

## **PROPOSED ORDINANCE AMENDMENT**

**BE IT ORDAINED**, by the Cook County Board of Commissioners, that Appendix A - Zoning to Part II - Land Development Ordinances of the Cook County Code is hereby amended as Follows:

### **ARTICLE 1. TITLE**

#### **1.1. Title.**

This comprehensive amendment shall be known and cited as: Cook County Zoning Ordinance of 2001.

### **ARTICLE 2. PURPOSE**

#### **2.0. Purpose.**

This comprehensive amendment to the Cook County zoning ordinance is adopted pursuant to the County of Cook's home rule powers for the following purposes:

- A. Promote and protect public health, safety, morals, comfort, convenience and general welfare.
- B. Zone property to reflect its best use and conserve and enhance its value.
- C. Reduce existing, and prevent future, congestion by limiting development of land consistent with Cook County's ability to furnish adequate public services.
- D. Guard against over development of land to insure good living and working conditions and to prevent blight and slums.
- E. Protect residential, commercial and industrial areas from harmful encroachment by incompatible uses.
- F. Prevent additions or alterations to existing buildings or structures that do not comply with the standards imposed by this ordinance.
- G. Eliminate nonconforming uses of land, buildings and structures which are incompatible and adversely affect permitted development.
- H. Encourage use of light, air and open space in areas where people live and work.
- I. Establish convenient access to properties.
- J. Reduce street congestion and improve aesthetics through off-street parking and loading requirements.
- K. Isolate or control unavoidable nuisance-producing uses.
- L. Protect against fire, explosion, noxious fumes and other hazards.
- M. Prevent hazards to persons and damage to property resulting from accumulation or runoff of storm[waters] and floodwaters.

- N. Preserve natural resources, aesthetic amenities and natural features.
- O. Establish authority and duties of Cook County administrative agencies and personnel.
- P. Establish penalties for violations of this ordinance.
- Q. Accomplish the goals, objectives and policies of the Cook County Comprehensive Land Use and Policies Plan.

### **ARTICLE 3. ZONING DISTRICTS**

#### **3.1. Establishment of districts.**

The unincorporated area of Cook County is divided into the following districts:

##### *3.1.1. Residential districts.*

- A. R-1 Single-Family Residence District
- B. R-2 Single-Family Residence District
- C. R-3 Single-Family Residence District
- D. R-4 Single-Family Residence District
- E. R-5 Single-Family Residence District
- F. R-5A Residential Transition District
- G. R-6 General Residence District
- H. R-7 General Residence District
- I. R-8 General Residence District

##### *3.1.2. Commercial districts.*

- A. C-1 Restricted Business District
- B. C-2 Restricted Office District
- C. C-3 General Service District
- D. C-4 General Commercial District
- E. C-5 Commercial Transition District
- F. C-6 Automotive Service District
- G. C-7 Office/Research Park District
- H. C-8 Intensive Commercial District

*3.1.3. Industrial Districts.*

- A. I-1 Restricted Industrial District
- B. I-2 General Industrial District
- C. I-3 Intensive Industrial District
- D. I-4 Motor Freight Terminal District

*3.1.4. Public and Open Land Districts.*

- A. P-1 Public Land District
- B. P-2 Open Land District

**3.2. Zoning maps.**

*3.2.1. Authorization.* The location and boundaries of the districts established by this ordinance are indicated on maps entitled, "Official Zoning Maps, Cook County, Illinois," which, together with all amendments and explanatory matter, are adopted by reference as part of this ordinance.

*3.2.2. Location of Official Zoning Maps.* The Official Zoning Maps shall be located in the Department of Building and Zoning and shall be the final authority for the current zoning status of land and buildings, subject to any authorized amendments.

*3.2.3. Interpretation of boundaries.* The boundaries of districts shown on the Official Zoning Maps shall be interpreted as follows:

- A. Boundaries are the centerlines of highways, toll roads, expressways, streets or alleys, unless otherwise indicated.
- B. Boundaries are section lines, divisions of sections, tracts and platted lot lines, unless otherwise indicated.
- C. Boundaries indicated as approximately following municipal boundary limits shall be construed to follow municipal boundary limits.
- D. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
- E. Boundaries indicated as following shorelines shall be construed to follow the shorelines, and any change in a shoreline shall be construed as moving with the actual shoreline.
- F. Boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes or other bodies of water shall be construed to follow such centerlines.
- G. Boundaries indicated as parallel to or extensions of features indicated in Subsections A through F, shall be so construed. Distances not specifically indicated on the Official Zoning Maps shall be determined by dimensions shown on the maps or, in the absence of dimensions, by the scale of the maps.

H. Boundaries in particular circumstances.

1. Where an area is not subdivided into lots and blocks and a boundary is indicated as a line adjacent to and paralleling a street or highway, the depth of the line shall be in accordance with dimensions shown on the maps measured at right angles from the centerline of the street or highway. The length of frontage shall be in accordance with dimensions shown on the map from section, quarter-section or division lines, or centerlines of streets and highways or railroad rights-of-way, unless otherwise indicated.

2. Where a boundary line divides a lot in single ownership at the effective date of this ordinance, the regulations of this ordinance for either portion of such lot may, at the owner's discretion, apply to the entire area of the lot or 25 feet beyond the boundary line, whichever is the lesser distance.

3. Whenever a street, alley, public way and railroad right-of-way is not otherwise specifically designated, it shall be deemed to be in the same zone as the property immediately abutting the street, alley, public way and railroad right-of-way. If the land abutting each side of the street, alley, public way or railroad right-of-way is located in different districts, the center of a street, alley, public way or railroad right-of-way shall be deemed to be the district boundary, unless otherwise specifically designated.

4. Whenever a street or alley shown on the zoning maps has been vacated, it shall be deemed to be in the same district as the land abutting both sides of the street or alley involved. If the land abutting each side of the street or alley was located in different districts before the street or alley was vacated, the centerline of the vacated street or alley shall be the district boundary line of the respective zoning districts.

I. Boundaries which are at variance with those shown on the official zoning maps, or other circumstances not covered by Subsection[s] A through H above shall be interpreted in the following manner:

1. By the Zoning Administrator;

2. By the Zoning Board of Appeals on appeal from the Zoning Administrator's decision;

3. By the Cook County Board of Commissioners on appeal from the Zoning Board of Appeals.

3.2.4. *Changes.* A change in the Official Zoning Map shall be indicated on the map. The date[s] of all changes shall be shown on the map.

3.2.5. *Availability.* The Official Zoning Map shall be available for public reference, and certified copies shall be available for sale, in the office of the Zoning Board of Appeals.

**3.3. Area included.**

3.3.1. *Entire area zoned.* The entire area of unincorporated Cook County, including all land and water areas, rivers, streets, alleys and railroad and other rights-of-way, is included in the districts established by this ordinance. If any area is not shown on the Official Zoning Maps as being included in any district, it shall be classified R-1 Single-Family Residence District until otherwise reclassified by amendment.

3.3.2. *Exclusions and inclusions.* The area within the corporate limits of cities, villages and towns that have zoning ordinances shall be excluded from the provisions of this ordinance. The area within the corporate

limits of cities, villages and towns that do not have zoning ordinances shall be subject to the provisions of this ordinance. Any unincorporated land which is not classified on the Official Zoning Maps of Cook County shall be classified R-1 Single-Family Residence District.

3.3.3. *Disconnections and dissolutions.* An addition to unincorporated Cook County resulting from disconnection by a municipality or dissolution of a municipality shall be automatically classified R-1 Single-Family Residence District until otherwise reclassified by amendment.

## **ARTICLE 4. - RESIDENTIAL DISTRICTS**

### **4.0. - Purpose.**

The residential district regulations are intended to govern the location, intensity and method of development of residential areas of Cook County. Regulations provide for and encourage construction of a full range of housing types to meet the varying needs of individuals and families and protect existing developments while allowing new growth in conformity with current design standards and density objectives. Residential uses are contained in the following eight [nine] residential districts:

R-1 Single-Family Residence District

R-2 Single-Family Residence District

R-3 Single-Family Residence District

R-4 Single-Family Residence District

R-5 Single-Family Residence District

R-5A Residential Transition District

R-6 General Residence District

R-7 General Residence District

R-8 General Residence District

For purposes of determining the restrictiveness of the eight [nine] residential zoning districts, R-1 shall be considered the most restrictive residential district.

4.0.1. *Definitions.* The following definitions shall apply to Article 4:

- A. *Camper trailer (pop-up).* A partially collapsible structure designed to provide temporary living quarters primarily for recreational use, constructed with integral wheels to make it mobile and/or towable by motor vehicle.
- B. *Motor vehicle repair, major.* "Major motor vehicle repair" includes: engine rebuilding or major reconditioning of worn or damaged motor vehicles or trailers; collision service, including body, frame or fender straightening or repair; and overall painting of vehicles.
- C. *Travel trailer.* A rigid, noncollapsible structure designed to provide temporary Living quarters primarily for recreational use, constructed with integral wheels to make it mobile and/or towable by a motor vehicle.
- D. *Vehicle, commercial.* Any type of vehicle used or maintained for commercial purposes, primarily to transport material or operate a power attachment or tool, such as a snowplow

or any vehicle containing cargo for commercial purposes. For purposes of this article, any vehicle with advertising or a business designation affixed to it shall be considered a commercial vehicle.

- E. *Vehicle, recreational (RV).* An RV shall include, but not be limited to, camper trailer (pop-up), motor home, off-road vehicle, open trailer, pickup camper, snowmobile, travel trailer and watercraft.
- F. *Vehicle, trailer.* Any motorized or nonmotorized vehicle intended to carry or store a recreational vehicle. An open trailer or a trailer not carrying or storing an RV shall be considered an RV for the purposes of this Code.

#### **4.1. - R-1 Single-Family Residence District.**

*4.1.1. Description of district.* The R-1 Single-Family Residence District is intended to provide for estate-type single-family residential development on lot sizes adequate to allow individual wells and sewage disposal systems. This district is intended to create an environment that allows a mixture of agricultural uses and homes on lots larger than typical urban-type residential areas. The permitted uses, lot areas, setbacks and other requirements are designed to encourage a quality residential area in a rural setting. This district is located where rural-type development presently exists and where similar residential development appears likely in the future. All commercial activities are prohibited, except for selected recreation and sanitary uses.

*4.1.2. Use, lot and bulk regulations.* The applicable use, lot and bulk regulations are set forth in Sections 4.1.3 through 4.1.9.

*4.1.3. Permitted uses.* A permitted use of land or buildings shall be allowed in accordance with the provisions of this ordinance. Unless otherwise specifically set forth, wherever a permitted use is named as a major category, it shall be deemed to include only those enumerated uses. Unless otherwise specifically allowed by this ordinance, no building or zoning lot shall be devoted to any use other than a permitted use and no building or structure shall be erected, altered, enlarged or occupied, except as a permitted use. Uses lawfully established on the effective date of this ordinance, and rendered nonconforming by it, shall be subject to [the provisions of] Article 10.

The following uses are permitted in the R-1 District:

- A. Residential.
  - 1. Single-family detached dwellings.
  - 2. Group homes.
- B. Educational institutions.
  - 1. Public pre-kindergarten, kindergarten, elementary, and high schools, nonboarding.
  - 2. ~~Public high schools, nonboarding.~~
  - 3. Private pre-kindergarten, kindergarten, elementary, and high schools, nonboarding.
- C. Recreation and social facilities.
  - 1. Country clubs, including nonilluminated golf courses and driving ranges, tennis buildings, tennis courts, swimming pools and other recreation facilities.
  - 2. Grounds of recreation clubs, noncommercial, but not including gun clubs and skeet and trap shooting ranges.

