOPMENTS

Planned developments are of such substantially different character from other special uses that specific and additional standards and exceptions are hereby established to govern the recommendations of the Planning and Zoning Commission and the action of the Village Board of Trustees. (12-06)

- A. Planned Development. A planned development is a use of land which offers benefits to the neighborhood of which it is a part or to the general public welfare beyond those required by this Zoning Ordinance and which use of land will contain or provide amenities not otherwise required by law, including but not limited to provisions for common open space, recreational facilities, or specific design, engineering, architectural, site planning or landscape features.
- B. Application for Preliminary Approval of a Planned Development Special Use Permit. Any person or persons owning lots or land within the Village or any person or persons owning lots of land outside the Village coming in under a pre-annexation agreement may apply to the Planning and Zoning Commission for preliminary approval of a planned development special use permit. The Planning and Zoning Commission shall hold a public hearing on the application and may approve or disapprove an application or make recommendations to the Village Board, regarding changes or revisions that it deems desirable. Following Village Board approval, which shall be valid for two years, the applicants may proceed with the preparation of the Final Planned Development. (12-06)
- C. Final Approval of a Planned Development Special Use Permit. The procedure for securing final approval shall be the same as in B. above but the plans shall be in more detail. Final approval for each unit of the development as delineated in the preliminary approval by the Village Board shall be valid for one year. There shall also be submitted with the final plan, a written agreement of restrictions signed by the owners of the planned development, assuring the Village that the development will be carried out in full compliance with the final plan and within the time schedule of construction submitted with the final plan.
- D. General Standards. A planned development shall conform is the following requirements:
 - 1. The number of dwelling units erected shall not exceed the number permitted by the regulations of the district in which it is located unless an exception is permitted as stipulated under Bulk Regulations, E. sub-section of this section.
 - 2. The yards and open spaces adjoining the boundaries of the project shall not be less than the yard requirements of the district in which it is located.
 - 3. No building is permitted to exceed the height limit of the district by more than ten (10%) percent.

4. If more intensive uses (i.e.. uses other than which the district is zoned, such as B2 Community Business District usage in R3 General Residence Districts) are granted than are permitted by the district regulations, there must be clear evidence that such uses are needed to service the project provided the Planning and Zoning Commission shall find:
 - a. That the uses permitted by such exceptions are necessary or desirable and are appropriate with respect to the primary purpose of the development;
 - b. That the uses permitted by such exception are not of such a nature or so located as to exercise a detrimental influence on the development nor on the surrounding neighborhood;
 - c. That not more than fifteen (15%) percent of the gross floor area of such development shall be devoted to the uses permitted by said exception;
 - d. That in a Planned Industrial Development such additional uses allowed by exception shall conform with the performance standards of the district in which the development is located;
 - e. That the use exceptions so allowed are recorded on the zoning district maps by appropriate symbols or by reference to documents on file with the Building Commissioner;
 - f. Where the planned development is to be located in a residential district, no use exceptions shall be allowed unless the size of the planned development exceeds 10 acres.
 5. The amount of off-street parking must be adequate to serve the needs of the projects and the Village Board may require more off-street parking than is otherwise required by this ordinance.
 6. If any open space or recreational facility is to be used solely by the residents of the project unless the development is under single ownership, adequate provisions shall be made for assessments against the property within the project so that such facilities can be properly improved, maintained and operated.
 7. Underground utilities including communications and electric systems, are required within the limits of a planned development. Appurtenances to these systems which can be effectively screened may be excepted from this requirement if the Village Board finds that such exemption will not violate the intent or character of the development.
- E. Bulk Regulations. In the case of any Planned Development, the Planning and Zoning Commission may recommend, and the Village Board may authorize,

exceptions to the applicable bulk regulations of this section within the boundaries of such development, provided that the Planning and Zoning Commission shall find: (12-06)

1. That such exception shall be solely for the purpose of encouraging a desirable living environment no less beneficial to the residents or occupants of such development, as well as of neighboring properties, than would be obtained under the bulk regulations of this ordinance for buildings developed on separate zoning lots.
 2. The maximum parcel coverage in a residential planned development may not exceed thirty percent (30%) in the residential zoning districts.
 3. Other standards for density, yard regulations, parking, loading and screening for a planned development shall be governed by the standards of the residential, commercial or industrial zoning district(s) most similar in nature and function to the proposed planned development as determined by the Village Board. Standards for public improvements shall be governed by the applicable ordinances and laws of the Village. Exceptions to these standards by the Village Board are possible when they find that such exceptions are warranted in terms of the total proposed development. However, in regard to developments containing residential uses;
 - a. In no event shall the floor area ratio exceed more than fifteen (15%) percent over that prescribed in this ordinance for the district in which it is located.
 - b. In no event shall the minimum square footage per dwelling unit requirements applicable to such districts be decreased by more than fifteen (15%) percent. A further decrease of not more than ten (10%) percent on the already reduced square footage per dwelling unit may be permitted in the event that parking facilities are provided either underground or in the building proper, i.e. for each underground or on-building parking space, an equivalent reduction may be permitted to the allowable limit of ten (10%) percent before specified.
- F. Issuance of Permits. Whenever the Village Board approves the final plan and accompanying agreements, the Building Commissioner shall issue the necessary permits for all of the project or for such units thereof that are to be constructed.
- G. Time Limit. If no construction has been started within one year from the date of approval of the final plan, the permits shall be declared null and void and the project shall not be initiated unless it is resubmitted and reapproved in the same manner that it was approved in the first instance. The Village Board may, however, extend the period for initiating construction upon a showing of good and sufficient cause.

- H. Performance. At the time of the granting of the permit, the Village Board shall make appropriate arrangements with the applicant which will insure the accomplishment at the scheduled times, of the public improvements and grants of easement shown on the approved final plan.

SECTION VIII. OFF-STREET LOADING AND OFF-STREET PARKING

- A. Off-Street Loading. In connection with any building or structure which is to be erected or substantially altered, and which requires the receipt or distribution of materials or merchandise by trucks or similar vehicles, there shall be provided off-street loading berths not less than the minimum requirements specified in this section.
1. Location. All required loading berths shall be located on the same lot as the use to be served and no portion of the vehicles shall project into a street or alley. In Manufacturing Districts, no loading berth for vehicles of more than two ton capacity shall be located less than 50 feet from any Residence District. No permitted or required loading berth shall be located within 25 feet of the nearest point of intersection of any two streets, nor shall it be located in a required front yard or side yard, except in an M2 District an open off-street loading space may be located in a part of a front yard, provided not more than 30 percent of the front yard is so occupied.
 2. Size. A required off-street loading berth shall be at least ten feet in width by at least 80 feet in length (02-01), exclusive of aisle and maneuvering space, and shall have vertical clearance of at least 14 feet, except in an M2 District an open off-street loading berth which is in existence on the effective date of this ordinance and located within a front yard or a side yard adjoining a street may be not less than 27 feet in length and at least ten feet in width.
 3. Access. Each required off-street loading berth shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movements and shall be subject to approval of the Village Engineer of the Village of Addison. A loading area shall be designed to permit vehicle ingress and egress with only on-site maneuvering of the delivery vehicle. No part of the vehicle shall extend onto any right-of-way or encroach onto other adjacent lots, except when, in the case of an adjacent lot, a covenant or an easement, approved by the Director of Community Development and recorded with the County, is provided. (05-116)
 4. Surfacing. All off-street berths shall be improved with a Village approved all-weather, dustless material such as concrete. (Ord. 26-27)
 5. Repair and Service. No storage of any kind nor motor vehicle repair work or service of any kind shall be permitted within any required loading berth.
 6. Space Allowed. Space allowed to any off-street loading berth shall not while so allocated be used to satisfy the space requirements for any off-street parking facilities or portions thereof.
 7. Required Loading Berths. For the uses here listed, loading berths shall be provided as specified:

- a. Auditorium; banks, business and professional offices or public administration buildings; bowling alleys; hospitals, schools, colleges, sanitariums, and other similar institutional uses; and hotels or private clubs and lodges: For such a building containing 10,000 to 100,000 square feet of floor area or fraction thereof in such a building, one loading berth. For each additional 100,000 square feet of floor area or fraction thereof in such a building, one additional loading berth.
- b. Manufacturing, fabricating, assembly, disassembly, warehousing, storing, cleaning, servicing, testing and repairing establishments. For such a building containing 5,000 to 40,000 square feet of floor area, one loading berth. For such a building containing 40,000 to 100,000 square feet of floor area, two loading berths plus one additional loading berth for each additional 100,000 square feet of floor area or fraction thereof.
- c. Retail stores, furniture and appliance stores, household equipment and furniture stores, repair shops, wholesale stores, and establishments handling the sale and consumption of food on the premises. Loading berths in accordance with the following schedule:

Square Feet of Floor Area	Minimum Number
5,000 to 10,000	1
10,000 to 25,000	2
25,000 to 40,000	3
40,000 to 100,000	4
For each additional 100,000 square feet of floor area or fraction thereof in such a building	one additional loading berth

- d. Theaters. For such a building containing 8,000 to 25,000 square feet of floor area, one loading berth. For each additional 50,000 square feet of floor area or fraction thereof, one additional loading berth.
- e. Other Uses. Off-street loading berths shall be provided in accordance with requirements determined by the Village Board based upon requirements heretofore set forth for the most similar cases. (See exceptions B4 District.)

- B. Off-Street Parking. Any off-street parking space in connection with existing buildings or structures shall not be removed, enlarged, or altered except in conformance with the requirements of this Section. In connection with any building or structure which is to be erected or substantially altered, and which requires off-street parking spaces; there shall be provided such off-street parking space in accordance with regulations set forth hereinafter. The erection or substantial

alteration of any building or structure shall be deemed a "new use" for purposes of this subsection.