3. Golf courses nonilluminated, and driving ranges accessory to golf courses, but not including commercially operated driving ranges or miniature golf courses.
  4. Polo clubs and fields.
- D. Public and governmental land and buildings.
1. Forest preserves.
  2. Historical buildings and landmarks preserved for the public.
  3. Libraries, in conjunction with schools.
  4. Museums.
  5. Parks and playgrounds.
  6. Public libraries.
- E. Religious institutions.
1. Places of worship.
  2. Convents, seminaries, monasteries and nunneries.
  3. Rectories, parsonages and parish houses.
  4. Religious retreats.
- F. Agricultural land and buildings.
1. Agricultural uses.
  2. Greenhouses, no retail sales.
  3. Nurseries, no retail sales.
- G. Miscellaneous.
1. Cemeteries.

*4.1.4. Special uses.* A special use may be allowed subject to the issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses.

The following special uses may be permitted in the R[-]1 District:

- A. Residential.
1. Clustering of residences as regulated by this ordinance.
  2. Dormitories and housing accommodations and facilities necessary to the operation of a college or university.
  3. ~~Earth sheltered homes.~~
  4. ~~3.~~ Fraternity and sorority houses.
  4. Short-term Rental, Non-Supervised.
  5. Transitional residence.
- B. Educational institutions.
1. Colleges, junior colleges and universities, but not business colleges or trade schools.
  2. Parochial pre-kindergarten, kindergarten, elementary and high schools, boarding.

3. Private elementary and high schools, boarding.
  4. ~~Private high schools, boarding.~~
- C. Recreation and social activities.
1. Athletic fields including stadiums and grandstands, noncommercial.
  2. Community center buildings, clubhouses, recreation buildings, swimming pools and indoor pools and indoor tennis courts, noncommercial and not-for-profit.
  3. Golf courses, illuminated.
  4. Gun clubs, including skeet and trap shooting.
  5. Recreation clubs and structures.
  6. Stables, commercial and noncommercial.
  7. Youth camps.
  8. Zoos.
- D. Health, medical and care institutions.
1. Intermediate, extended and long-term care facilities.
  2. Hospitals, but not including institutions for the care or treatment of mental illness, drug or alcohol addiction.
  3. Nursery schools, children's day schools, and day care centers.
- E. Public utility and services.
1. Electric substations, gas regulator stations and telephone exchanges and other essential public utility and services.
  2. Fire stations.
  3. Police stations.
  4. Post offices.
  5. Public office buildings.
  6. Railroad passenger stations.
  7. Railroad rights-of-way. Railroad yards and shops other than for passenger purposes are prohibited.
  8. Sewage treatment plants, not including individual sewage disposal units.
  9. Waterworks, reservoirs, pumping stations, wells and filtration plants, not including individual wells.
  10. Ground-mounted solar arrays.
- F. Planned unit developments.
- G. Unique uses as regulated by this ordinance.
- H. Miscellaneous.
1. Airports and heliports, private, including aircraft landing fields, runways, flight strips and flying schools together with hangars, terminal buildings and other auxiliary facilities.



2. Artificial lakes.
3. Kennels.
4. Pet cemeteries.
5. Philanthropic and eleemosynary institutions, not including businesses sponsored by such institutions unless necessary or incidental to, and located in the same building as the institution.
6. Radio and television stations, both transmitting and receiving.

I. Uses similar and compatible to those allowed in this district.

4.1.5. *Temporary uses.* A temporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

- A. *Temporary buildings or yards.* Permits shall specify the location of the building or yard and the area of permitted operation. Permits shall be valid for not more than six months and shall not be renewed for more than four successive periods. The building or yard shall not interfere with the use and enjoyment of neighboring property.
- B. *Temporary sales offices.* Permits shall specify the location of the office and the area of permitted operation. Permits shall be issued in six-month increments for a period of not more than two years, unless otherwise authorized by the Building Commissioner.
- C. *Real estate signs.* Temporary real estate signs as regulated by Article 12.
- D. *Temporary construction trailers.* Permits shall terminate upon completion of the permitted work.
- E. *Garage sales.* Garage sales shall be limited to two sales per household per year. Garage sales shall be held for no more than three consecutive days, and only between the hours of 8:00 a.m. and 6:00 p.m. A garage sale shall not require a permit.
- F. *Portable storage containers.* Portable storage containers as regulated by Article 8.

4.1.6. *Accessory uses.* A use, building or other structure customarily incidental to and commonly associated with a principal, permitted or special use may be allowed as an accessory use, provided it is operated and maintained under the same ownership and on the same lot as the permitted use. Accessory uses shall not include structures or features inconsistent with the permitted use or involve the conduct of any business, profession, trade or industry. Accessory uses may include the following and similar uses:

- A. Agricultural buildings and structures.
- B. Boathouses, private.
- C. Conservatories or greenhouses, private.
- D. Electric vehicle charging stations. For the exclusive use of residents, occupants and guests of the premises.
- ~~D-E.~~ Fallout shelters as regulated by this ordinance.
- ~~E-F.~~ Garages, carports or other parking spaces. For the exclusive use of residents, occupants and guests of the premises.
- ~~F-G.~~ Gardens.
- ~~G-H.~~ Guesthouses, private.
- ~~H-I.~~ Home occupations.

- ~~H~~.J. Living quarters, detached. For persons employed on the premises and occupied only by such persons and their immediate family. Living quarters shall not be rented or otherwise used as a separate dwelling.
- ~~J~~.K. Mausoleums, crematories and columbaria in cemeteries.
- ~~L~~. Photovoltaic solar panels, only when attached to the roof of the principal structure.
- ~~K~~.M. Playhouses and summerhouses.
- ~~L~~.N. Roadside stands. For the display and sale of agricultural products only, where the principal use is agriculture.
- ~~M~~.O. Sale of equipment, food or beverages incidental to the operation of a permitted use.
- ~~P~~. Short-term Rental, Supervised.
- ~~N~~.Q. Sewage disposal units and water systems, individual, as regulated by this ordinance.
- ~~O~~.R. Signs as regulated by Article 12.
- ~~P~~.S. Stables, private. No more than one horse shall be allowed per acre.
- ~~Q~~.T. *Structures and enclosures for pets.* For the exclusive use or personal enjoyment of residents of the premises, not for commercial purposes.
- ~~U~~. Structures and enclosures that are portable, for athletic purposes such as batting or pitching, golf simulators, and portable ice rinks
- ~~R~~.V. Swimming pools and tennis, paddle and basketball courts. For the exclusive use of the residents and their guests.
- ~~S~~.W. Tool houses, sheds and other similar buildings. For storage of domestic supplies and equipment.
- ~~T~~.X. Water retention and detention areas.

4.1.7. *Prohibited uses.* All uses not expressly authorized in Sections 4.1.3 through 4.1.6 are prohibited.

4.1.8. *Site and structure provisions.* The uses in the R-1 Single-Family Residence District shall conform to the following requirements:

A. *Minimum lot area.*

1. Minimum lot area of five acres is required for each permitted or special use.  
Uses listed below shall meet additional requirements:
  - a. Cemeteries shall have a minimum lot area of 20 acres.
2. Special uses may require lot areas greater than five acres.
3. Commercial and noncommercial stables shall have a minimum lot area of three acres.
4. Private stables shall have a minimum lot area of one acre.

B. *Minimum lot width.*

1. Minimum lot width of 300 feet shall be provided for each lot used for a permitted or special use.  
Uses listed below shall meet additional requirements:
  - a. Cemeteries shall have a minimum lot width of 500 feet.

2. Special uses may require a minimum lot width greater than 300 feet.

C. *Front yard.*

1. Building and structures shall be set back from the front lot line at least 50 feet or 20 percent of the lot depth, whichever is less.

Uses listed below shall meet additional requirements:

- a. Agricultural buildings and structures shall be set back from the front lot line at least 100 feet.
- b. Radio and television stations shall be set back from the front lot line at least 50 feet, plus one foot for each two feet by which the building or structure height exceeds 15 feet.

2. Special uses may require a front yard setback greater than 50 feet.

D. *Interior side yard (adjacent to a zoning lot).*

1. Buildings and structures shall be set back from the side lot line at least 30 feet.

Uses listed below shall meet additional requirements:

- a. Educational institutions; public, quasi-public and governmental buildings; religious institutions; health, medical and care institutions; philanthropic and eleemosynary institutions; and community center buildings, clubhouses, recreation buildings and tennis buildings and radio and television stations shall be set back from the side lot line at least 30 feet, plus one foot for each two feet by which the building or structure height exceeds 15 feet.
- b. Roadside stands shall be set back from the side lot line at least 75 feet.

2. Special uses may require an interior side yard setback greater than 30 feet.

E. *Corner side yard (adjacent to a street).*

1. Buildings and structures shall be set back from the side lot line adjacent to the street right-of-way at least 50 feet.

Uses listed below shall meet additional requirements:

- a. Educational institutions; religious institutions; health, medical and care institutions; philanthropic and eleemosynary institutions; radio and television stations shall be set back from the side lot line adjacent to the street right-of-way at least 50 feet, plus one foot for each two feet by which the height exceeds 15 feet.

2. Special uses may require a corner yard setback greater than 50 feet.

F. *Rear yard.*

1. Buildings and structures shall be set back from the rear lot line at least 100 feet.

Uses listed below shall meet additional requirements:

- a. Community center buildings and recreation buildings shall be set back from the rear lot line at least one 100 feet or ten percent of the lot depth, whichever is less.

- b. Radio and television stations shall be set back from the rear lot line at least 100 feet, plus one foot for each two feet by which the building or structure height exceeds 15 feet.
  - 2. Special uses may require a rear yard setback greater than 100 feet.
- G. *Distance from a residential use.* Buildings, structures and uses listed below shall be located at least 300 feet from a zoning lot used for residential purposes:
  - 1. Golf course clubhouses, tennis buildings, indoor pools, polo clubs, driving ranges, gun clubs, skeet and trap or other shooting activities, commercial stables, kennels and zoos.
  - 2. Mausoleums, crematories and columbaria in cemeteries.
  - 3. Stadiums and grandstands.
- H. *Floor area ratio.*
- I. *Maximum floor area ratio.* Maximum floor area ratio for the following uses shall be:
  - Single-family detached dwellings including rectories, parsonages, and parish houses .....0.10
  - Educational institutions, nonboarding .....0.50
  - Recreation and social facilities .....0.20
  - Religious institutions, except rectories, parsonages, and parish houses .....0.20
  - Educational institutions, boarding .....0.50
  - Health, medical and care institutions .....0.75
  - Philanthropic and eleemosynary institutions .....0.20
  - Radio and television stations .....0.20
  - All other uses .....0.20
  - 1. Floor area ratio shall be provided in the special use permit.
    - 2. Floor area ratio of accessory buildings shall be included in the total allowable floor area permitted on the zoning lot. Floor area devoted to off-street parking or loading facilities shall not be counted in the floor area used to determine floor area ratio.
- J. *Minimum size of dwelling.* Single-family detached dwellings and other structures occupied in whole or in part for residential purposes shall contain at least 1,000 square feet of livable floor area, exclusive of basement or garage space.
- K. ~~*Maximum impervious surface.*~~ The maximum impervious surface shall not exceed 20 percent of the gross lot area.

4.1.9. *Special provisions.* The uses in the R-1 Single-Family District shall conform to the following requirements:

- A. *Parking and loading.* Uses shall conform to Article 11.

- B. *Tents.* Tents shall not be used as a place of permanent residence and shall not be erected, used or maintained on any lot, except for a limited period of time. Tents shall not be used for the permanent storage of vehicles and other equipment.
- C. *Trailers, recreational vehicles and boats.* Travel trailers, camping trailers, recreational vehicles, motor homes, boats, boat trailers and miscellaneous trailers shall not be parked or stored on a zoning lot, except when located in a garage, a fully enclosed structure or in such a location that they are not visible from adjacent rights-of-way or from other zoning lots. Pursuant to adoption by local Ordinance by the Township Board of Trustees, such uses shall be allowed on a zoning lot which exceeds an acre or more in size subject to the following:
1. *Front yard.*
    - a. RVs shall not be parked between the frontline of any portion of the building and the street, unless otherwise specifically provided for in this Article.
  2. *Side yard.*
    - a. No more than two RVs may be parked in a side yard.
    - b. A single RV may not exceed 20 feet in length, and two RVs, if parked end-to-end, may not exceed a total combined length of 20 feet.
    - c. A single RV may not exceed a height of four feet in height, and two RVs stacked shall not exceed a total combined height of four feet.
    - d. Any RV located in an interior side yard, shall be parked a minimum of three feet from the side lot line.
    - e. Any RV located in an interior side yard shall be screened with a single row of evergreens a minimum of five feet high at time of planting or a semi-open wood fence five feet high.
  3. *Rear yard.*
    - a. No more than two RVs shall be parked in a rear yard.
    - b. A single RV shall not exceed 32 feet in length, and two RVs, if parked end-to-end, shall not exceed a total combined length of 32 feet.
    - c. A single RV shall not exceed a height of 12 feet in height and two RVs stacked shall not exceed a total combined height of 12 feet.
    - d. Any RV located in a rear yard, shall be parked a minimum of five feet from the rear lot line and a minimum of three feet from any interior lot line.
    - e. Any RV located in a rear yard shall be screened with a single row of evergreens a minimum of five feet high at time of planting or semi-open wood fence five feet high.
  4. *Exterior side yards and rear yards adjacent to a street or roadway.*
    - a. No RVs shall be located in an exterior side yard or that portion of a rear yard that is between an adjacent street or roadway and a line extended from the building.
  5. *Additional requirements.*
    - a. Not more than two RVs may be parked on any residential zoning lot.

- b. At no time shall a parked RV be used for living, sleeping or other purposes. No RV shall be connected to gas, water or sanitary sewer service.
- c. Any RV may be parked in a fully enclosed garage unless such parking is specifically prohibited elsewhere in the Code.
- d. The owner of an RV shall not park the RV in a manner as to create a dangerous or unsafe condition on the lot where parked or to adjacent property. Parking in such fashion that the RV may readily tip or roll, shall be considered a dangerous or unsafe condition.
- e. The parking surface of an RV in any permitted area shall be a hard surface such as concrete, asphalt or crushed stone.
- f. RVs shall not have their wheels removed or be affixed to the ground so as to prevent ready removal of the vehicle.
- g. RVs shall not be used as accessory structures in any zoning district.
- h. No major automobile repairs, as defined in Article 4 of the Zoning Ordinance, shall be performed on any RV except within a garage or other structure.
- i. Temporary parking of RVs for the purpose of loading or unloading shall be permitted for no more than two days within any period of four consecutive days.

D. *Trucks.* Trucks, commercial vehicles and other commercial equipment shall not be parked or stored on a zoning lot, except when located in a garage, a fully enclosed structure or in such a location that they are not visible from adjacent rights-of-way or from other zoning lots. Vehicles parked or stored must be owned or legally controlled by the residents or occupants of the principal use. Small pickup trucks and vans used principally as passenger cars are excluded from this requirement. Pursuant to adoption by local Ordinance by the Township Board of Trustees, commercial vehicles may be parked on a zoning lot subject to the following:

- 1. *Size/weight limitation.* No commercial vehicle having a license class designation greater than "B" under the Illinois Vehicle Code shall be parked on a zoning lot. This limitation shall not apply to a pickup style commercial vehicle with the license class designation of "D". All other class "D" vehicles are prohibited.
- 2. *Location.* Except as hereafter provided, no commercial vehicle shall be parked on a zoning lot unless parked in a garage or a fully enclosed structure. A commercial vehicle may be parked on a residential zoning lot if one of the following criteria is met:
  - a. The vehicle has no signage.
  - b. The vehicle's signage is limited to the identification of the owner or operator, affixed by name or logo. Such identification may appear on not more than two separate portions of the vehicle.
- 3. The parking of commercial vehicles on residential lots shall be limited to one.
- 4. Nothing in the provisions of this Ordinance shall be construed to prohibit trucks and other service vehicles from being parked on the premises temporarily for purposes of making deliveries or rendering service to the property as otherwise provided in this Ordinance.

- E. *Sewer and water.* Uses requiring sanitary facilities shall be served by either a municipal or private community sewer and water system, or a private individual sewage disposal and water supply system. The systems used shall be approved by the Cook County Health Department.

#### **4.2. - R-2 Single-Family Residence District.**

*4.2.1. Description of district.* The R-2 Single-Family Residence District is intended to provide a semi-rural environment of single-family homes on large residential lots. This district creates lot sizes adequate to accommodate individual wells and sewage disposal systems. Schools, recreation and social facilities, religious facilities and certain public facilities which serve the residents living in the district are allowed. All commercial activities are prohibited, except for selected recreation and sanitary uses.

*4.2.2. Use, lot and bulk regulations.* The applicable use, lot and bulk regulations are set forth in Sections 4.2.3 through 4.2.9.

*4.2.3. Permitted uses.* A permitted use of land or buildings shall be allowed in accordance with the provisions of this ordinance. Unless otherwise specifically set forth, wherever a permitted use is named as a major category, it shall be deemed to include only those enumerated uses. Unless otherwise specifically allowed by this ordinance, no building or zoning lot shall be devoted to any use other than a permitted use and no building or structure shall be erected, altered, enlarged or occupied except as a permitted use. Uses lawfully established on the effective date of this ordinance, and rendered nonconforming by it, shall be subject to Article 10.

The following uses are permitted in the R-2 District:

- A. Residential.
  - ~~1. Any use permitted in Section 4.1.3(A).~~
  - 1. Single-family detached dwellings.
  - 2. Group homes.
- B. Educational institutions.
  - ~~1. Any use permitted in Section 4.1.3(B).~~
  - 1. Public pre-kindergarten, kindergarten, elementary, and high schools, nonboarding.
  - 2. Private pre-kindergarten, kindergarten, elementary, and high schools, nonboarding.
- C. Recreation and social facilities.
  - ~~1. Any use permitted in Section 4.1.3(C)~~
  - 1. Country clubs, including nonilluminated golf courses and driving ranges, tennis buildings, tennis courts, swimming pools and other recreation facilities.
  - 2. Grounds of recreation clubs, noncommercial, but not including gun clubs and skeet and trap shooting ranges.
  - 3. Golf courses nonilluminated, and driving ranges accessory to golf courses, but not including commercially operated driving ranges or miniature golf courses.
  - 4. Polo clubs and fields.
- D. Public and governmental land and buildings.
  - ~~1. Any use permitted in Section 4.1.3(D).~~
  - 1. Forest preserves.

2. Historical buildings and landmarks preserved for the public.
  3. Libraries, in conjunction with schools.
  4. Museums.
  5. Parks and playgrounds.
  6. Public libraries.
- E. Religious institutions.
1. ~~Any use permitted in Section 4.1.3(E).~~
  1. Places of worship.
  2. Convents, seminaries, monasteries and nunneries.
  3. Rectories, parsonages and parish houses.
  4. Religious retreats.
- F. Agricultural land and buildings.
1. ~~Any use permitted in Section 4.1.3(F).~~
  1. Agricultural uses.
  2. Greenhouses, no retail sales.
  3. Nurseries, no retail sales.
- G. Miscellaneous.
1. ~~Any use permitted in Section 4.1.3(G).~~
  1. Cemeteries.

4.2.4. *Special uses.* A special use may be allowed subject to the issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses.

The following special uses may be permitted in the R-2 District:

- A. Residential.
1. ~~Any use permitted in Section 4.1.4(A).~~
  1. Clustering of residences as regulated by this ordinance.
  2. Dormitories and housing accommodations and facilities necessary to the operation of a college or university.
  3. Fraternity and sorority houses.
  4. Short-term Rental, Non-Supervised
  5. Transitional residence.
- B. Educational institutions.
1. ~~Any use permitted in Section 4.1.4(B).~~
  1. Colleges, junior colleges and universities, but not business colleges or trade schools.
  2. Parochial pre-kindergarten, kindergarten, elementary and high schools, boarding.
  3. Private elementary and high schools, boarding.



- C. Recreation and social facilities.
  - 1. Noncommercial athletic fields including stadium[s] and grandstands.
  - 2. Community center buildings, clubhouses, recreation buildings, swimming pools and indoor pools, and tennis courts and buildings for indoor tennis, noncommercial and not-for-profit.
  - 3. Recreation clubs and structures.
  - 4. Stables, commercial and noncommercial.
  - 5. Youth camps.
- D. Health, medical and care institutions.
  - 1. ~~Any use permitted in Section 4.1.4(D).~~
    - 1. Intermediate, extended and long-term care facilities.
    - 2. Hospitals, but not including institutions for the care or treatment of mental illness, drug or alcohol addiction.
    - 3. Nursery schools, children's day schools, and day care centers.
- E. Public utility and service uses.
  - 1. ~~Any use permitted in Section 4.1.4(E).~~
    - 1. Electric substations, gas regulator stations and telephone exchanges and other essential public utility and services.
    - 2. Fire stations.
    - 3. Police stations.
    - 4. Post offices.
    - 5. Public office buildings.
    - 6. Railroad passenger stations.
    - 7. Railroad rights-of-way. Railroad yards and shops other than for passenger purposes are prohibited.
    - 8. Sewage treatment plants, not including individual sewage disposal units.
    - 9. Waterworks, reservoirs, pumping stations, wells and filtration plants, not including individual wells.
    - 10. Ground-mounted solar arrays.
- F. Planned unit developments.
- G. Unique uses as regulated by this ordinance.
- H. Miscellaneous.
  - 1. Airports and heliports, private, including aircraft landing fields, runways, flight strips and flying schools together with hangars, terminal buildings and other auxiliary facilities.
  - 2. Artificial lakes.
  - 3. Pet cemeteries.

4. Philanthropic and eleemosynary institutions, not including businesses sponsored by such institutions unless necessary or incidental to, and located in the same building, as the institution.
5. Radio and television stations, both transmitting and receiving.

I. Uses similar and compatible to those allowed in this district.

4.2.5. *Temporary uses.* A temporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

A. Temporary buildings or yards. Permits shall specify the location of the building or yard and the area of permitted operation. Permits shall be valid for not more than six months and shall not be renewed for more than four successive periods. The building or yard shall not interfere with the use and enjoyment of neighboring property.

~~1. Any use permitted in Section 4.1.5(A).~~

B. Temporary sales offices. Permits shall specify the location of the office and the area of permitted operation. Permits shall be issued in six-month increments for a period of not more than two years, unless otherwise authorized by the Building Commissioner.

~~1. Any use permitted in Section 4.1.5(B).~~

C. Real estate signs. Temporary real estate signs as regulated by Article 12.

~~1. Any use permitted in Section 4.1.5(C).~~

D. Temporary construction trailers. Permits shall terminate upon completion of the permitted work.

~~1. Any use permitted in Section 4.1.5(D).~~

E. Garage sales. Garage sales shall be limited to two sales per household per year. Garage sales shall be held for no more than three consecutive days, and only between the hours of 8:00 a.m. and 6:00 p.m. A garage sale shall not require a permit.

~~E-F.~~ Portable storage containers. Portable storage containers as regulated by Article 8.

4.2.6. *Accessory uses.* A use, building or other structure customarily incidental to and commonly associated with a principal, permitted or special use may be allowed as an accessory use, provided it is operated and maintained under the same ownership and on the same lot as the permitted use. Accessory uses shall not include structures or features inconsistent with the permitted use or involve the conduct of any business, profession, trade or industry.

Accessory uses may include the following, and similar uses:

~~A. Any use permitted in Section 4.1.6.~~

A. Agricultural buildings and structures.

B. Boathouses, private.

C. Conservatories or greenhouses, private.

D. Electric vehicle charging stations. For the exclusive use of residents, occupants and guests of the premises.

E. Fallout shelters as regulated by this ordinance.

F. Garages, carports or other parking spaces. For the exclusive use of residents, occupants and guests of the premises.

- G. Gardens.
- H. Guesthouses, private.
- I. Home occupations.
- J. Living quarters, detached. For persons employed on the premises and occupied only by such persons and their immediate family. Living quarters shall not be rented or otherwise used as a separate dwelling.
- K. Mausoleums, crematories and columbaria in cemeteries.
- L. Photovoltaic solar panels, only when attached to the roof of the principal structure.
- M. Playhouses and summerhouses.
- N. Roadside stands. For the display and sale of agricultural products only, where the principal use is agriculture.
- O. Sale of equipment, food, or beverages incidental to the operation of a permitted use.
- P. Short-term Rental, Supervised.
- Q. Sewage disposal units and water systems, individual, as regulated by this ordinance.
- R. Signs as regulated by Article 12.
- S. Stables, private. No more than one horse shall be allowed per acre.
- T. Structures and enclosures for pets. For the exclusive use or personal enjoyment of residents of the premises, not for commercial purposes.
- U. Structures and enclosures that are portable, for athletic purposes such as batting or pitching, golf simulators, and portable ice rinks
- V. Swimming pools and tennis, paddle and basketball courts. For the exclusive use of the residents and their guests.
- W. Tool houses, sheds, and other similar buildings. For storage of domestic supplies and equipment.
- X. Water retention and detention areas.