1. Use. Except as may otherwise be provided for the parking of trucks or for special uses, required accessory off-street parking facilities required as accessory to uses listed herein shall be solely for the parking of passenger automobiles of patrons, occupants, or employees.
2. Location. Parking spaces shall be located on the same lot as the use served except uses, other than single or two- family dwellings, which are in existence on the effective date of this ordinance which are subsequently altered or enlarged. New uses in the B2 Business Districts and M2 General Manufacturing Districts may be served in accordance with requirements of this Subparagraph by parking facilities located on land other than the lot on which the building or use served is located; provided such facilities are located within 300 feet walking distance from the main entrance to the use served.
3. Computation. When determination of the number of off-street parking spaces required by this subsection results in a requirement of a fractional space, any fraction of one-half or less may be disregarded, while a fraction in excess of one-half shall be counted as one parking space.
4. Collective Provisions for Non-Residential Uses. Off-street parking facilities for separate uses may be provided collectively if the total number of spaces so provided is not less than the sum of the separate requirements of each such use; and if all regulations governing the location of accessory parking spaces in relation to the use served are observed. However, no parking space or portion thereof shall serve as the required space for more than one use unless otherwise authorized in accordance with this section.
5. Repair and Service. No motor vehicle repair work of any kind shall be permitted in parking lots. No gasoline or motor oil shall be delivered or conveyed in conjunction with any accessory parking facilities unless (a) such facilities are located within a completely enclosed building; (b) gasoline and motor oil may only be delivered within such building to the users of such facilities; (c) the gasoline and/or motor oil shall not be delivered for retail sale; (d) no advertising sign is visible from outside the building; and (e) all gasoline pumps shall be effectively screened from view of the street.
6. Dimensions of Parking Spaces. Required off-street parking spaces shall be not less than 9 feet in width and not less than 18 feet in length in all districts. Each parking space shall be delineated by a yellow or white delineator line not less than 4 inches in width. The width of a parking space shall be measured from the center point of the delineator line. The dimensions of a parking space shall not include access drives, aisles, ramps, columns, and office or work area. Parking spaces shall have vertical clearance of at least 7

feet. The dimensions of handicap parking spaces shall comply with the requirements of the Illinois Accessibility Code, nor shall this provision apply to the dimensions of loading or truck parking spaces as specified elsewhere. (01-23)

7. Access. Each required off-street parking space shall open directly upon a driving aisle or a driveway of such width and design as hereinafter provided as to provide safe and efficient means of vehicular access to such parking space. A driving aisle designed for two-way traffic use shall have a minimum width of at least 24 feet and shall be marked with directional arrows. A driving aisle for one-way traffic shall be marked with directional arrows and shall have a minimum aisle width as follows:

For 45 degree or less parking:	minimum 15 foot wide driveway aisle
For 60 degree parking:	minimum 18 foot wide driveway aisle
For 90 degree parking:	minimum 24 foot wide driveway aisle

(02-01)

All off-street parking facilities shall be provided with appropriate means of vehicular access to a street, alley or driveway in a manner which will least interfere with traffic movements.

All parking areas, regardless of the number of spaces, shall have vehicular access to them via a street, alley or driveway containing all-weather, hard-surfaced pavement, and the location and route of such access shall be identified. No driveway across public property shall have a width exceeding 24 feet, exclusive of curb returns.

The Zoning Administrator may grant a variation in driveway widths from 24 feet to 35 feet. A variation can be granted only when the Zoning Administrator establishes the following:

- a. That the variation will not conflict with any state requirement.
 - b. That the variation can only be granted on a primary street.
 - c. That the variation is necessary to protect the public safety and welfare.
8. In Yards. Off-street parking spaces shall not be permitted in required yards, except as hereinafter provided. In business districts and manufacturing districts, off-street parking may be located (a) in front yards provided that the parking area is set back at least 10 feet from the property line or adjacent street; and (b) in rear or side yards provided that the parking area is set back at least 5 feet from the property line. (92-01)

9. Design and Maintenance of Off-Street Parking Areas. All off-street parking areas shall be improved in accordance with the applicable sections of the Building Code and shall further comply with the following conditions:
 - a. Open parking areas shall be paved with blacktop or concrete. (Ord. 26-27)
 - b. A perimeter curbing, constructed of cast-in-place concrete curbs, shall be provided.
 - c. The parking area improvements shall be maintained in a good and usable condition by the owner.
 - d. All maintenance and snow removal must be done by the owner.
 - e. Access to said parking places must be obtained through ramps or aisles and not over the curbing or provided parkway.
 - f. The owner is to be responsible for any replacement of blacktop to said parking area necessitated by the Village's repair of underground facilities.
 - g. Handicapped parking spaces shall be provided in accordance with the Illinois Accessibility Code P.A. 85-484; Ill. Adm. Code 400.110, as now existing or hereafter amended.
10. Open and Enclosed Parking Spaces. Accessory parking spaces located on the same lot as occupied by the use served may be open to the sky or enclosed in a building. Accessory parking spaces located elsewhere than on the same lot occupied by the use shall be open to the sky.
11. Screening and Landscaping. All yards or setback areas is set back at least 10 feet from the property Line or adjoining the parking area shall be landscaped and maintained with trees, berm and other planting materials as per the plans and drawings approved by the Village. In addition, the following landscape design shall be provided:
 - a. All parking areas with more than 30 parking spaces facing each other shall have 5 foot wide landscaped islands with trees. The curbing on the island shall be cast-in-place concrete slabs.
 - b. The trees planted in the parking lot shall be at least 2-1/2 inch diameter at base height and 40 feet apart.
 - c. Parking areas in business districts abutting residential districts shall be screened by a 10 foot landscaped setback buffer and a densely planted compact hedge not less than 5 feet in height. In addition, a

fence not less than 5 feet high, nor more than 6 feet high, may be utilized.

- d. Parking areas in manufacturing districts abutting residential uses shall be screened by a 30 foot landscaped setback buffer and a densely planted compact hedge not less than 5 feet in height. In addition, a fence not less than 5 feet high, nor more than 6 feet high, may be utilized.
- e. Car overhang is prohibited in the landscaped area.

12. Lighting. Illumination of an off-street parking area shall be arranged so as not to reflect direct rays of light into adjacent residential districts and streets. All Lighting shall be extinguished no later than 30 minutes after the close of business of the use being served, except as may otherwise be authorized by the Village Board. (See exception B4 District).

The following applies only to residential districts and is not intended to apply to business and manufacturing districts.

- a. Detailed drawings are to be submitted with respect to lighting of all parking areas containing 8 or more spaces. Said drawings shall be submitted at the time application is made for a building permit in R3, R4 and R5 zoning districts. If a parking area contains less than 8 spaces but, when added to a contiguous area of parking, would result in total parking area of more than 8 spaces, such drawings shall be required.
- b. In any residential district where there is continuous strip parking with common entrances and aisles totaling 8 spaces or more, lighting shall be required as in an R3, R4 and R5 district.
- c. Such drawings shall show location of light supports (which may be affixed directly to the building), direction of light beams, heights, and number of lights.
- d. Light beams shall be directed so as not to affect or disturb adjacent properties or traffic on adjacent streets. Parking lots in R3, R4 and R5 districts shall be illuminated from sunset to sunrise and shall be triggered with photoelectric cells or other automatic means as approved by the Land Use Committee.

13. Required Spaces. Off-street parking spaces accessory to designated uses shall be provided as follows (when parking spaces are to be determined by number of people, the occupant load shall be calculated per the Addison Building Code):

- a. Single-Family Dwellings. At least two parking spaces for each dwelling.
- b. Two-Family Dwellings. At least two parking spaces for each dwelling unit.
- c. Multiple-Family Dwellings. At least two parking spaces for each dwelling unit (see exceptions, R4 and R5 districts).
- d. Hotels, Motels and Apartment Hotels. At least five parking spaces plus one for each separate lodging room.
- e. Boarding and Lodging Houses. At least two parking spaces plus one parking space for each three persons for whom living accommodations are provided.
- f. Private Clubs and Lodges. At least two parking spaces plus one parking space for each three persons according to the occupant load of the building.
- g. Schools, Elementary or Junior High, Public or Private. Two parking spaces per classroom (see subsection k hereinbelow).
- h. Schools, High, Public or Private. At least one parking space of design capacity for each three students (see subsection k hereinbelow).
- i. Schools, Commercial or Trade. At least one parking space for each three students according to building capability plus one parking space per employee.
- j. Religious Institutions and Churches. At least one parking space for each three seats or 54 inches of seating space in the all auditoriums with fixed seating. At least one space per three persons for all auditoriums and classrooms without fixed seating, based on occupancy codes. One space per 250 square feet of office floor area. (05-116)
- k. School and Institutional Auditorium or Gymnasium. At least one parking space for each person employed on the premises, and an additional parking space for each three seats or 54 inches of seating space in the main auditorium or assembly hall.
- l. Theater. At least one parking space for each two and one half seats in the theater and one for each employee.
- m. Hospitals. At least one parking space for each two hospital beds plus one parking space for each employee or doctor assigned to the staff.