4.2.7. *Prohibited uses.* All uses not expressly authorized in Sections 4.2.3 through 4.2.6 are prohibited.

4.2.8. *Site and structure provisions.* The uses in the R-2 Single-Family Residence District shall conform to the following requirements:

- A. *Minimum lot area.*
  - 1. Minimum lot area of two acres is required for each permitted or special use.
    - Uses listed below shall meet additional requirements:
      - a. Agricultural buildings and structures shall have a minimum lot area of at least five acres, except where the agricultural buildings and structures are accessory uses.
      - b. Cemeteries shall have a minimum lot area of 20 acres.
      - c. Educational institutions (boarding) recreation and social facilities; and airports and heliports (private) shall have a minimum lot area of five acres.

- d. Commercial and noncommercial stables shall have a minimum lot area of three acres.
      - e. Private stables shall have a minimum lot area of one acre.
    - 2. Special uses may require lot areas greater than two acres.
  - B. *Minimum lot width.*
    - 1. Minimum lot width of 200 feet shall be provided for each lot used for a permitted or special use.

Uses listed below shall meet additional requirements:

      - a. Agricultural buildings and structures shall have a minimum lot width of 300 feet.
      - b. Cemeteries shall have a minimum lot width of 500 feet.
      - c. Educational institutions (boarding) and recreational and social facilities shall have a minimum lot width of 300 feet.
    - 2. Special uses may require a minimum lot width greater than 200 feet.
  - C. *Front yard.*
    - 1. Building and structures shall be set back from the front lot line at least 50 feet or 20 percent of the lot depth, whichever is less.

Uses listed below shall meet additional requirements:

      - a. Agricultural buildings and structures shall be set back from the front lot line at least 100 feet.
      - b. Radio and television stations shall be set back from the front lot line at least 50 feet, plus one foot for each two feet by which the building or structure height exceeds 15 feet.
    - 2. Special uses may require a front yard setback greater than 50 feet.
  - D. *Interior side yard (adjacent to a zoning lot).*
    - 1. Buildings and structures shall be set back from the side lot line at least 20 feet.

Uses listed below shall meet additional requirements:

      - a. Agricultural buildings and structures and private stables shall be set back from the side lot line at least 30 feet.
      - b. Educational institutions; public, quasi-public and governmental buildings; religious institutions; health, medical and care institutions; philanthropic and eleemosynary institutions; community center buildings, clubhouses, recreational buildings and tennis buildings; and radio and television stations shall be set back from the side lot line at least 20 feet, plus one foot for each two feet by which the building or structure height exceeds 15 feet.
      - c. Roadside stands shall be set back from the side lot line at least 75 feet.
    - 2. Special uses may require an interior side yard setback greater than 20 feet.
  - E. *Corner side yard (adjacent to a street).*

1. Building and structures shall be set back from the side lot line adjacent to the street right-of-way at least 35 feet.

Uses listed below shall meet additional requirements:

- a. Agricultural buildings and structures, airports and heliports (private) and private stables shall be set back from the side lot line adjacent to the street right-of-way at least 50 feet.
- b. Educational institutions; religious institutions; health, medical and care institutions; philanthropic and eleemosynary institutions; radio and television stations shall be set back from the side lot line adjacent to the street right-of-way at least 35 feet, plus one foot for each two feet by which the building or structure height exceeds 15 feet.

2. Special uses may require a corner side yard setback greater than 35 feet.

F. *Rear yard.*

1. Building and structures shall be set back from the rear lot line at least 75 feet.

Uses listed below shall meet additional requirements:

- a. Buildings accessory to single-family dwellings, except those uses specifically itemized in this section, may be located up to five feet from the rear lot line.
- b. Community center buildings and recreation buildings shall be set back from the rear lot line at least 75 feet or ten percent of the lot depth, whichever is less.
- c. Educational institutions (boarding); agricultural buildings and structures; heliports (private); and stables (private) shall be set back from the rear lot line at least 100 feet.
- d. Radio and television stations shall be set back from the rear lot line at least 75 feet, plus one foot for each two feet by which the building or structure height exceeds 15 feet.

2. Special uses may require a rear yard setback greater than 75 feet.

G. *Distance from a residential use.* Buildings, structures and uses listed below shall be located at least 300 feet from a zoning lot used for residential purposes:

1. Golf course clubhouses, tennis buildings, indoor pools, polo clubs, driving ranges, gun clubs, skeet and trap or other shooting activities, commercial stables, kennels and zoos.
2. Mausoleums, crematories and columbaria in cemeteries.
3. Stadiums and grandstands.

H. *Floor area ratio.*

1. Maximum floor area ratio for the following uses shall be:

Single-family detached dwellings, including rectories, parsonages and parish houses  
.....0.10

Educational institutions, nonboarding .....0.50

Recreation and social facilities .....0.20

Religious institutions, except rectories, parsonages and parish houses .....0.20

Educational institutions, boarding .....0.50

Health, medical and care institutions .....0.75

Philanthropic and eleemosynary institutions .....0.20

Radio and television stations .....0.20

All other uses .....0.20

2. Floor area ratio shall be provided in the special use permit.
  3. Floor area ratio of accessory buildings shall be included in the total allowable floor area permitted on the zoning lot. Floor area devoted to off-street parking or loading facilities shall not be counted in the floor area used to determine floor area ratio.
- I. *Minimum size of dwelling.* Single-family detached dwellings and other structures occupied in whole or in part for residential purposes shall contain at least 1,000 square feet of livable floor area, exclusive of basement or garage space.
  - J. ~~Maximum impervious surface.~~ The maximum impervious surface shall not exceed 20 percent of the gross lot area.

4.2.9. *Special provisions.* The uses in the R-2 Single-Family Residence District shall conform to the following requirements:

- A. *Parking and loading.* Uses shall conform to Article 11.
- B. *Tents.* Tents shall not be used as a place of permanent residence and shall not be erected, used or maintained on any lot, except for a limited period of time. Tents shall not be used for the permanent storage of vehicles and other equipment.
- C. *Trailers, recreational vehicles and boats.* Travel trailers, camping trailers, recreational vehicles, motor homes, boats, boat trailers and miscellaneous trailers shall not be parked or stored on a zoning lot, except when located in a garage, a fully enclosed structure or in such a location that they are not visible from adjacent rights-of-way or from other zoning lots. Pursuant to adoption by local Ordinance by the Township Board of Trustees, such uses shall be allowed on a zoning lot which exceeds an acre or more in size subject to the following:
  1. *Front yard.*
    - a. RVs shall not be parked between the frontline of any portion of the building and the street, unless otherwise specifically provided for in this Article.
  2. *Side yard.*
    - a. No more than two RVs may be parked in a side yard.
    - b. A single RV may not exceed 20 feet in length, and two RVs, if parked end-to-end, may not exceed a total combined length of 20 feet.
    - c. A single RV may not exceed a height of four feet in height, and two RVs stacked shall not exceed a total combined height of four feet.
    - d. Any RV located in an interior side yard, shall be parked a minimum of three feet from the side lot line.

- e. Any RV located in an interior side yard shall be screened with a single row of evergreens a minimum of five feet high at time of planting or a semi-open wood fence five feet high.
3. *Rear yard.*
- a. No more than two RVs shall be parked in a rear yard.
  - b. A single RV shall not exceed 32 feet in length, and two RVs, if parked end-to-end, shall not exceed a total combined length of 32 feet.
  - c. A single RV shall not exceed a height of 12 feet in height and two RVs stacked shall not exceed a total combined height of 12 feet.
  - d. Any RV located in a rear yard, shall be parked a minimum of five feet from the rear lot line and a minimum of three feet from any interior lot line.
  - e. Any RV located in a rear yard shall be screened with a single row of evergreens a minimum of five feet high at time of planting or semi-open wood fence five feet high.
4. *Exterior side yards and rear yards adjacent to a street or roadway.*
- a. No RVs shall be located in an exterior side yard or that portion of a rear yard that is between an adjacent street or roadway and a line extended from the building.
5. *Additional requirements.*
- a. Not more than two RVs may be parked on any residential zoning lot.
  - b. At no time shall a parked RV be used for living, sleeping or other purposes. No RV shall be connected to gas, water or sanitary sewer service.
  - c. Any RV may be parked in a fully enclosed garage unless such parking is specifically prohibited elsewhere in the Code.
  - d. The owner of an RV shall not park the RV in a manner as to create a dangerous or unsafe condition on the lot where parked or to adjacent property. Parking in such fashion that the RV may readily tip or roll, shall be considered a dangerous or unsafe condition.
  - e. The parking surface of an RV in any permitted area shall be a hard surface such as concrete, asphalt or crushed stone.
  - f. RVs shall not have their wheels removed or be affixed to the ground so as to prevent ready removal of the vehicle.
  - g. RVs shall not be used as accessory structures in any zoning district.
  - h. No major automobile repairs, as defined in Article 4 of the Zoning Ordinance, shall be performed on any RV except within a garage or other structure.
  - i. Temporary parking of RVs for the purpose of loading or unloading shall be permitted for no more than two days within any period of four consecutive days.
- D. *Trucks.* Trucks, commercial vehicles and other commercial equipment shall not be parked or stored on a zoning lot, except when located in a garage, a fully enclosed structure or in such a location that they are not visible from adjacent rights-of-way or from other zoning lots. Vehicles parked or stored must be owned or legally controlled by the residents or

occupants of the principal use. Small pickup trucks and vans used principally as passenger cars are excluded from this requirement. Pursuant to adoption by local Ordinance by the Township Board of Trustees, commercial vehicles may be parked on a zoning lot subject to the following:

1. Size/weight limitation. No commercial vehicle having a license class designation greater than "B" under the Illinois Vehicle Code shall be parked on a zoning lot. This limitation shall not apply to a pickup style commercial vehicle with the license class designation of "D". All other class "D" vehicles are prohibited.
  2. Location. Except as hereafter provided, no commercial vehicle shall be parked on a zoning lot unless parked in a garage or a fully enclosed structure. A commercial vehicle may be parked on a residential zoning lot if one of the following criteria is met:
    - a. The vehicle has no signage.
    - b. The vehicle's signage is limited to the identification of the owner or operator, affixed by name or logo. Such identification may appear on not more than two separate portions of the vehicle.
  3. The parking of commercial vehicles on residential lots shall be limited to one.
  4. Nothing in the provisions of this Ordinance shall be construed to prohibit trucks and other service vehicles from being parked on the premises temporarily for purposes of making deliveries or rendering service to the property as otherwise provided in this Ordinance.
- E. *Sewer and water.* Uses requiring sanitary facilities shall be served by either a municipal or, a private community sewer and water system, or a private individual sewage disposal and water supply system. The systems used shall be approved by the Cook County Health Department.

#### **4.3. - R-3 Single-Family Residence District.**

*4.3.1. Description of district.* The R-3 Single-Family Residence District is intended to provide a semi-urban environment of single-family homes on relatively large lots. This district creates for lot sizes adequate to accommodate individual wells and sewage disposal systems. Schools, recreation and social facilities, religious facilities and public facilities which serve the residents living in the district are allowed. All commercial activities are prohibited, except for selected recreation and sanitary uses.

*4.3.2. Use, lot and bulk regulations.* The applicable use, lot and bulk regulations are set forth in Sections 4.3.3 through 4.3.9.