- n. Libraries and Museums. At least one parking space for each 500 square feet of floor area.
- o. Recreational Buildings or Community Centers. At least one parking space for each employee plus one parking space for each three persons according to the occupant load of the building.
- p. Medical and Dental Clinics. At least three parking spaces for each examining or treatment room plus one parking space for each employee or doctor in the building.
- q. Public Utility and Public Service Uses. At least one parking space shall be provided for each employee, plus parking spaces in adequate numbers to serve the visiting public. Parking shall be calculated for the type of building and for the type of use group for which the building was designed.
- r. Establishments Handling the Sale and Consumption on the Premises of Food and Refreshment. At least one parking space for each two persons according to the following methods of calculation:
 - (1) In rooms or spaces with fixed seating, the occupancy content shall be the actual number of seats provided. When no divisions between seats are provided, fixed seating shall be computed at 18 inches per person.
 - (2) In rooms or spaces without fixed seating, the occupancy content shall be one person per every 15 square feet of floor area. (Excluded from this calculation are areas occupied by elevators, toilet rooms, stairways, other shaft enclosures, and by permanent fixtures such as bars, cigar counters, exit facilities, entrance vestibules, lunch counters, serving spaces for same, etc.)

Restaurants located within a shopping center shall provide parking spaces in accordance with requirements set forth in the 1982 edition of the Urban Land Institute's "Parking Requirements for Shopping Centers."
- s. Bowling Alleys. At least 5.25 parking spaces for each alley which includes affiliated uses, such as restaurants, bars, etc.
- t. Banks, Savings and Loans and Financial Institutions. At least one parking space for each 300 square feet of floor area.
- u. Business and Professional Offices or Public Administration Buildings. At least one parking space for each 250 feet of floor area.

- v. Automobile Service Stations. At least one parking space for each employee, plus two for each service stall.
- w. Gasoline Mini-Mart Type Uses. At least one parking space for each employee and one parking space for each 250 feet of floor area.
- x. Undertaking Establishments and Funeral Parlors. At least 15 parking spaces for each chapel or parlor, plus one parking space for each funeral vehicle maintained on the premises.
- y. Retail Stores. In buildings with 0 - 9,999 square feet of floor area, a minimum of one parking space for each 180 square feet.

In buildings with 10,000 - 40,000 square feet of floor area, a minimum of one parking space for each 200 square feet.

In buildings with over 40,000 square feet of floor area, a minimum of one parking space for each 250 square feet.

- z. Manufacturing, Fabricating, Storing, Cleaning, Testing, Assembling, Repairing or Servicing Establishments. Newly constructed single unit buildings, being structures which are occupied by only one tenant, shall have a minimum of one parking space per each 250 square feet of office floor area, and one parking space per each 1,500 square feet of warehouse floor area. Existing single unit buildings, to which increased floor area is to be added after the effective date of this subsection, shall have a minimum of (i) one parking space per each 500 square feet of existing office floor area; (ii) one parking space for each 2,000 square foot of existing warehouse floor area; (iii) one parking space for each 350 square feet of increased office floor area; and (iv) one parking space per each 1,500 square feet of increased warehouse area. In single unit buildings constructed after the effective date of this subsection, the office floor area will be considered 15 percent of the total square floor area of a building unless shown otherwise.

Multi-unit buildings, being structures which are occupied by more than one tenant, including office and warehouse areas, shall have a minimum of eight parking spaces per unit up to 3,000 square feet and one additional space per each 1,000 square feet over 3,000 square feet. Existing multi-unit buildings, to which increased floor area is to be added after the effective date of this subsection, shall have a minimum of; (i) one parking space per each 500 square feet of existing office floor area; (ii) one parking space per each 2,000 square feet of existing warehouse floor area; (iii) one parking space per each 350 square feet of increased floor area; and (iv) one parking space per each 1,500 square feet of increased warehouse area.

The parking spaces herein required shall only be used for employee or customer vehicles. Parking spaces located in front of overhead doors do not qualify in fulfilling minimum parking space requirements.

This subsection applies to all new construction after the effective date of this subsection and to existing buildings in which there is an increase in office or warehouse floor area or building-dimensions.

If required parking is located on an adjoining lot the lots shall be resubdivided into a single lot.

If required parking is located on a non-adjoining lot, an agreement shall be recorded on the titles of both lots to prevent the sale of one lot independent of the other without providing parking in compliance with this subsection for each lot. (92-01)

- aa. Other Uses. Parking spaces on the same basis as required herein for the most similar use shall be determined by the Village Board (see exception in B4 District). (88-53)

(23-46)

- 14. Variations. After a hearing before the Planning and Zoning Commission, the Village Board of Trustees, in accordance with the standards for variations set forth in Article IX, may grant variations with respect to the size, dimensions or number of parking spaces required under this Article. (92-1; 12-06)

SECTION IX. ADMINISTRATION (Amended in its entirety by Ordinance No. 12-06)

- A. Planning and Zoning Commission Creation and Procedure. A Planning and Zoning Commission is hereby created for the Village of Addison, pursuant to its home rule powers, as follows:

1. The Planning and Zoning Commission shall consist of seven (7) members all of whom shall be residents of the Village and all of whom shall be persons with adequate knowledge of construction, architecture, fine arts, engineering, landscaping architecture or law.
2. The members of the Planning and Zoning Commission shall be appointed by the Mayor with the approval and consent of the Village Board of Trustees. Vacancies shall be filled as soon as possible for the unexpired term of any member whose place has become vacant. Pursuant to 65 ILCS 5/3.1-30-5(d) of the Illinois Municipal Code as now existing or hereafter amended, in the event of a vacancy, the Mayor may appoint a temporary successor to fill a vacancy on the Commission for a period of time not to exceed ninety (90) days. Members who have been appointed as a temporary successor by the Mayor may attend Commission meetings as full members. The appointment of a member as a temporary successor by the Mayor shall be considered valid in all respects. In the event the Village Board of Trustees does not approve and consent to the temporary successor's permanent appointment to the Commission within the ninety-day period, no action of the Planning and Zoning Commission which occurred during the ninety-day period shall be invalidated. Each member appointed by the Mayor with the approval and consent of the Village Board of Trustees shall serve until his or her successor is appointed and qualified; provided, however, a Commission member may be removed at any time by a majority vote of the Mayor and Board of Trustees.

The initial term of office for four (4) members of the Planning and Zoning Commission shall be four (4) years, and the initial term of office for the remaining three (3) members shall be two (2) years. Thereafter, the term of office for each Commission member shall be four (4) years.

The Chairman of the Planning and Zoning Commission shall be appointed by the Mayor and shall serve as Chairman until a successor Chairman is appointed by the Mayor. In the event that the office of Chairman is vacated for any reason, the Mayor shall immediately appoint, at the Mayor's option, either one of the remaining members on the Commission or any member who is appointed to fill such vacancy on the Commission as the new Chairman.

3. The Commission shall organize and adopt rules in accordance with provisions of this ordinance. Meetings of the Commission shall be held at the call of the

Chairman, and at such times as the Commission may determine. Public Hearings will be advertised by the Director of Community Development for the first scheduled meeting of the Commission in accordance with State statutes. Advertisement will be in one or more newspapers within 15 to 30 days before the Public Hearings. A quorum of the Commission must be present at the Public Hearing or at a meeting at which business is conducted. A Public Hearing not convened, due to lack of quorum, must be re-advertised for a future Public Hearing date in keeping with the applicable State statutes. All members absent from a Public Hearing must read the minutes and listen to the tapes of the Public Hearing and sign an affidavit so stating, before he or she may vote upon the issue.

All testimony by witnesses at any hearings provided for in this Zoning Ordinance shall be given under oath. The Chairman, or in his absence the acting Chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Commission shall be open to the public. The Commission shall keep minutes of its proceedings, showing vote of each member upon every question, or if absent or failing to vote, indicating that fact, and shall also keep records of its examinations and other official actions. Every rule, regulation and every order, requirement, decision or determination of the Commission shall immediately be filed in the office of the Village Clerk and shall be of public record.

4. The Planning and Zoning Commission is hereby designated as the proper body to post or publish notices as required by Statute and this Ordinance pertaining to variations to the regulations imposed and the districts created by the Zoning Ordinance of the Village of Addison.

(Ord. 20-13)

B. Jurisdiction and Authority with Respect to Zoning Ordinance Interpretation. The Planning and Zoning Commission is hereby invested with the following Jurisdiction and authority with respect to interpretation of the Zoning Ordinance:

1. To interpret the meaning of the text of the Zoning Ordinance in the event that a dispute arises with respect thereto and it is alleged there is an error in any order, requirement, decision or determination made by the Director of Community Development in the enforcement of this ordinance.
2. To 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.
3. To interpret the provisions of this ordinance in such a way as to carry out the intent and purpose of the ordinance as shown upon the zoning district map fixing the several districts accompanying and made a part of this ordinance

where the street layout on the ground varies from the street layout as shown on the map aforesaid.

C. Jurisdiction and Authority with Respect to Variations. The Planning and Zoning Commission is hereby invested with the following Jurisdiction and authority with respect to variations:

1. To permit the following variations of the provisions of this ordinance in harmony with its general purpose and intent, varying them only in the specific instances hereinafter set forth where the Planning and Zoning Commission shall have made a finding of fact based upon the standards hereinafter prescribed that there are practical difficulties or particular hardships in the way of carrying out the strict letter of the regulations of this ordinance.
 - a. Reconstruction of a nonconforming building that would otherwise be prohibited by this Ordinance, where such action would not constitute continuation of a monopoly.
 - b. To permit more than one principal building on one lot. A variation shall not be allowed if:
 - (1) The acreage is adequate for a planned development;
 - (2) The lot area and density requirements are not met;
 - (3) The building does not have street frontage;
 - (4) The set back requirements are not met.
 - c. Vary the yard regulations where there is an exception or unusual physical condition of a lot, which condition when related to the yard regulations of this ordinance would prevent a reasonable or sensible arrangement of buildings on the lot.
 - d. To permit the use of a lot not of record on the effective date of this ordinance for a use otherwise prohibited solely because of the insufficient area of the lot, but in no event shall the area of the lot be less than 90 percent of the required lot area.
 - e. To permit parking lots to be illuminated between the hours of 9:30 P.M. and 7:00 A.M.
 - f. To permit the same off-street parking spaces to qualify as required spaces for two or more uses provided the maximum use of such facility by each user does not take place during the same hours or on the same days of the week.

- g. To increase by not more than 25 percent the maximum distance that required parking spaces are permitted to be located from the use served, and
- h. To allow any permitted non-residential use in residential district to exceed the floor area ratio imposed by the applicable regulations.
- i. To increase driveway widths from that of 24 feet to that of 35 feet provided:
 - (1) That the variation will not conflict with any State requirement.
 - (2) That the variation can only be granted on a primary street.
 - (3) That the variation is necessary to protect the public safety and welfare.
- j. Vary the height in M1, M2 and M3 Districts for a building or structure housing in excess of the permitted height, due to special equipment or processes, subject the following conditions:
 - (1) That the variation will not conflict with FAA or FCC restrictions.
 - (2) That the proposed use will conform to all other standards and requirements of the district in which it is located, including floor area ratio.
 - (3) That the equipment requiring the variation must be continuous from the ground floor level.
 - (4) The variation will apply only to the area where the height must be exceeded.
 - (5) For each additional 2 feet of height of the area that is to be varied in height, the setback from all lot lines shall be increased by 1 foot.
 - (6) That the variation is for a specific requirement of the process to be served, such as a large printing press in a publishing house, housing tower for freight elevator and any equipment requiring projections through the roof area.
 - (7) Any variation so granted shall require an extra housing story, and is not to be used as additional floor area for processing, except as a specific requirement of the equipment involved.

- (8) Variations granted shall be subject to construction requirements as contained in the Addison Building Code.
- k. To vary the front yard requirements in permitting the construction of fences in all zoning districts.
 - l. Vary the number and size of parking space in all business districts exceeding ten (10) acres in area.
 - m. Vary the loading berths as to number and size in all business districts exceeding ten (10) acres in area.
 - n. To vary outside storage in rear yards, side yards, utility, railroad, or other rights of way, or vacant lots which are not adjacent to a fully improved lot under common ownership and with a principal building, subject to the following conditions:
 - (1) That the business in question is unique and cannot continue to operate if required to conform to the conditions imposed by this Ordinance.
 - (2) That the variation, if granted, will not alter the essential character of the area.
 - (3) That the particular operation of the specific business involved brings a specific hardship upon the owner as distinguished from a mere inconvenience.
 - (4) That the granting of the variation will not be detrimental to the public welfare or injurious to other properties in the neighborhood.
 - (5) That the proposed variation will not increase the danger of fire, hinder the fighting of a fire or contribute to spreading of fire, were it to occur.
 - (6) That the proposed variation will not reduce the effectiveness of police patrol and the department's ability to protect said property.
 - (7) That the proposed variation will not encourage the breeding of vermin nor permit the collection of debris or foreign material.
 - o. To vary Outside Storage in Commercial Districts, subject to the regulations of the Outside Storage Ordinance.

- p. To vary the height of fences subject to the following conditions:
 - (1) The cost of alteration or removal of an existing fence shall not be considered in evaluating the request for variation; and
 - (2) Financial hardship shall not, in and of itself, be sufficient to justify the variation. (89-19)
- 2. An application for a variation may be made by any person, firm or corporation or by any office, department, board, bureau, or commission requesting or intending to request application for a zoning certificate. An application for a variation shall be filed with the Director of Community Development, and the Director of Community Development shall forward it to the Planning and Zoning Commission for processing in accordance with applicable provisions of this Section.
- 3. The Planning and Zoning Commission shall hold a public hearing on each application for a variation at such time and place as shall be established by the Planning and Zoning Commission. The hearings shall be conducted and a record of such proceedings shall be preserved in such manner as provided in this Section under Creation and Procedure. Notice of time and place of such hearing shall be published in a newspaper of general circulation in the Village not more than 30 days and not less than 15 days before such hearing, as prescribed by State Statutes. Supplemental or additional notices may be published or distributed as the Planning and Zoning Commission may, by rule, prescribe from time to time. All decisions of the Planning and Zoning Commission on variations arrived at after hearing shall require a majority vote of all members and such decisions shall be final, subject only to judicial review, in accordance with applicable laws of the State of Illinois.
- 4. The Planning and Zoning Commission shall not vary the provisions of this ordinance as authorized in this section unless it shall have made findings based upon the evidence presented to it in the following specific cases:
 - a. That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.
 - b. That the plight of the owner is due to unique circumstances, or;
 - c. That the variation, if granted will not alter the essential character of the locality.
- 5. For the purpose of supplementing the above standards, the Planning and Zoning Commission, in making this determination whenever there are

practical difficulties or particular hardships, shall also take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence:

- a. That the particular physical surroundings, shape or topographical conditions of the specific property involved, would bring a particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulation were to be carried out;
- b. That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning classification;
- c. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property;
- d. That 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; or
- e. That the proposed variation will not impair an adequate supply of light and air to adjacent properties, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.

The Planning and Zoning Commission may require such conditions and restrictions upon the premises benefited by variation as may be necessary to comply with the standards set forth in this section to reduce or minimize the injurious effect of such variation upon other property in the neighborhood and to implement the general purpose and intent of this ordinance.

6. Notwithstanding anything to the contrary set forth in this Section IX, in the event that an application for variation includes one or more requested variations that are not within the scope of authority granted to the Planning and Zoning Commission by this Section IX or in the event that the Director of Community Development has recommended that a Development Agreement or Annexation Agreement be adopted in conjunction with any variation approved by the Village, then, at the conclusion of the public hearing, the Planning and Zoning Commission shall issue a recommendation to the Village Board of Trustees. The Village Board of Trustees shall consider the recommendation of the Planning and Zoning Commission and shall render a final decision on the application. The decision shall contain the findings set forth herein. If the Village Board of Trustees approves the variation(s) applied for, the approval shall be by duly enacted ordinance and shall further include any conditions or restrictions, including a Development Agreement or Annexation Agreement, as the Village Board may deem appropriate or

necessary to comply with the standards set forth in this Section to reduce or minimize the injurious effect of such variation upon other property in the neighborhood and to implement the general purpose and intent of the Zoning Ordinance. The decision of the Village Board shall be final.

D. Jurisdiction and Authority with Respect to Appeals. The Planning and Zoning Commission shall have the jurisdiction and authority to hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by the Building Commissioner or other authorized official of the Village of Addison, relating to regulations of this ordinance.

1. An appeal may as taken to the Planning and Zoning Commission by any person, firm or corporation, or by any office, department, board, bureau, or commission, aggrieved by an administrative order, requirement, decision or determination under this ordinance by the Director of Community Development or other authorized official of the Village of Addison.
2. An application shall be filed with the Director of Community Development. The Director of Community Development shall forward such appeal to the Planning and Zoning Commission for processing.
3. An appeal shall be filed within 20 days after the decision by filing with the Director of Community Development and with the officer against whom the appeal is taken. The Director of Community Development shall forthwith transmit to the Commission all the papers constituting the record upon which the action appealed from is taken. The Commission shall fix a reasonable time for the hearing of the appeal or it shall be heard at the next regularly scheduled meeting. Ten days notice shall be given to the parties in interest and a decision shall be rendered within a reasonable time after it is submitted. Upon the hearing, any party may appear in person or by attorney.
4. All decisions, after hearing before the Planning and Zoning Commission on appeals from an administrative order, requirement, decision or determination of the Director of Community Development or other authorized official of the Village of Addison, relating to this ordinance shall, in all instances be final administrative determination and shall be subject to judicial review only in accordance with applicable laws of the State of Illinois.

E. Jurisdiction and Authority with Respect to Zoning Text or Map Amendments.

1. Authority. The Board of Trustees may from time to time in the manner hereinafter set forth. amend the regulations imposed in the districts created be this Ordinance, provided that in all amendatory ordinances adopted under this authority of this Section, due allowance shall be made for existing conditions, the conservation of property values, the direction of building development to the best advantages of the entire Village and the uses to

which property is devoted at the time of the adoption of such amendatory ordinance.

2. Initiation of Zoning Text or Map Amendment. Amendments may be proposed by the Board of Trustees or by any interested person or organization owning land or representing owners of the land.
3. Amendment to Permit Planned Development Special Use Permit. Any person entitled to file an application for a zoning amendment may simultaneously file an application for a planned development special use permit. A single notice and hearing may be used for such joint application. The Planning and Zoning Commission shall make specific findings of fact with respect to each application and shall make its recommendations both on the application for the amendment and on the application for the planned development. The Village Board shall make separate decisions on both applications. If, during the course of a hearing on an application for an amendment the applicants evidence tends to show that the development would constitute a planned development, the Planning and Zoning Commission shall treat the application as a joint application for the amendment requested and for the planned development special use permit. In such case the previously published notice of the hearing on the application for amendment shall be deemed to have constituted notice that an application for a planned development was requested. However, no application which requests any use exceptions pursuant to Section VII, shall be granted unless the previously published notice specifically indicated that such planned development special use permit was applied for, or unless the Planning and Zoning Commission orders an additional notice and hearing pursuant to Section VII. The provisions of Section VII shall be printed on every application for an amendment.
4. Application for Amendment. An application for a zoning map or zoning text amendment shall be filed with the Director of Community Development in such form and accompanied by such information as required by the Planning and Zoning Commission.
5. Processing. An application for zoning pursuant to a proposed annexation or for a zoning text or map amendment to existing Village zoning shall be filed with the Community Development Department. The application shall be forwarded to the Planning and Zoning Commission with a request to hold a Public Hearing. The Planning and Zoning Commission shall report its findings and recommendations to the Village Board. The Community Development Department shall cause a sign to be placed on the land proposed to be rezoned within 10 days of the deadline for filing an application. Such sign shall be erected within 10 feet of the public right-of-way abutting the property. If no public right-of-way abuts the subject property, the sign shall be placed in such a position as may be most readily seen by the public. If the land does

not abut a public right-of-way, then in addition to a sign placed on the property, a sign shall be placed within 10 feet of the right-of-way of the nearest most traveled road providing permission has been granted by the owner of said property.