*4.3.3. Permitted uses.* A permitted use of land or buildings shall be allowed in accordance with the provisions of this ordinance. Unless otherwise specifically set forth, wherever a permitted use is named as a major category, it shall be deemed to include only those enumerated uses. Unless otherwise specifically allowed by this ordinance, no building or zoning lot shall be devoted to any use other than a permitted use and no building or structure shall be erected, altered, enlarged or occupied except as a permitted use. Uses lawfully established on the effective date of this Ordinance, and rendered nonconforming by it, shall be subject to Article 10.

The following uses are permitted in the R-3 District:

- A. Residential.
  1. ~~Any use permitted in Section 4.2.3(A).~~



1. Single-family detached dwellings.
  2. Group homes.
- B. Educational institutions.
1. ~~Any use permitted in Section 4.2.3(B).~~
  1. Public pre-kindergarten, kindergarten, elementary, and high schools, nonboarding.
  2. Private pre-kindergarten, kindergarten, elementary, and high schools, nonboarding.
- C. Noncommercial, not-for-profit recreation and social facilities.
1. ~~Any use permitted in Section 4.2.3(C).~~
  1. Country clubs, including nonilluminated golf courses and driving ranges, tennis buildings, tennis courts, swimming pools and other recreation facilities.
  2. Grounds of recreation clubs, noncommercial, but not including gun clubs and skeet and trap shooting ranges.
  3. Golf courses nonilluminated, and driving ranges accessory to golf courses, but not including commercially operated driving ranges or miniature golf courses.
  4. Polo clubs and fields.
- D. Public and governmental land and buildings.
1. ~~Any use permitted in Section 4.2.3(D).~~
  1. Forest preserves.
  2. Historical buildings and landmarks preserved for the public.
  3. Libraries, in conjunction with schools.
  4. Museums.
  5. Parks and playgrounds.
  6. Public libraries.
- E. Religious institutions.
1. ~~Any use permitted in Section 4.2.3(E).~~
  1. Electric substations, gas regulator stations and telephone exchanges and other essential public utility and services.
  2. Fire stations.
  3. Police stations.
  4. Post offices.
  5. Public office buildings.
  6. Railroad passenger stations.
  7. Railroad rights-of-way. Railroad yards and shops other than for passenger purposes are prohibited.
  8. Sewage treatment plants, not including individual sewage disposal units.

9. Waterworks, reservoirs, pumping stations, wells and filtration plants, not including individual wells.

F. Agricultural land and buildings.

1. ~~Any use permitted in Section 4.2.3(F).~~

1. Agricultural uses.

2. Greenhouses, no retail sales.

3. Nurseries, no retail sales.

G. Miscellaneous.

1. ~~Any use permitted in Section 4.2.3(G).~~

1. Cemeteries.

4.3.4. *Special uses.* A special use may be allowed subject to the issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses.

The following special uses are permitted in the R-3 District:

A. Residential.

1. ~~Any use permitted in Section 4.2.4(A).~~

1. Clustering of residences as regulated by this ordinance.

2. Dormitories and housing accommodations and facilities necessary to the operation of a college or university.

3. Fraternity and sorority houses.

4. Short-term Rental, Non-Supervised

5. Transitional residence.

B. Educational institutions.

1. ~~Any use permitted in Section 4.2.4(B).~~

1. Colleges, junior colleges and universities, but not business colleges or trade schools.

2. Parochial pre-kindergarten, kindergarten, elementary and high schools, boarding.

3. Private elementary and high schools, boarding.

C. Recreation and social facilities.

1. ~~Any use permitted in Section 4.2.4(C).~~

1. Noncommercial athletic fields including stadium[s] and grandstands.

2. Community center buildings, clubhouses, recreation buildings, swimming pools and indoor pools, and tennis courts and buildings for indoor tennis, noncommercial and not-for-profit.

3. Recreation clubs and structures.

4. Stables, commercial and noncommercial.

5. Youth camps.

- D. Health, medical and care institutions.
  - 1. — ~~Any use permitted in Section 4.2.4(D).~~
    - 1. Intermediate, extended and long-term care facilities.
    - 2. Hospitals, but not including institutions for the care or treatment of mental illness, drug or alcohol addiction.
    - 3. Nursery schools, children's day schools, and day care centers.
- E. Public utility and services.
  - 1. — ~~Any use permitted in Section 4.2.4(E).~~
    - 1. Electric substations, gas regulator stations and telephone exchanges and other essential public utility and services.
    - 2. Fire stations.
    - 3. Police stations.
    - 4. Post offices.
    - 5. Public office buildings.
    - 6. Railroad passenger stations.
    - 7. Railroad rights-of-way. Railroad yards and shops other than for passenger purposes are prohibited.
    - 8. Sewage treatment plants, not including individual sewage disposal units.
    - 9. Waterworks, reservoirs, pumping stations, wells and filtration plants, not including individual wells.
    - 10. Ground-mounted solar arrays.
- F. Planned unit developments.
- G. Unique uses as regulated by this ordinance.
- H. Miscellaneous.
  - 1. — ~~Any use permitted in Section 4.2.4(H).~~
    - 1. Airports and heliports, private, including aircraft landing fields, runways, flight strips and flying schools together with hangars, terminal buildings and other auxiliary facilities.
    - 2. Artificial lakes.
    - 3. Pet cemeteries.
    - 4. Philanthropic and eleemosynary institutions, not including businesses sponsored by such institutions unless necessary or incidental to, and located in the same building, as the institution.
    - 5. Radio and television stations, both transmitting and receiving.
- I. Uses similar and compatible to those allowed in this district.

4.3.5. *Temporary uses.* A temporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

- A. Temporary buildings or yards. Permits shall specify the location of the building or yard and the area of permitted operation. Permits shall be valid for not more than six months and shall not be renewed for more than four successive periods. The building or yard shall not interfere with the use and enjoyment of neighboring property.
  - 1. ~~Any use permitted in Section 4.2.5(A).~~
- B. Temporary sales offices. Permits shall specify the location of the office and the area of permitted operation. Permits shall be issued in six-month increments for a period of not more than two years, unless otherwise authorized by the Building Commissioner.
  - 1. ~~Any use permitted in Section 4.2.5(B).~~
- C. Real estate signs. Temporary real estate signs as regulated by Article 12.
  - 1. ~~Any use permitted in Section 4.2.5(C).~~
- D. Temporary construction trailers. Permits shall terminate upon completion of the permitted work.
  - 1. ~~Any use permitted in Section 4.2.5(D).~~
- E. Garage sales. Garage sales shall be limited to two sales per household per year. Garage sales shall be held for no more than three consecutive days, and only between the hours of 8:00 a.m. and 6:00 p.m. A garage sale shall not require a permit.
- ~~E.F.~~ Portable storage containers. Portable storage containers as regulated by Article 8.

4.3.6. *Accessory uses.* A use, building or other structure customarily incidental to and commonly associated with a principal, permitted or special use may be allowed as an accessory use, provided it is operated and maintained under the same ownership and on the same lot as the permitted use. Accessory uses shall not include structures or features inconsistent with the permitted use or involve the conduct of any business, profession, trade or industry.

Accessory uses may include the following and similar uses:

- ~~A. Any use permitted in Section 4.2.6.~~
- A. Agricultural buildings and structures.
- B. Boathouses, private.
- C. Conservatories or greenhouses, private.
- D. Electric vehicle charging stations. For the exclusive use of residents, occupants and guests of the premises.
- E. Fallout shelters as regulated by this ordinance.
- F. Garages, carports or other parking spaces. For the exclusive use of residents, occupants and guests of the premises.
- G. Gardens.
- H. Guesthouses, private.
- I. Home occupations.
- J. Living quarters, detached. For persons employed on the premises and occupied only by such persons and their immediate family. Living quarters shall not be rented or otherwise used as a separate dwelling.
- K. Mausoleums, crematories and columbaria in cemeteries.

- L. Photovoltaic solar panels, only when attached to the roof of the principal structure.
- M. Playhouses and summerhouses.
- N. Roadside stands. For the display and sale of agricultural products only, where the principal use is agriculture.
- O. Sale of equipment, food or beverages incidental to the operation of a permitted use.
- P. Short-term Rental, Supervised.
- Q. Sewage disposal units and water systems, individual, as regulated by this ordinance.
- R. Signs as regulated by Article 12.
- S. Stables, private. No more than one horse shall be allowed per acre.
- T. Structures and enclosures for pets. For the exclusive use or personal enjoyment of residents of the premises, not for commercial purposes.
- U. Structures and enclosures that are portable, for athletic purposes such as batting or pitching, golf simulators, and portable ice rinks
- V. Swimming pools and tennis, paddle and basketball courts. For the exclusive use of the residents and their guests.
- W. Tool houses, sheds and other similar buildings. For storage of domestic supplies and equipment.
- X. Water retention and detention areas.

4.3.7. *Prohibited uses.* All uses not expressly authorized in Sections 4.3.3 through 4.3.6 are prohibited.

4.3.8. *Site and structure provisions.* The uses in the R-3 Single-Family Residence District shall conform to the following requirements:

- A. *Minimum lot area.*
  - 1. Minimum lot area of 40,000 square feet is required for each permitted or special use.  
Uses listed below shall meet additional requirements:
    - a. Agricultural buildings and structures shall have a minimum lot area of five acres, except where agricultural buildings and structures are accessory uses.
    - b. Cemeteries shall have a minimum lot area of ten acres.
    - c. Educational institutions (boarding) recreation and social facilities; and airports and heliports (private) shall have a minimum lot area of five acres.
    - d. Commercial and noncommercial stables shall have a minimum lot area of three acres.
    - e. Private stables shall have a minimum lot area of one acre.
  - 2. Special uses may require lot areas greater than 40,000 square feet.
- B. *Minimum lot width.*
  - 1. Minimum lot width of 150 feet shall be provided for each lot used for a permitted or special use.  
Uses listed below shall meet additional requirements:

- a. Agricultural buildings and structures shall have a minimum lot width of 300 feet.
  - b. Cemeteries shall have a minimum lot width of 250 feet.
  - c. Educational institutions (boarding) and recreational and social facilities shall have a minimum lot width of 300 feet.
2. Special uses may require a minimum lot width greater than 150 feet.

C. *Front yard.*

1. Buildings and structures shall be set back from the front lot line at least 50 feet or 20 percent of the lot depth, whichever is less.

Uses listed below shall meet additional requirements:

- a. Agricultural buildings and structures shall be set back from the front lot line at least 100 feet.
  - b. Radio and television stations shall be set back from the front lot line at least 50 feet, plus one foot for each two feet by which the building or structure height exceeds 15 feet.
2. Special uses may require a front yard setback greater than 50 feet.

D. *Interior side yard (adjacent to a zoning lot).*

1. Buildings and structures shall be set back from the side lot line at least 15 feet.

Uses listed below shall meet additional requirements:

- a. Agricultural buildings and structures and stables (private) shall be set back from the side lot line at least 30 feet.
  - b. Educational institutions; public, quasi-public and governmental buildings; religious institutions; health, medical and care institutions; philanthropic and eleemosynary institutions; community center buildings, clubhouses, recreation buildings and tennis buildings and radio and television stations shall be set back from the side lot line at least 15 feet, plus one foot for each two feet by which the building or structure height exceeds 15 feet.
  - c. Roadside stands shall be set back from the side lot line of at least 75 feet.
2. Special uses may require an interior side yard setback greater than 15 feet.

E. *Corner side yard (adjacent to a street).*

1. Buildings and structures shall be set back from a side lot line adjacent to the street right-of-way at least 25 feet.

Uses listed below shall meet additional requirements:

- a. Agricultural buildings and structures, heliports (private) and stables (private), shall be set back from the side lot lines adjacent to the street right-of-way at least 50 feet.
- b. Educational institutions; religious institutions; health, medical and care institutions; philanthropic and eleemosynary institutions and radio and television stations shall be set back from the side lot line adjacent to the street

right-of-way at least 25 feet, plus one foot for each two feet by which the building or structure height exceeds 15 feet.

2. Special uses may require a corner side yard setback greater than 25 feet.

F. *Rear yard.*

1. Buildings and structures shall be set back from the rear lot line at least 50 feet.

Uses listed below shall meet additional requirements:

- a. Buildings accessory to single-family dwellings, except those uses specifically itemized in this section, may be located up to five feet from the rear lot line.
- b. Community center buildings and recreation buildings shall be set back from the rear lot line at least 50 feet or ten percent of the lot depth, whichever is less.
- c. Educational institutions (boarding); agricultural buildings and structures; heliports (private); and stables (private) shall be set back from the rear lot line at least 100 feet.
- d. Radio and television stations shall be set back from the rear lot line at least 50 feet, plus one foot for each two feet by which the building or structure height exceeds 15 feet.

2. Special uses may require a rear yard setback greater than 50 feet.

G. *Distance from a residential use.* Buildings and structures and uses listed below shall be located at least 300 feet from a zoning lot used for residential purposes:

1. Golf course clubhouses, tennis buildings, indoor pools, polo clubs, driving ranges, gun clubs, skeet and trap and other shooting activities, commercial stables, kennels and zoos.
2. Mausoleums, crematories and columbaria in cemeteries.
3. Stadiums and grandstands.

H. *Floor area ratio.*

1. The Maximum floor area ratio for the following uses shall be:

Single-family detached dwellings, including rectories, parsonages and parish houses  
.....0.15

Educational institutions, nonboarding .....0.50

Recreation and social facilities ..... 0.20

Religious institutions, except rectories, parsonages and parish houses .....0.20

Educational institutions, boarding .....0.50

Health, medical and care institutions .....0.75

Philanthropic and eleemosynary institutions .....0.20

Radio and television stations .....0.20

All other uses .....0.20

2. Floor area ratio shall be provided in the special use permit.
  3. Floor area ratio of accessory buildings shall be included in the total allowable floor area permitted on the zoning lot. Floor area devoted to off-street parking or loading facilities shall not be counted in the floor area used to determine floor area ratio.
- I. *Minimum size of dwelling.* Single-family detached dwellings and other structures occupied in whole or in part for residential purposes shall contain at least 1,000 square feet of livable floor area, exclusive of basement or garage space.
  - J. *Maximum impervious surface.* The maximum impervious surface shall not exceed 25 percent of the gross lot area.

4.3.9. *Special provisions.* The uses in the R-3 Single-Family Residence District shall conform to the following requirements:

- A. *Parking and loading.* Uses shall conform to Article 11.
- B. *Tents.* Tents shall not be used as a place of permanent residence and shall not be erected, used or maintained on any lot, except for a limited period of time. Tents shall not be used for the permanent storage of vehicles and other equipment.
- C. *Trailers, recreational vehicles and boats.* Travel trailers, camping trailers, recreational vehicles, motor homes, boats, boat trailers and miscellaneous trailers shall not be parked or stored on a zoning lot, except when located in a garage, a fully enclosed structure or in such a location that they are not visible from adjacent rights-of-way or from other zoning lots. Pursuant to adoption by local Ordinance by the Township Board of Trustees, such uses shall be allowed on a zoning lot which exceeds an acre or more in size subject to the following:
  1. *Front yard.*
    - a. RVs shall not be parked between the frontline of any portion of the building and the street, unless otherwise specifically provided for in this Article.
  2. *Side yard.*
    - a. No more than two RVs may be parked in a side yard.
    - b. A single RV may not exceed 20 feet in length, and two RVs, if parked end-to-end, may not exceed a total combined length of 20 feet.
    - c. A single RV may not exceed a height of four feet in height, and two RVs stacked shall not exceed a total combined height of four feet.
    - d. Any RV located in an interior side yard, shall be parked a minimum of three feet from the side lot line.
    - e. Any RV located in an interior side yard shall be screened with a single row of evergreens a minimum of five feet high at time of planting or a semi-open wood fence five feet high.
  3. *Rear yard.*
    - a. No more than two RVs shall be parked in a rear yard.
    - b. A single RV shall not exceed 32 feet in length, and two RVs, if parked end-to-end, shall not exceed a total combined length of 32 feet.



- c. A single RV shall not exceed a height of 12 feet in height and two RVs stacked shall not exceed a total combined height of 12 feet.
    - d. Any RV located in a rear yard, shall be parked a minimum of five feet from the rear lot line and a minimum of three feet from any interior lot line.
    - e. Any RV located in a rear yard shall be screened with a single row of evergreens a minimum of five feet high at time of planting or semi-open wood fence five feet high.
  - 4. *Exterior side yards and rear yards adjacent to a street or roadway.*
    - a. No RVs shall be located in an exterior side yard or that portion of a rear yard that is between an adjacent street or roadway and a line extended from the building.
  - 5. *Additional requirements.*
    - a. Not more than two RVs may be parked on any residential zoning lot.
    - b. At no time shall a parked RV be used for living, sleeping or other purposes. No RV shall be connected to gas, water or sanitary sewer service.
    - c. Any RV may be parked in a fully enclosed garage unless such parking is specifically prohibited elsewhere in the Code.
    - d. The owner of an RV shall not park the RV in a manner as to create a dangerous or unsafe condition on the lot where parked or to adjacent property. Parking in such fashion that the RV may readily tip or roll, shall be considered a dangerous or unsafe condition.
    - e. The parking surface of an RV in any permitted area shall be a hard surface such as concrete, asphalt or crushed stone.
    - f. RVs shall not have their wheels removed or be affixed to the ground so as to prevent ready removal of the vehicle.
    - g. RVs shall not be used as accessory structures in any zoning district.
    - h. No major automobile repairs, as defined in Article 4 of the Zoning Ordinance, shall be performed on any RV except within a garage or other structure.
    - i. Temporary parking of RVs for the purpose of loading or unloading shall be permitted for no more than two days within any period of four consecutive days.
- D. *Trucks.* Trucks, commercial vehicles and other commercial equipment shall not be parked or stored on a zoning lot, except when located in a garage, a fully enclosed structure or in such a location that they are not visible from adjacent rights-of-way or from other zoning lots. Vehicles parked or stored must be owned or legally controlled by the residents or occupants of the principal use. Small pickup trucks and vans used principally as passenger cars are excluded from this requirement. Pursuant to adoption by local Ordinance by the Township Board of Trustees, commercial vehicles may be parked on a zoning lot subject to the following:
  - 1. *Size/weight limitation.* No commercial vehicle having a license class designation greater than "B" under the Illinois Vehicle Code shall be parked on a zoning lot. This limitation shall not apply to a pickup style commercial vehicle with the license class designation of "D". All other class "D" vehicles are prohibited.

2. Location. Except as hereafter provided, no commercial vehicle shall be parked on a zoning lot unless parked in a garage or a fully enclosed structure. A commercial vehicle may be parked on a residential zoning lot if one of the following criteria is met:
    - a. The vehicle has no signage.
    - b. The vehicle's signage is limited to the identification of the owner or operator, affixed by name or logo. Such identification may appear on not more than two separate portions of the vehicle.
  3. The parking of commercial vehicles on residential lots shall be limited to one.
  4. Nothing in the provisions of this Ordinance shall be construed to prohibit trucks and other service vehicles from being parked on the premises temporarily for purposes of making deliveries or rendering service to the property as otherwise provided in this Ordinance.
- E. *Sewer and water.* Uses requiring sanitary facilities shall be served by either a municipal or private community sewer and water system, or a private individual sewage disposal and water supply system. The systems used shall be approved by the Cook County Health Department.

#### **4.4. - R-4 Single-Family Residence Districts.**

*4.4.1. Description of district.* The R-4 Single-Family Residence District is intended to provide an urban environment of single-family homes on a lot size that may not accommodate individual sewage disposal systems. Uses compatible to the residential character of the district are allowed. All commercial activities are prohibited, except for selected recreation and sanitary uses.

*4.4.2. Use, lot and bulk regulations.* The applicable use, lot and bulk regulations are set forth in Sections 4.4.3 through 4.4.9.

*4.4.3. Permitted uses.* A permitted use of land or buildings shall be allowed in accordance with the provisions of this ordinance. Unless otherwise specifically set forth, wherever a permitted use is named as a major category, it shall be deemed to include only those enumerated uses. Unless otherwise specifically allowed by this ordinance, no building or zoning lot shall be devoted to any use other than a permitted use and no building or structure shall be erected, altered, enlarged or occupied except as a permitted use. Uses lawfully established the effective date of this ordinance, rendered nonconforming by it shall be subject to Article 10.

The following uses are permitted in the R-4 District:

- A. Residential.
  - ~~1. Any use permitted in Section 4.3.3(A).~~
  1. Single-family detached dwellings.
  2. Group homes.
- B. Educational institutions.
  - ~~1. Any use permitted in Section 4.3.3(B).~~
  1. Public pre-kindergarten, kindergarten, elementary, and high schools, nonboarding.
  2. Private pre-kindergarten, kindergarten, elementary, and high schools, nonboarding.
- C. Recreation and social facilities.

1. ~~Any use permitted in Section 4.3.3(C).~~
  1. Country clubs, including nonilluminated golf courses and driving ranges, tennis buildings, tennis courts, swimming pools and other recreation facilities.
  2. Grounds of recreation clubs, noncommercial, but not including gun clubs and skeet and trap shooting ranges.
  3. Golf courses nonilluminated, and driving ranges accessory to golf courses, but not including commercially operated driving ranges or miniature golf courses.
  4. Polo clubs and fields.
- D. Public and governmental land and buildings.
  1. ~~Any use permitted in Section 4.3.3(D).~~
    1. Forest preserves.
    2. Historical buildings and landmarks preserved for the public.
    3. Libraries, in conjunction with schools.
    4. Museums.
    5. Parks and playgrounds.
    6. Public libraries.
- E. Religious institutions.
  1. ~~Any use permitted in Section 4.3.3(E).~~
    1. Places of worship.
    2. Convents, seminaries, monasteries and nunneries.
    3. Rectories, parsonages and parish houses.
    4. Religious retreats.
- F. Agricultural land and buildings.
  1. ~~Any use permitted in Section 4.3.3(F).~~
    1. Agricultural uses.
    2. Greenhouses, no retail sales.
    3. Nurseries, no retail sales.
- G. Miscellaneous.
  1. ~~Any use permitted in Section 4.3.3(G).~~
    1. Cemeteries.

4.4.4. *Special uses.* A special use may be allowed subject to the issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses.

The following special uses are permitted in the R-4 District:

- A. Residential.
  1. ~~Any use permitted in Section 4.3.4(A).~~

1. Clustering of residences as regulated by this ordinance.
  2. Dormitories and housing accommodations and facilities necessary to the operation of a college or university.
  3. Fraternity and sorority houses.
  4. Short-term Rental, Non-Supervised
  5. Transitional residence.
- B. Educational institutions.
1. ~~Any use permitted in Section 4.3.4(B).~~
  1. Colleges, junior colleges and universities, but not business colleges or trade schools.
  2. Parochial pre-kindergarten, kindergarten, elementary and high schools, boarding.
  3. Private elementary and high schools, boarding.
- C. Recreation and social facilities.
1. Athletic fields including stadiums and grandstands, noncommercial.
  2. Community center buildings, clubhouses, recreation buildings, swimming, indoor pools, and tennis courts and buildings for indoor tennis noncommercial and not-for-profit.
  3. Recreation clubs and structures.
  4. Stables, commercial and noncommercial.
- D. Health, medical and care institutions.
1. ~~Any use permitted in Section 4.3.4(D).~~
  1. Intermediate, extended and long-term care facilities.
  2. Hospitals, but not including institutions for the care or treatment of mental illness, drug or alcohol addiction.
  3. Nursery schools, children's day schools, and day care centers.
- E. Public utility and services.
1. ~~Any use permitted in Section 4.3.4(E).~~
  1. Electric substations, gas regulator stations and telephone exchanges and other essential public utility and services.
  2. Fire stations.
  3. Police stations.
  4. Post offices.
  5. Public office buildings.
  6. Railroad passenger stations.
  7. Railroad rights-of-way. Railroad yards and shops other than for passenger purposes are prohibited.
  8. Sewage treatment plants, not including individual sewage disposal units.