6. Hearing on Application. The Planning and Zoning Commission shall hold a public hearing on each application for an amendment at such time and place as shall be established by the Planning and Zoning Commission. The hearings shall be conducted and a record of such proceedings shall be preserved in such a manner as provided in this Section under Creation and Procedure.
7. Notice of Hearing. Notice of time and place of such hearing shall be published in a newspaper of general circulation in the Village, not more than 30 days or less than 15 days before such hearing, as prescribed by State statutes. Supplemental or additional notices may be published or distributed as the Planning and Zoning Commission may, by rule, prescribe from time to time.
8. Findings of Fact and Recommendation. Within a reasonable time after the close of the hearing on a proposed amendment, the Planning and Zoning Commission shall make a written finding of fact and shall submit same together with its recommendations to the Board of Trustees. Where the purpose and effect of the proposed amendment is to change the zoning classification of particular property, i.e., a map amendment or annexation, the Planning and Zoning Commission shall make findings based upon the evidence presented to it in each specific case with respect to the following matters:
 - a. Existing uses of property within the general area of the property in question.
 - b. The zoning classification of property within the general area of the property in question.
 - c. The suitability of the property in question to the uses permitted under the existing and proposed classifications.
 - d. The trend of development, if any, in the general area of the property in question, including changes if any, which have taken place since the date the property in question was placed in its present zoning classification and,
 - e. The relationship to the Comprehensive Plan.

- f. The Planning and Zoning Commission shall not recommend the adoption of a proposed amendment unless it finds the adoption of such amendment is in the public interest and is not solely for the interest of the applicant. The Planning and Zoning Commission may recommend the adoption of an amendment changing the zoning classification of the property in question to any other classification than that requested by the applicant.
- 9. Action by the Board of Trustees. The Board of Trustees shall not act upon a proposed amendment until it shall have received a written report and recommendation from the Planning and Zoning Commission on the proposed amendment.

F. Jurisdiction and Authority with Respect to Special Use Permits.

- 1. Authority. The Planning and Zoning Commission shall hold a Public Hearing and recommend to the Village Board upon applications for special use permits specifically listed in the district regulations of this ordinance. Before authorizing the issuance of such a special use permit, the Village Board may impose such conditions as will, in the Village Board's judgment insure that:
 - a. 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. 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. 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. Adequate utilities, access roads, drainage, and/or other necessary facilities will be provided.
 - e. Adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
 - f. The special use shall in all other respects conform to the applicable regulations of the district in which it is located, and
 - g. The Board shall find that there is a public necessity for the special use.

2. Initiation of Special Uses. An application for a Special Use shall be filed with the Director of Community Development and may be made by any person, firm or corporation or by any office, department, board, bureau or commission, requesting or intending to request a zoning certificate.
 3. Application for Special Use. An application for a Special Use shall be filed with the Director of Community Development in such form and accompanied by such information as required by the Planning and Zoning Commission. The application shall be processed in the same manner as an application for a rezoning amendment, and a rezoning sign shall be posted in accordance with procedure on amendments.
 4. Hearing on Applications. The Planning and Zoning Commission shall hold a public hearing on each application for an amendment at such time and place as shall be established by the Planning and Zoning Commission. The hearings shall be conducted and a record of such proceedings shall be preserved in such manner as provided in this Section under Creation and Procedure.
 5. Notice of Hearing. Notice of time and place of such hearing shall be published in a newspaper of general circulation in the Village, not more than 30 days nor less than 15 days before such hearing as prescribed by State Statutes. Supplemental or additional notices may be published or distributed as the Planning and Zoning Commission may, by rule, prescribe from time to time.
 6. Findings of Fact and Recommendation of the Planning and Zoning Commission. Within a reasonable time after the close of the hearing on the proposed Special Use, the Planning and Zoning Commission shall make a written finding of fact and shall submit same together with its recommendations to the Board of Trustees.
 7. Action by the Board of Trustees. The Board of Trustees shall not act upon a proposed amendment until it shall have received a written report and recommendation from the Planning and Zoning Commission on the proposed amendment, or until a reasonable time has elapsed without such presentation of a written report and recommendation. The Board of Trustees shall consider items 1. through 6. in making its decision.
- G. Additional Duties of the Planning and Zoning Commission. The Planning and Zoning Commission shall have the following additional duties:
1. To hear and decide all matters referred to it by the Village Board of Trustees.
 2. To initiate, direct and review, from time to time, studies of the provisions of this ordinance and to make reports of its recommendations to the Village

Board of Trustees not less frequently than once each year so that this ordinance and map pursuant to this ordinance may be duly filed.

3. To initially hear all requests for annexation pertaining to zoning and to review all plats and plans and make a report of its findings thereon to the Village Board of Trustees.

SECTION X. DEFINITIONS

For the purpose of this ordinance certain terms are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular; the word "building" shall include the word "structure" and "premises"; the word "shall" is mandatory and not permissive; the words "used" or "occupied" include the words "intended," "designed" or "arranged to be used or occupied"; the word "lot" includes the words "plot" or "parcel"; and the word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual. All measured distances expressed in feet shall be to the nearest integral foot; if a fraction is one-half foot or more, the integral foot next above shall be taken. Any word not herein defined shall be as defined in the Addison Building Code, Subdivision Ordinance or in *Webster's Third New International Dictionary*. (06-126)

Accessory Building. A subordinate building, the use of which is incidental to and customary in connection with the principal building or use and which is located on the same lot with such principal building or use and is under the same ownership. SEE ILLUSTRATION IN APPENDIX - Figure 1.

Accessory Use. A subordinate use which is incidental to and customary in connection with the principal building or use and which is located on the same lot.

Advertising Device. Banners affixed on poles, wires, or ropes and streamers, wind operated devices, flashing lights and other similar devices.

Adult use. Any commercial or recreational use which purveys, sells, offers for sale, exhibits or displays sexually oriented materials or entertainment, including adult bookstores, adult motion picture theaters, adult mini-motion picture theaters, adult drive-in theaters, adult massage parlors, adult modeling studios and eating and/or drinking establishments having sexually oriented performances. (89-60)

Aircraft. Any contrivance, now known or hereafter invented, for use in or designed for navigation of or flight in the air.

Airport. Any premises which are used or intended for use, for the landing and take-off of aircraft; and any appurtenant areas which are used or intended for use of airport buildings or other airport structures or rights-of-way, together with all airport buildings and structures located thereon.

Alley. A public thoroughfare which affords only a secondary means of access to abutting property.

ANCI. American National Standards Institute or its successor bodies. (86-20)

Animal Hospital. Any building or portion thereof designed or used for the care, observation, or treatment of domestic animals.

Apartment. See Dwelling Unit.

Automobile Service Station. Any land, building, structure, or premises used for the sale at retail of motor vehicle fuels, oils or accessories, or for servicing or lubricating motor vehicles or installing or repairing parts and accessories, but not including the repairing or replacing of motors, bodies, or fenders of motor vehicles or painting motor vehicles, public garages, and the open storage of rental vehicles or trailers.

Automobile Wrecking Yard. Any area of land where three or more motor vehicles, not in running condition, or the parts thereof, are stored in the open and are not being restored to operation, or any land, building or structure used for the wrecking or storing of such automobile or parts thereof.

A-Weighted Sound Level. dB(A), in decibels, a frequency weighted sound pressure level, determined by the use of the metering characteristics and A-weighted network specified in ANSI document §1.4-1971 (R. 1976) "Specification for Sound Level Meters" and the latest revisions thereof. (86-20)

Awning. A roof-like cover, temporary in nature which projects from the wall of a building. (80-63)

Basement. A story having part but not more than one-half of its height below grade. A basement is counted as a story for the purposes of height regulation if subdivided and used for dwelling purposes. SEE ILLUSTRATION IN APPENDIX - Figure 2.

Block. A tract of land bounded by streets, or by a combination of one or more streets and public parks, cemeteries, railroad rights-of-way, or shore lines of waterways or corporate boundary lines.

Board of Trustees. The Village Board of Trustees of the Village of Addison, Illinois.

Boarding house. A building in which sleeping quarters (but not meals or cooking facilities) are provided by pre-arrangement for compensation on a weekly or longer basis for three or more persons who are not members of the keeper's family. For the purpose of this Zoning Ordinance, the term "boarding house" shall also mean lodging house, and a boarding house shall not include a community residence or nursing home. (91-82)

Buildable Width. The width of the lot left to be built upon after the side yards are provided. SEE ILLUSTRATION IN APPENDIX - Figure 12.

Building. Any structure having a roof supported by columns or walls for the shelter or enclosure of persons, animals or property. (See Structure)

Building area (buildable areas). The area confined within the set back lines, specifically the front, side and rear yard lines.

Building Commissioner. The Officer or other designated authority charged with the administration and enforcement of this code.

Building, detached. A principal building surrounded by open space on the same lot.

Building, height of. The vertical distance from the grade to (a) the highest point of a flat roof, (b) the deck line of a mansard roof or, (c) the average height between eaves and ridge for gable, hip, and gambrel roofs. Chimneys, elevator penthouses, tanks and similar projections, other than signs shall not be included in calculating height. SEE ILLUSTRATION IN APPENDIX - Figure 6.

Building, principal. A building enclosed with exterior walls, complete with sewer, water, required exits and proper access. Attached garages and roofed-over porches are included as part of a principal building. SEE ILLUSTRATION IN APPENDIX - Figure 1.(88-17; 23-33)

Building, setback line. The line, established by this ordinance, beyond which a building shall not extend unless varied according to the procedures in this ordinance. SEE ILLUSTRATION IN APPENDIX - Figures 12 and 13.

Bulk. A composite characteristic of a given building located upon a given lot - not definable as a single quantity, but involving all of the following characteristics: (1) size and height of buildings; (2) location of exterior walls at all levels in relation to lot lines, streets, or to other buildings; (3) gross floor area of the building in relation to lot area (floor area ratio); (4) all open spaces allocated to the building; and (5) amount of lot area provided per dwelling unit.

Cellar. That part of a building having more than one-half of its height below the average grade of the adjoining ground. (See "basement") SEE ILLUSTRATION IN APPENDIX - Figure 3.

Clinic. An establishment where patients are not lodged overnight but are admitted for examination and treatment by a group of physicians or dentists practicing medicine together.

Club. Buildings and facilities owned or operated by a corporation, association, person or persons for a social, educational or recreational purpose, but not primarily to render a service which is customarily carried on as a business.

Commission means the Planning and Zoning Commission of the Village. (12-06)

Community Residence: A group home or specialized residential care home serving unrelated persons with disabilities which is licensed, certified or accredited by appropriate local, state or national bodies. Community residence does not include a residence which serves persons as an alternative to incarceration for a criminal offense or persons whose primary reason for placement is substance or alcohol abuse or for treatment of a communicable disease. (91-82)

Community Residence, Large: A community residence serving nine to fifteen persons with disabilities.

(a) Is attributable to mental, intellectual or physical impairments or a combination of mental, intellectual or physical impairments and

- (b) Is likely to continue for a significant amount of time or indefinitely and
- (c) Results in functional limitations in three or more of the following areas of major life activities:
 - (1) Self care
 - (2) Receptive or expressive language
 - (3) Learning
 - (4) Mobility
 - (5) Self direction
 - (6) Capacity for independent living
 - (7) Economic self sufficiency and
- (d) Reflects the person's need for a combination and sequence of special interdisciplinary or generic care, treatment or other services which are or a lifelong or extended duration. (91-82)

Community Residence, Small: A community residence serving eight or fewer persons with disabilities in a family-like atmosphere. (91-82)

Comprehensive Plan. The Official Comprehensive Plan of the Village of Addison adopted on September 8, 1970.

Cul-de-sac. A minor street having one open end and being permanently terminated at the other by a vehicular turn-around.

C-Weighted Sound Level. In decibels, a frequency weighted sound pressure level, determined by the use of the metering characteristics and C-weighted network specified in ANSI document §1.4-1971 (R. 1976) "Specification for Sound Level Meters."

Daycare Facility. An institution or place in which are received children or adults requiring assisted living services for part or all of a day but no later than nine o'clock (9:00) P.M. (14-66)

Daytime Hours. 7:00 AM. to 10:00 PM., local time.

db(A). See "A-weighted Sound Level."

Decibel (dB). A unit of measure, on a logarithmic scale to the base 10, at the ratio of the magnitude of a particular sound pressure to a standard reference pressure, which, for purposes of this Ordinance, shall be 20 micronewtons per square meter (uN/m-squared). (86-20)

Density. Number of dwelling units per acre. SEE ILLUSTRATION IN APPENDIX - Figure 15.

Discotheque. Premises and facilities used for dancing, accompanied by live music or pre-recorded music. (89-62)

District. Means a part of the city wherein restrictions of this ordinance are uniform.

Dollar Store. Any retail sales establishment of 15,000 square feet or less that continuously offers or advertises a majority of the items in their inventory for sale at a price less than \$10.00 per item. (24-73)

Driveway. A private road which provides access to a lot, or to a use located on such lot, from a public way. SEE ILLUSTRATION IN APPENDIX - Figure 8.

Dwelling. Any building or portion thereof which is designed and used exclusively for residential purposes.

Dwelling, attached. A dwelling unit having its own ground floor entrance and open space, joined to two or more other dwellings by party walls, or other horizontally unifying structural element.

Dwelling, detached. A dwelling unit which does not share a common wall with any other dwelling and is surrounded on all sides by open space located on the same lot.

Dwelling, Multiple. A building designed for or occupied exclusively by three or more families. A multiple dwelling shall also include the terms "apartment house, town house, garden apartments, row house, group house, dormitory."

Dwelling, Semi-detached. A dwelling unit having its own ground floor entrance and open space, and joined to one other dwelling unit by a common party wall or other horizontally unifying structural element.

Dwelling, Single Family. A building designed for or occupied exclusively by one family with not more than two lodgers or boarders.

Dwelling, Two Family. A building designed for or occupied exclusively by two families with not more than two lodgers or boarders per dwelling unit.

Dwelling, Two Family Detached. A dwelling intended for occupancy by two families and surrounded on all sides by open space. SEE ILLUSTRATION IN APPENDIX - Figure 5.

Dwelling Unit. One or more rooms in a dwelling occupied or intended to be occupied as separate living quarters by a single family with cooking, living, sanitary and sleeping facilities.

Easement. Land which has been designated by lawful agreement between the owner or owners of land and a person or persons for a specified use only by such person or persons.

Efficiency Dwelling Unit. A dwelling unit consisting of one principal room, together with sanitary, cooking, living, and sleeping facilities and/or dining alcove.

Family. Either (a) an individual or two or more persons related by blood, marriage or adoption, maintaining a common household in a dwelling unit or (b) a group of not more than four persons who are not related by blood, marriage, or adoption, living together as a common household in a dwelling unit, plus, in either case, usual domestic servants.

A family may include gratuitous guests or minor children not related by blood, marriage or adoption. For purposes of this Zoning Ordinance, however, an unrelated family shall not include persons living together in a community residence or nursing home. (91-82)

Fence. A structure designed and constructed for enclosure or screening, or to denote a property line, forming a barrier at grade level between lots, between a lot and a street, or an alley, or between portions of a lot or lots. (87-04)

Flood Height. The height of a flood at a gaging station usually stated in terms of gage height, or stage, which is the elevation of the water surface above selected datum plane indicated on the Elmhurst and Lombard Quadrangles, Hydrologic Investigations, Atlas Series HA published by the U. S. Geological Survey, Washington, D. C.

Flood Plain. Shall be any tract of land, wholly or partly, within a Federal Insurance Administration designated Flood Hazard Area as defined on the most current FIA Flood Hazard Boundary Map and/or Flood insurance Rate Map.

Frequency. Number of cycles, revolutions, or vibrations completed in a unit of time (see "Hertz"). (86-20)

Flood Elevation, Base. Is as designated on Flood Insurance Administration Flood Insurance Rate Map. If base flood elevations not specified on Flood insurance Rate Map then next best available information shall be used.

Floodway. Shall be any tract of land, wholly or partly, within a Flood Insurance Administration designated regulatory floodway as defined on the most current FIA, Flood Hazard boundary Map and/or Flood Insurance Rate Map.

Floor Table Land. The continuous land area adjacent to the flood plain, the elevation of which is greater than the flood height by five feet or less.

Floor Area. The square feet of floor space within the outside line of walls and includes the total of all space on all floors of a building. It does not include porches, garages, or space in a basement or cellar when said basement or cellar space is used for storage or incidental uses.

Floor Area Ratio. The floor area of the building divided by the area of the lot.

Frontage. All the property on one side of a street or highway, between two intersecting streets (crossing or terminating) or for a distance of 400 feet on either side of a proposed building or structure, measured along the line of the street, or if the street is dead-ended, then all of the property abutting on one side between an intersecting street and the dead-end of the street, but not including property more than 400 feet distance on either side of a proposed building or structure.

Garage, private. An accessory structure or an accessory portion of the principal building, including a carport which is intended for and used for storing the private passenger vehicles of the family or families resident upon the premises, and in which no business, service or industry connected directly or indirectly with the automotive vehicles is carried on, provided that not more than one-half of the space may be rented for the private passenger vehicles of persons not resident on the premises, except that all the space in a garage of one or two car capacity may be so rented.

Garage, public. A building or portion thereof, other than a private or storage garage, designed or used for equipping, servicing, repairing, rebuilding, hiring, painting, selling, storing, or parking motor-driven vehicles. The term shall include an automotive repair shop but not the dismantling, or storage of wrecked or junked vehicles.

Garage, storage. Any building or premises, used for housing only motor-driven vehicles, other than trucks and commercial vehicles.

Grade. The average level of the finished surface of ground adjacent to the exterior walls of the building.

Habitable Room. A room used for living, sleeping, eating, or cooking purposes, but excluding baths, toilet rooms, storage spaces, utility rooms and corridors.