9. Waterworks, reservoirs, pumping stations, wells and filtration plants, not including individual wells.

10. Ground-mounted solar arrays.

F. Planned unit developments.

G. Unique uses as regulated by this ordinance.

H. Miscellaneous.

1. Artificial lakes.

2. Philanthropic and eleemosynary institutions, not including businesses sponsored by such institutions, unless necessary or incidental to, and located in the same building, as the institution.

3. Pet cemeteries.

I. Uses similar and compatible to those allowed in this district.

4.4.5. *Temporary uses.* A temporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

A. *Temporary buildings or yards.* ~~Any use permitted in Section 4.3.5(A).~~ Permits shall specify the location of the building or yard and the area of permitted operation. Permits shall be valid for not more than six months and shall not be renewed for more than four successive periods. The building or yard shall not interfere with the use and enjoyment of neighboring property.

B. *Temporary sales offices.* ~~Any use permitted in Section 4.3.5(B).~~ Permits shall specify the location of the office and the area of permitted operation. Permits shall be issued in six-month increments for a period of not more than two years, unless otherwise authorized by the Building Commissioner.

C. *Real estate signs.* ~~Any use permitted in Section 4.3.5(C).~~ Temporary real estate signs as regulated by Article 12.

D. *Temporary construction trailers.* ~~Any use permitted in Section 4.3.5(D).~~ Permits shall terminate upon completion of the permitted work.

~~E.~~ Garage sales. Garage sales shall be limited to two sales per household per year. Garage sales shall be held for no more than three consecutive days, and only between the hours of 8:00 a.m. and 6:00 p.m. A garage sale shall not require a permit.

~~E.F.~~ {Portable storage containers.} Portable storage containers as regulated by Article 8.

4.4.6. *Accessory uses.* A use, building or other structure customarily incidental to and commonly associated with a principal, permitted or special use may be allowed as an accessory use, provided it is operated and maintained under the same ownership and on the same lot as the permitted use. Accessory uses shall not include structures or features inconsistent with the permitted use or involve the conduct of any business, profession, trade or industry.

Accessory uses may include the following and similar uses:

~~A.~~ Any use permitted in Section 4.3.6.

A. Agricultural buildings and structures.

B. Boathouses, private.

- C. Conservatories or greenhouses, private.
- D. Electric vehicle charging stations. For the exclusive use of residents, occupants and guests of the premises.
- E. Fallout shelters as regulated by this ordinance.
- F. Garages, carports or other parking spaces. For the exclusive use of residents, occupants and guests of the premises.
- G. Gardens.
- H. Guesthouses, private.
- I. Home occupations.
- J. Living quarters, detached. For persons employed on the premises and occupied only by such persons and their immediate family. Living quarters shall not be rented or otherwise used as a separate dwelling.
- K. Mausoleums, crematories and columbaria in cemeteries.
- L. Photovoltaic solar panels, only when attached to the roof of the principal structure.
- M. Playhouses and summerhouses.
- N. Roadside stands. For the display and sale of agricultural products only, where the principal use is agriculture.
- O. Sale of equipment, food or beverages incidental to the operation of a permitted use.
- P. Short-term Rental, Supervised.
- Q. Sewage disposal units and water systems, individual, as regulated by this ordinance.
- R. Signs as regulated by Article 12.
- S. Stables, private. No more than one horse shall be allowed per acre.
- T. Structures and enclosures for pets. For the exclusive use or personal enjoyment of residents of the premises, not for commercial purposes.
- U. Structures and enclosures that are portable, for athletic purposes such as batting or pitching, golf simulators, and portable ice rinks.
- V. Swimming pools and tennis, paddle and basketball courts courts. For the exclusive use of the residents and their guests.
- W. Tool houses, sheds and other similar buildings. For storage of domestic supplies and equipment.
- X. Water retention and detention areas.

4.4.7. *Prohibited uses.* All uses not expressly authorized in Sections 4.4.3 through 4.4.6 are prohibited.

4.4.8. *Site and structure provisions.* The uses in the R-4 Single-Family Residence District shall conform to the following requirements:

- A. *Minimum lot area.*
  1. Minimum lot area of not less than 20,000 square feet is required for each permitted or special use.

Uses listed below shall meet additional requirements:

- a. Agricultural buildings and structures shall have a minimum lot area of five acres, except where agricultural buildings and structures are accessory uses.
  - b. Cemeteries shall have a minimum lot area of five acres.
  - c. Educational institutions (boarding); recreation and social facilities; and airports and heliports (private) shall have a minimum lot area of five acres.
  - d. Educational institutions (nonboarding); religious institutions (except rectories, parsonages, and parish houses); health, medical and care institutions; philanthropic and eleemosynary institutions; boat-houses (private); guesthouse (private); lots with individual water systems (wells) which also utilize individual sewage disposal systems; and detached living quarters (for persons employed on the premises) shall have a minimum lot area of 40,000 square feet.
  - e. Commercial and noncommercial stables shall have a minimum lot area of three acres.
  - f. Private stables shall have a minimum lot area of one acre.
2. Special uses may require lot areas greater than 20,000 square feet.

**B.** *Minimum lot width.*

1. Minimum lot width of 100 feet shall be provided for each lot used for a permitted or special use.  
Uses listed below shall meet additional requirements:
  - a. Agricultural buildings and structures shall have a minimum lot width of 300 feet.
  - b. Cemeteries shall have a minimum lot width of 125 feet.
  - c. Educational institutions (boarding); recreation and social facilities; airports and heliports (private); and stables (private) shall have a minimum lot width of 300 feet.
  - d. Educational institutions (nonboarding); religious institutions (except rectories, parsonages and parish houses); health, medical and care noncommercial institutions; philanthropic and eleemosynary institutions; boathouses (private); guesthouses (private); detached living quarters (for persons employed on the premises); and lots with water systems (individual) utilizing individual sewage disposal units shall have a minimum lot width of 150 feet.
2. Special uses may require a minimum lot width greater than 100 feet.

**C.** *Front yard.*

1. Buildings and structures shall be set back from the front lot line at least 40 feet or 20 percent of the lot depth, whichever is less.  
Uses listed below shall meet additional requirements:
  - a. Agricultural buildings and structures shall be set back from the front lot line at least 100 feet.
  - b. Educational institutions; religious institutions (except rectories, parsonages and parish houses); health, medical and care institutions; and philanthropic and

eleemosynary institutions shall be set back from the front lot line at least 50 feet or 20 percent of the lot depth, whichever is less.

2. Special uses may require a front yard setback greater than 40 feet.

D. *Interior side yard (adjacent to a zoning lot).*

1. Buildings and structures shall be set back the side lot line at least 15 feet.

Uses listed below shall meet additional requirements:

- a. Agricultural buildings and structures and stables (private) shall be set back from the side lot line at least 30 feet.
- b. Educational institutions; public, quasi-public and governmental buildings; religious institutions; health, medical and care institutions; philanthropic and eleemosynary institutions; community center buildings, clubhouses, recreation buildings and tennis buildings shall be set back from the side lot line at least 15 feet, plus one foot for each two feet by which the building or structure height exceeds 15 feet.
- c. Roadside stands shall be set back from the side lot line at least 75 feet.

2. Special uses may require an interior side yard greater than 15 feet.

E. *Corner side yard (adjacent to a street).*

1. Structures shall be set back from the side lot line adjacent to the street right-of-way at least 25 feet.

Uses listed below shall meet additional requirements:

- a. Agricultural buildings and structures and stables (private) shall be set back from the side lot line adjacent to the street right-of-way at least 50 feet.
- b. Educational institutions; religious institutions; health, medical and care institutions; and philanthropic and eleemosynary institutions; shall be set back from the side lot line adjacent to the street right-of-way at least 25 feet, plus one foot for each two feet by which the building or structure height exceeds 15 feet.

2. Special uses may require a corner side yard greater than 25 feet.

F. *Rear yard.*

1. Buildings and structures shall be set back from the rear lot line at least 50 feet.

Uses listed below shall meet additional requirements:

- a. Buildings accessory to single-family dwellings, except those uses specifically itemized in this section, ~~may~~ shall be located ~~up to three~~ no less than five feet from the rear lot line.
- b. Community center buildings and recreation buildings shall be set back from the rear lot line at least 50 feet or ten percent of the lot depth, whichever is less.
- c. Educational institutions (boarding); agricultural buildings and structures; and stables (private) shall be set back from the rear lot line at least 100 feet.



- d. Educational institutions (nonboarding); religious institutions (except rectories, parsonages and parish houses); medical and care institutions; and philanthropic and eleemosynary institutions shall be set back from the rear lot line at least 50 feet.
- 2. Special uses may require a rear yard setback greater than 50 feet.
- G. *Distance from a residential use.* Buildings and structures and uses listed below shall be located at least 300 feet from a zoning lot used for residential purposes:
  - 1. Golf course clubhouses, tennis buildings, indoor pools, polo clubs, driving ranges, gun clubs, skeet and trap or other shooting activities, commercial stables, kennels and zoos.
  - 2. Mausoleums, crematories and columbaria in cemeteries.
  - 3. Stadiums and grandstands.
- H. *Floor area ratio.*
  - 1. Maximum floor area ratio for the following uses shall be:
    - Single-family detached dwellings including rectories, parsonages and parish houses .....0.25
    - Educational institutions, nonboarding .....0.50
    - Recreation and social facilities .....0.20
    - Religious institutions, except rectories, parsonages and parish houses .....0.20
    - Educational institutions, boarding .....0.50
    - Health, medical and care institutions .....0.75
    - Philanthropic and eleemosynary institutions .....0.20
    - All other uses .....0.20
  - 2. Floor area ratio shall be provided in the special use permit. Floor area ratio of accessory buildings shall be included in the total allowable floor area permitted on the zoning lot. Floor area devoted to off-street parking or loading facilities shall not be counted in the floor area used to determine floor area ratio.
- I. *Minimum size of dwelling.* Single-family detached dwellings and other structures occupied in whole or in part for residential purposes shall contain at least 900 square feet of livable floor area, exclusive of basement or garage space.
- J. The maximum impervious surface shall not exceed 35 percent of the gross lot area.

4.4.9. *Special provisions.* The uses in the R-4 Single-Family Residence District shall conform to the following requirements:

- A. *Parking and loading.* Uses shall conform to Article 11.
- B. *Tents.* Tents shall not be used as a place of permanent residence and shall not be erected, used or maintained on any lot, except for a limited period of time. Tents shall not be used for the permanent storage of vehicles and other equipment.

- C. *Trailers, recreational vehicles and boats.* Travel trailers, camping trailers, recreational vehicles, motor homes, boats, boat trailers and miscellaneous trailers shall not be parked or stored on a zoning lot, except when located in a garage, a fully enclosed structure or in such a location that they are not visible from adjacent rights-of-way or from other zoning lots. Pursuant to adoption by local Ordinance by the Township Board of Trustees, such uses shall be allowed on a zoning lot which exceeds an acre or more in size subject to the following:
1. *Front yard.*
    - a. RVs shall not be parked between the frontline of any portion of the building and the street, unless otherwise specifically provided for in this Article.
  2. *Side yard.*
    - a. No more than two RVs may be parked in a side yard.
    - b. A single RV may not exceed 20 feet in length, and two RVs, if parked end-to-end, may not exceed a total combined length of 20 feet.
    - c. A single RV may not exceed a height of four feet in height, and two RVs stacked shall not exceed a total combined height of four feet.
    - d. Any RV located in an interior side yard, shall be parked a minimum of three feet from the side lot line.
    - e. Any RV located in an interior side yard shall be screened with a single row of evergreens a minimum of five feet high at time of planting or a semi-open wood fence five feet high.
  3. *Rear yard.*
    - a. No more than two RVs shall be parked in a rear yard.
    - b. A single RV shall not exceed 32 feet in length, and two RVs, if parked end-to-end, shall not exceed a total combined length of 32 feet.
    - c. A single RV shall not exceed a height of 12 feet in height and two RVs stacked shall not exceed a total combined height of 12 feet.
    - d. Any RV located in a rear yard, shall be parked a minimum of five feet from the rear lot line and a minimum of three feet from any interior lot line.
    - e. Any RV located in a rear yard shall be screened with a single row of evergreens a minimum of five feet high at time of planting or semi-open wood fence five feet high.
  4. *Exterior side yards and rear yards adjacent to a street or roadway.*
    - a. No RVs shall be located in an exterior side yard or that portion of a rear yard that is between an adjacent street or roadway and a line extended from the building.
  5. *Additional requirements.*
    - a. Not more than two RVs may be parked on any residential zoning lot.
    - b. At no time shall a parked RV be used for living, sleeping or other purposes. No RV shall be connected to gas, water or sanitary sewer service.