Hertz. Unit of frequency equal to one cycle per second. (86-20)

Home Occupations. A gainful occupation or profession conducted by a member of a family residing on the premises and where the business or profession is conducted within the building and is listed as a permitted home occupation in the district involved, (including art studio; dressmaking, professional office of a clergyman, lawyer, architect, engineer or accountant; teaching, including instruments or dancing, but limited to one pupil at a time) in connection with which there is used no sign other than a nameplate, not more than one square foot in area, or no display that will indicate from the exterior that the building is being utilized in whole or part for any purpose other than that of a dwelling; no more than two persons employed other than a member of the immediate family residing on the premises; and no mechanical equipment is used except such as is customary for purely domestic household purposes.

Hotel. A building in which lodging is provided and offered to the public for compensation and in which ingress and egress to and from rooms is made through an inside lobby supervised by a person in charge at all hours, and which is open to more than

twenty (20) transient guests in contradistinction to a boarding house or lodging house as herein defined and wherein the extent of occupancy is limited to 30 days.

Impulsive Sound. Either a single pressure peak or a single burst (multiple pressure peaks) for a duration usually less than one second. Examples of impulsive sound sources are a drop forge hammer and explosive blasting. (86-20)

Institution. A nonprofit establishment for public use.

Junk Yard. An open area where waste, used, or second-hand materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including but not limited to, scrap iron and other metals, paper, rags, rubber tires and bottles. A junk yard includes an auto wrecking yard, but does not include uses carried on entirely within enclosed buildings.

Kennel. Any premises where three or more animals over four months of age, are owned, boarded, bred and/or offered for sale.

Landscaped Area. An area that is permanently devoted and maintained to the growing of shrubbery, grass and other plant material.

Leg. Equivalent continuous sound pressure level; in decibels: ten times the logarithm to the base ten of the ratio of time-mean-square sound pressure to the square of reference sound pressure. The reference pressure is 20 micro newtons per square meter. (86-20)

Liquor Store. A business establishment where alcoholic liquor is kept and sold but where such alcoholic liquors are not consumed on the premises.

Loading Space. A space within the main building or on the same lot for the standing, loading, or unloading of trucks:

Loan office. A place of business for the extension of credit to persons, businesses or other entities, but excluding banks, savings and loans, currency exchanges, pay day loan offices and title loan offices. (12-61)

Lodging Room. A room rented as sleeping and living quarters, but without cooking facilities and with or without an individual bathroom. In a suite of rooms, each room shall be counted as one lodging room.

Lodging or Rooming House. Same as "Boardinghouse."

Lot. Except in the case of planned development, a platted parcel of land of record in the Office of the Recorder of Deeds of DuPage County, occupied or intended for occupancy by a use permitted in this ordinance, including one principal building together with its accessory structures, open spaces and parking spaces required by this ordinance and having its principal frontage upon a road or street. SEE ILLUSTRATION IN APPENDIX - Figure 10.

Lot Area. The area of a horizontal plane bounded by the vertical planes through front, side and rear lot lines. SEE ILLUSTRATION IN APPENDIX - Figure 11.

Lot Corner. A lot abutting upon two or more streets at their intersections. SEE ILLUSTRATION IN APPENDIX - Figure 13.

Lot coverage. That percentage of a lot which would be covered by a building or buildings or any part thereof, excluding protecting roof eaves.

Lot depth. The mean horizontal distance between the front and rear lot lines. SEE ILLUSTRATION IN APPENDIX - Figure 10.

Lot, double frontage or through lot. A lot which has a pair of opposite lot lines along two substantially parallel streets and which is not a corner lot. On a through lot both street lines shall be deemed front lot lines, but in the case of two or more contiguous through lots, there shall be a common front lot line. SEE ILLUSTRATION IN APPENDIX - Figure 10.

Lot, interior. A lot that is not a corner lot. SEE ILLUSTRATION IN APPENDIX - Figure 10.

Lot Line, front. That boundary of a lot which adjoins an existing or dedicated public street; or where no public street exists, is along a public way. On a corner lot, the lot line having the shortest length abutting a street shall be the front lot line. SEE ILLUSTRATION IN APPENDIX - Figure 12.

Lot Line, rear. That boundary of a lot which is most distant from and is, or is most nearly, parallel to the front lot line; and in the case of an irregular, triangular or gore-shaped lot, a line ten feet in length within the lot, parallel to and at the maximum distance from the front lot line. SEE ILLUSTRATION IN APPENDIX - Figure 12.

Lot Line, side. Any boundary of a lot which is not a front lot line or a rear lot line. SEE ILLUSTRATION IN APPENDIX - Figure 10.

Lot of Record. A lot or parcel of land the plat or deed of which has been recorded prior to the adoption of this ordinance.

Lot width. The width of a lot at the building line. SEE ILLUSTRATION IN APPENDIX - Figure 10.

Motel, Motor Court, Motor Lodge, or Tourist Court. Any building or group of buildings containing guest rooms or dwelling, some of which or all of which have a separate entrance leading directly from the outside of the building with garage or parking space conveniently located on the lot, and designed, or intended wholly or in part for the accommodation of transients, with the extent of occupancy limited to 30 days.

Motor Freight Terminal. A building or premises in which is received, stored and/or dispatched by motor vehicle.

Motor Vehicle. Any self-propelled wheeled vehicle designed primarily for transportation of persons or goods along public streets.

Nighttime Hours. 10:00 PM. to 7:00 AM., local time. (86-20)

Noise Pollution. The emission of sound that unreasonably interferes with the enjoyment of life or with any lawful business or activity. (86-20)

Nonconforming Use. The lawful use of land or a building or a portion thereof, which use does not conform with the use regulations of the district in which it is located.

Noxious Matter. Material which is capable of causing injury to living organisms by chemical reaction or is capable of causing detrimental effects upon the physical or economic well-being of individuals.

Nursing Home. A licensed public or private home or institute which provides maintenance, personal care, and nursing for three or more persons who, by reason of physical illness or infirmity, are incapable of maintaining a private, independent residence. A home for the care of children or the aged or infirm in which three or more persons not of the immediate family are received, kept or provided with food and shelter, or care for compensation; but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured. (91-82)

Obstructions. An obstruction is any building or structure or parts thereof, which is located so as to come in the way of any open area required by this ordinance. Trees or shrubs planted in accordance with this ordinance shall not be considered an obstruction, SEE ILLUSTRATION IN APPENDIX - Figure 14.

Octave Band. A specific section of the overall sound spectrum, usually identified by the middle frequency of that section. (86-20)

Octave Band Filter. A set of filters designed according to standards formulated by ANSI and used in conjunction with a sound level meter to take measurements in specific octave bands. (86-20)

Octave Band Sound Pressure Level. The sound pressure level for the sound being measured contained within the specified Octave band. The reference pressure is 20 micronewtons per square meter. (86-20)

Odor Threshold Value. The minimum concentration of odorous material in air which can be detected as determined by Manufacturing Chemists Association or other qualified laboratory.

Open Area. That part of a lot on which no part of a building or structure extends above the following elevations:

- (a) Two feet above the highest curb elevation of the street or streets that bound the lot;
- (b) One foot above the adjacent curb elevation for each one and one-fourth foot the building or structure is set back from the street lot line, except that no

portion of the structure shall exceed 12 feet above the adjacent curb elevation. This provision shall not apply to walls or structures that do not extend more than four feet above the adjacent curb elevation.

Open Sales Lot. Any land used or occupied for the purpose of buying and selling merchandise, passenger cars, trucks, motor scooters, motorcycles, boats, and monuments, or for the storing of same prior to sale.

Outside storage. The keeping of goods or materials in the yard area not permanently affixed to either the real estate or a structure on the real estate. (02-01)

Parking Space. A surfaced area, enclosed or unenclosed, not less than nine feet wide and eighteen feet long, together with a driveway connecting the parking space with a street, road or alley, sufficient in size to store one automobile and permitting ingress and egress of that automobile without the necessity of moving any other automobile. (01-23)

Particulate Matter. Finely divided solid or liquid matter, other than water, which is released into the atmosphere.

Pawnbroker. One whose principal business is the lending of money at interest in exchange for personal property deposited as security. (09-60)

Party Wall. A wall starting from the foundation and extending continuously through all stories to or above the roof which separate one building from another and is in joint use by each building.

Person. Any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this State, any other state or political subdivision, or agency thereof, or any legal successor, representative, agent, or agency of the foregoing. (86-20)

Planning and Zoning Commission. The Village of Addison Planning and Zoning Commission. (12-06)

Planned Development. A planned development is a use of land which offers benefits to the neighborhood of which it is a part or to the general public welfare beyond those required by this Zoning Ordinance and which use of land will contain or provide amenities not otherwise required by law, including but not limited to provisions for common open spaces, recreational facilities, or specific design, engineering, architectural, site planning or landscape features.

Play Structure. Any play set, play apparatus, play house, play fort, or play equipment designed and used primarily for children at play, except for tree houses, which shall not be permitted. (06-126)

Pool halls/billiard parlors. Any business or commercial establishment utilizing 50% or more of its customer floor area for tables open to the public for the lawful playing of billiards, pool, snooker and other similar games, whether or not the playing of such games

constitutes the principal business upon the premises, or regardless of any other amusement devices therein. This definition does not apply to residential dwellings and/or youth or social agency operating under supervision, for recreation and for no charge. (02-01)

Precious Metal and Gem Dealer. One whose principal business is purchasing secondhand precious metals or gems. (09-60)

Premises. A lot together with all buildings and structures thereon.

Property-Line-Noise Source. Equipment or a facility, or combination thereof, which operates within any Manufacturing or Business District. Such equipment or facility, or combination thereof, must be capable of emitting sound beyond the property line of the land on which operated.

Equipment not considered a property-line-noise source includes, but is not limited to, the following: delivery trucks, garbage trucks, vehicles used for employee transportation, mini-bikes, snowmobiles, lawn maintenance equipment, fork lifts. (86-20)

Public Utility. Any person, firm or corporation duly authorized to furnish electricity, gas, steam, telephone, telegraph, water or sewerage systems to the public under public regulation.

Recreational Vehicle. Any boat, boat trailer, trailer, any camping trailer, travel trailer, pick-up coach, motor home or other unit built or mounted on a vehicle or chassis, without permanent foundation, which may legally be driven or towed by a motor vehicle on a highway or street.

Religious Institutions and Churches: A building or unit of a building whose principal use is for religious worship. Religious institutions shall include churches, temples, synagogues and mosques. Religious institutions shall also include ancillary activities and uses typically associated with religious institutions, such as religious study activities, clergy residences, and congregation offices. (05-116)

Research Laboratory. A building or group of buildings in which are located facilities for scientific research, investigation, testing, or experimentation, but not primarily facilities for the manufacture or sale of products.

Ringelmann Number. The number of the shaded gray area on the Ringelmann Chart (U.S. Bureau of Mines Information Circular 6888) that coincides most nearly with the light obscuring capacity Of smoke.

Screening. A structure erected or vegetation planted for concealing an area from view. SEE ILLUSTRATION IN APPENDIX- Figures 16, 17 & 18.

Sign. An identification, description, illustration, or device which is affixed to or represented directly or indirectly upon a building, structure, or land and which directs attention to a product, place, activity, person, institution or business.

Sign Area. The total area of the space to be used for advertising purposes, including the spaces between open-type letters and figures, including the background structure or other decoration or addition which is an integral part of the sign. Sign supports shall be excluded in determining the area of a sign. A double-faced sign shall have twice the total area of a sign.

Sign, ground. Any sign erected, constructed or maintained for the purpose of displaying ` advertising by means of posters, pictures, pictorial and reading matter when such sign is supported by two or more uprights, posts, or braces placed or affixed in the ground and not attached to any part of a building.

Sign, marquee. Any sign affixed to a marquee over the entrance to a building and supported from the building.

Sign, post. Any letter, word, model sign, device or representation used in the nature of an advertisement or announcement not attached to a building and which is supported by a single stationary pole or post.

Sign, roof. Any sign erected, constructed, or maintained upon the roof of any building.

Sign, wall. Any painted sign or poster on any surface or plane that may be affixed to the front, side, or rear wall of any building.

Smoke Units, Number of. The number obtained by multiplying the smoke density in Ringelmann numbers by the time of emission in minutes. For the purpose of this calculation, a Ringelmann density reading is made at least once every minute during the period of observation; each reading is then multiplied by the time in minutes during which it is observed; the various products are then added together to give the total number of smoke units observed during the total period under observation. Steam or water vapor is not considered smoke.

Sound. An oscillation in pressure in air.

Sound Level. In decibels, a weighted sound pressure level, determined by the use of metering characteristics and frequency weightings specified in ANSI 1.4-1971 "Specification for Sound Level Meters."

Sound Level Meter. An instrument standardized by ANSI for measurement of the intensity of sound.

Sound Pressure Level. In decibels, 20 times the logarithm to the base-10 or the ratio of the magnitude of a particular sound pressure to the standard reference pressure. The standard reference pressure is 20 micro newtons per square meter. (86-20)

Special Use. A use allowed in a Zoning District after permit is granted by the Board of Trustees.

Standard Tree. A tree as specified in the Tree Specifications of the Village of Addison.

Standard Shrub. A shrub as specified in the Shrub Specifications of the Village of Addison.

Steady Sound. A sound whose pressure level remains essentially constant (that is, meter fluctuations are negligibly small) during the period of observation. (86-20)

Meter variations are less than or equal to plus or minus 3 dB using the "slow" meter characteristic. (86-20)

Story. That portion of a building included between the surface of any floor and the surface of the floor next above; or if there is no floor above, the space between the floor and the ceiling next above. A basement shall be counted as a story and a cellar shall not be counted as a story. SEE ILLUSTRATION IN APPENDIX - Figure 9.

Story, half. A space under a sloping roof which has the line of intersection of roof decking and wall not more than three feet above the top floor level, and in which space not more than 60 percent of the floor area is completed for principal or accessory use.

Street. A public way which affords the principal means of access to abutting property.

Structural Alteration. Any change except those required by law or ordinance, which would prolong the life of the supporting members of a building or structure, such as bearing walls, columns, beams or girders, not including openings in bearing walls as permitted by other ordinance.

Structure. Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Among other things, structures include buildings, walls, fences, and signs.

Tavern. A business establishment where alcoholic liquors are sold to be consumed on the premises.

Thrift Store. A store that sells used things such as clothes, books and furniture. (24-73)

Tobacco Store. Any establishment that (a) derives 50% or more of its revenue from or (b) utilizes 50% or more of its product display area for (1) any product containing, made of, or derived from tobacco or nicotine that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means, including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus; (2) any electronic smoking device and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; or (3) any component, part, or accessory of (1) or (2), whether or not any of these contains tobacco or nicotine, including but not limited to filters, rolling papers, blunt or hemp wraps, and pipes. (24-73)

Trailer or Mobile Home. A vehicle equipped for use as a dwelling and designed to be hauled along a highway.

Trailer or Mobile Home Court. An area where one or more inhabited trailers can be or are intended to be parked. It does not include trailer sales lots on which unoccupied trailers, new or used, are parked for purposes of sale.

Toxic Material. A substance, liquid or solid or gaseous, which by reason of an inherent deleterious property tends to destroy life or impair health.

Use. The purpose or activity for which the land or building thereon is designed, arranged or intended or for which it is occupied or maintained.

Yard, required. That minimum dimension from the property line as specified by the zoning district. (88-17)

Yard, front. That portion of the yard extending the full width of the lot and measured between the front lot line and a parallel line tangent to the nearest part of the principal building, which line shall be designated as the front yard line. (88-17)

Yard, side. A yard between the main building and side line of the lot, and extending from the front yard line to the rear yard line. SEE ILLUSTRATION IN APPENDIX - Figures 12 & 13.

Yard, rear. A yard extending the full width of the lot between a principal building and the rear lot line. SEE ILLUSTRATION IN APPENDIX - Figures 12 & 13.

Yard, width and depth. The shortest horizontal distance from a lot line to the main building. SEE ILLUSTRATION IN APPENDIX - Figures 12 & 13.

SECTION XI. FEES

- A. A \$300.00 base filing fee for single-family and \$500.00 base filing fee for all others shall be submitted with any application for annexation and/or annexation agreement, plat reviews (annexations, subdivisions, resubdivisions, vacations and the like), and variations associated herewith.
- B. In addition to the base filing fee, the petitioner shall be liable to the Village for all variable fees for Village services associated with the application, including services of a court reporter, if necessary, Village Attorney fees, Village engineering fees, and if necessary, Master Planning fees. The petitioner shall pay the Village Clerk the following fee prior to the passage of any ordinance by the Village Board with respect to the application:
- | | |
|-------------------|---------|
| Less than ½ acre | \$2,300 |
| ½ acre to 1 acre | 4,600 |
| 1 acre to 5 acres | 9,300 |
| 5+ to 20 acres | 15,600 |
| 20+ to 100 acres | 24,900 |
| Over 100 acres | 31,200 |
- C. The petitioner shall be liable for the cost of any consulting services necessary to evaluate any application for annexation agreement, plat reviews (annexations, subdivisions, resubdivisions, vacations and the like) and variations associated therewith.

(Ord. 07-15; 09-62; 21-45)

SECTION XII. INTERPRETATION, CONFLICT, VALIDITY

A. Interpretation and Conflict

1. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, morals and welfare.
2. Where the conditions imposed by any provisions of this ordinance upon the (a) use of land or buildings, (b) the bulk of the buildings, (c) floor area requirements, (d) lot area requirements, and (e) yard requirements, are either more restrictive or less restrictive than comparable conditions imposed by any other provisions of this ordinance, or of any other law, ordinance, resolution, rule or regulation of any kind, the regulations which are the more restrictive or which impose higher standards or requirements shall govern.
3. This ordinance is not intended to abrogate any easement, covenant, or other private agreement, provided that where the regulations of this ordinance are more restrictive or impose higher standards of requirements than such easements, covenants, or other private agreements, the requirements of this ordinance shall govern.
4. No building, structure, or use, not lawfully existing at the time of the adoption of this ordinance, shall become or be made lawful solely by the reason of the adoption of this ordinance; and to the extent that, and in any manner that said unlawful building, structure, or use is in conflict with the requirements of this ordinance, said building, structure, or use remains unlawful hereunder.

B. Validity. It is hereby declared to be the intention of the Board of Trustees of the Village of Addison that the several provisions of this ordinance are separable in accordance with the following:

1. If any court of competent jurisdiction shall adjudge any provision of this ordinance to be invalid, such judgment shall not affect any other provision of this ordinance not specifically included in said judgment.
2. If any court of competent jurisdiction shall adjudge invalid the application of any provisions of this ordinance to a particular property, building, or structure, such judgment shall not affect the application of said provision to any other property, building, or structure not specifically included in said judgment.

XIII. VIOLATION, PENALTY, ENFORCEMENT

Any person, firm, or corporation who violates, disobeys, omits, neglects or refuses to comply with, or who resists the enforcement of any of the provisions of this ordinance, shall, upon conviction, be fined not less than one hundred fifty dollars (\$150.00), nor more than one thousand dollars (\$1,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

The Building Commissioner is hereby designated and authorized to enforce this ordinance.
(05-116; 21-45)

SECTION XIV. WHEN EFFECTIVE

This ordinance shall be in full force and effect on the 26th day of April, 1973.