- c. Any RV may be parked in a fully enclosed garage unless such parking is specifically prohibited elsewhere in the Code.
  - d. The owner of an RV shall not park the RV in a manner as to create a dangerous or unsafe condition on the lot where parked or to adjacent property. Parking in such fashion that the RV may readily tip or roll, shall be considered a dangerous or unsafe condition.
  - e. The parking surface of an RV in any permitted area shall be a hard surface such as concrete, asphalt or crushed stone.
  - f. RVs shall not have their wheels removed or be affixed to the ground so as to prevent ready removal of the vehicle.
  - g. RVs shall not be used as accessory structures in any zoning district.
  - h. No major automobile repairs, as defined in Article 4 of the Zoning Ordinance, shall be performed on any RV except within a garage or other structure.
  - i. Temporary parking of RVs for the purpose of loading or unloading shall be permitted for no more than two days within any period of four consecutive days.
- D. *Trucks.* Trucks, commercial vehicles and other commercial equipment shall not be parked or stored on a zoning lot, except when located in a garage, a fully enclosed structure or in such a location that they are not visible from adjacent rights-of-way or from other zoning lots. Vehicles to be parked or stored must be owned or legally controlled by the residents or occupants of the principal use. Small pickup trucks and vans used principally as passenger cars are excluded from this requirement. Pursuant to adoption by local Ordinance by the Township Board of Trustees, commercial vehicles may be parked on a zoning lot subject to the following:
- 1. *Size/weight limitation.* No commercial vehicle having a license class designation greater than "B" under the Illinois Vehicle Code shall be parked on a zoning lot. This limitation shall not apply to a pickup style commercial vehicle with the license class designation of "D". All other class "D" vehicles are prohibited.
  - 2. *Location.* Except as hereafter provided, no commercial vehicle shall be parked on a zoning lot unless parked in a garage or a fully enclosed structure. A commercial vehicle may be parked on a residential zoning lot if one of the following criteria is met:
    - a. The vehicle has no signage.
    - b. The vehicle's signage is limited to the identification of the owner or operator, affixed by name or logo. Such identification may appear on not more than two separate portions of the vehicle.
  - 3. The parking of commercial vehicles on residential lots shall be limited to one.
  - 4. Nothing in the provisions of this Ordinance shall be construed to prohibit trucks and other service vehicles from being parked on the premises temporarily for purposes of making deliveries or rendering service to the property as otherwise provided in this Ordinance.
- E. *Sewer and water.* Uses requiring sanitary facilities shall be served by either a municipal or private community sewer and water system or a private individual sewage disposal and water supply system. The systems shall be approved by the Cook County Health

Department. If both an individual sewage disposal system and an individual water supply system are used to serve the same lot, a minimum lot area of 40,000 square feet shall be required.

#### **4.5. - R-5 Single-Family Residence District.**

*4.5.1. Description of district.* The R-5 Single-Family Residence District is intended to provide an urban environment of single-family homes served by public or community utility systems and other urban services. This district is intended to create an orderly expansion of existing single-family neighborhoods and new urbanized growth in appropriate areas. Uses compatible to the residential character of the district are allowed. All commercial activities are prohibited, except for selected recreation uses.

*4.5.2. Use, lot and bulk regulations.* The applicable use, lot and bulk regulations are set forth in Sections 4.5.3 through 4.5.9.

*4.5.3. Permitted uses.* A permitted use of land or buildings shall be allowed in accordance with the provisions of this ordinance. Unless otherwise specifically set forth, wherever a permitted use is named as a major category, it shall be deemed to include only those enumerated uses. Unless otherwise specifically allowed by this ordinance, no building or zoning lot shall be devoted to any use other than a permitted use and no building or structure shall be erected, altered, enlarged or occupied except as a permitted use. Uses lawfully established on the effective date of this ordinance, and rendered nonconforming by it, shall be subject to Article 10.

The following uses are permitted in the R-5 District:

- A. Residential.
  - ~~1. Any use permitted in Section 4.4.3(A).~~
  - 1. Single-family detached dwellings.
  - 2. Group homes.
- B. Educational institutions.
  - ~~1. Any use permitted in Section 4.4.3(B).~~
  - 1. Public pre-kindergarten, kindergarten, elementary, and high schools, nonboarding.
  - 2. Private pre-kindergarten, kindergarten, elementary, and high schools, nonboarding.
- C. Recreation and social facilities.
  - ~~1. Any use permitted in Section 4.4.3(C).~~
  - 1. Country clubs, including nonilluminated golf courses and driving ranges, tennis buildings, tennis courts, swimming pools and other recreation facilities.
  - 2. Grounds of recreation clubs, noncommercial, but not including gun clubs and skeet and trap shooting ranges.
  - 3. Golf courses nonilluminated, and driving ranges accessory to golf courses, but not including commercially operated driving ranges or miniature golf courses.
  - 4. Polo clubs and fields.
- D. Public and governmental land and buildings.
  - ~~1. Any use permitted in Section 4.4.3(D).~~
  - 1. Forest preserves.

2. Historical buildings and landmarks preserved for the public.
  3. Libraries, in conjunction with schools.
  4. Museums.
  5. Parks and playgrounds.
  6. Public libraries.
- E. Religious institutions.
1. ~~Any use permitted in Section 4.4.3(E).~~
  1. Places of worship.
  2. Convents, seminaries, monasteries and nunneries.
  3. Rectories, parsonages and parish houses.
  4. Religious retreats.
- F. Agricultural land and buildings.
1. ~~Any use permitted in Section 4.4.3(F).~~
  1. Agricultural uses.
  2. Greenhouses, no retail sales.
  3. Nurseries, no retail sales.
- G. Miscellaneous.
1. ~~Any use permitted in Section 4.4.3(G).~~
  1. Cemeteries.

4.5.4. *Special uses.* A special use may be allowed subject to the issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses.

The following special uses may be permitted in the R-5 District:

- A. Residential.
1. ~~Any use permitted in Section 4.4.4(A).~~
  1. Clustering of residences as regulated by this ordinance.
  2. Dormitories and housing accommodations and facilities necessary to the operation of a college or university.
  3. Fraternity and sorority houses.
  4. Short-term Rental, Non-Supervised
  5. Transitional residence.
- B. Educational institutions.
1. ~~Any use permitted in Section 4.4.4(B).~~
  1. Colleges, junior colleges and universities, but not business colleges or trade schools.
  2. Parochial pre-kindergarten, kindergarten, elementary and high schools, boarding.
  3. Private elementary and high schools, boarding.

- C. Recreation and social facilities.
  - 1. — ~~Any use permitted in Section 4.4.4(C).~~
  - 1. Athletic fields including stadiums and grandstands, noncommercial.
  - 2. Community center buildings, clubhouses, recreation buildings, swimming, indoor pools, and tennis courts and buildings for indoor tennis noncommercial and not-for-profit.
  - 2.3. Lodges and Fraternal Organizations
  - 4. Recreation clubs and structures.
  - 5. Stables, commercial and noncommercial.
- D. Health, medical and care institutions.
  - 1. — ~~Any use permitted in Section 4.4.4(D).~~
  - 1. Intermediate, extended and long-term care facilities.
  - 2. Hospitals, but not including institutions for the care or treatment of mental illness, drug or alcohol addiction.
  - 3. Nursery schools, children's day schools, and day care centers.
- E. Public utility and services.
  - 1. — ~~Any use permitted in Section 4.4.4(E).~~
  - 1. Electric substations, gas regulator stations and telephone exchanges and other essential public utility and services.
  - 2. Fire stations.
  - 3. Police stations.
  - 4. Post offices.
  - 5. Public office buildings.
  - 6. Railroad passenger stations.
  - 7. Railroad rights-of-way. Railroad yards and shops other than for passenger purposes are prohibited.
  - 8. Sewage treatment plants, not including individual sewage disposal units.
  - 9. Waterworks, reservoirs, pumping stations, wells and filtration plants, not including individual wells.
  - 10. Ground-mounted solar arrays.
- F. Planned unit developments.
- G. Unique uses as regulated by this ordinance.
- H. Miscellaneous.
  - 1. Artificial lakes.
  - 2. Philanthropic and eleemosynary institutions, not including businesses sponsored by such institutions, unless necessary or incidental to, and located in the same building, as the institution.

3. Pet cemeteries.

- I. Uses similar and compatible to those allowed in this district.

4.5.5. *Temporary uses.* A temporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

- A. Temporary buildings or yards. Any use permitted in Section 4.4.5(A). Permits shall specify the location of the building or yard and the area of permitted operation. Permits shall be valid for not more than six months and shall not be renewed for more than four successive periods. The building or yard shall not interfere with the use and enjoyment of neighboring property.
- B. Temporary sales offices. Any use permitted in Section 4.4.5(B). Permits shall specify the location of the office and the area of permitted operation. Permits shall be issued in six-month increments for a period of not more than two years, unless otherwise authorized by the Building Commissioner.
- C. Real estate signs. Any use permitted in Section 4.4.5(C). Temporary real estate signs as regulated by Article 12.
- D. Temporary construction trailers. Any use permitted in Section 4.4.5(D). Permits shall terminate upon completion of the permitted work.
- F. Garage sales. Garage sales shall be limited to two sales per household per year. Garage sales shall be held for no more than three consecutive days, and only between the hours of 8:00 a.m. and 6:00 p.m. A garage sale shall not require a permit.
- ~~E.~~F. Portable storage containers. Portable storage containers as regulated by Article 8.

4.5.6. *Accessory uses.* A use, building or other structure customarily incidental to and commonly associated with a principal, permitted or special use may be allowed as an accessory use, provided it is operated and maintained under the same ownership and on the same lot as the permitted use. Accessory uses shall not include structures or features inconsistent with the permitted use or involve the conduct of any business, profession, trade or industry.

Accessory uses may include the following and similar uses:

- A. ~~Any use permitted in Section 4.4.6.~~
- A. Agricultural buildings and structures.
- B. Boathouses, private.
- C. Conservatories or greenhouses, private.
- D. Electric vehicle charging stations. For the exclusive use of residents, occupants and guests of the premises.
- E. Fallout shelters as regulated by this ordinance.
- F. Garages, carports or other parking spaces. For the exclusive use of residents, occupants and guests of the premises.
- G. Gardens.
- H. Guesthouses, private.
- I. Home occupations.

- J. Living quarters, detached. For persons employed on the premises and occupied only by such persons and their immediate family. Living quarters shall not be rented or otherwise used as a separate dwelling.
- K. Mausoleums, crematories and columbaria in cemeteries.
- L. Photovoltaic solar panels, only when attached to the roof of the principal structure.
- M. Playhouses and summerhouses.
- N. Roadside stands. For the display and sale of agricultural products only, where the principal use is agriculture.
- O. Sale of equipment, food or beverages incidental to the operation of a permitted use.
- P. Short-term Rental, Supervised.
- Q. Sewage disposal units and water systems, individual, as regulated by this ordinance.
- R. Signs as regulated by Article 12.
- S. Stables, private. No more than one horse shall be allowed per acre.
- T. Structures and enclosures for pets. For the exclusive use or personal enjoyment of residents of the premises, not for commercial purposes.
- U. Structures and enclosures that are portable, for athletic purposes such as batting or pitching, golf simulators, and portable ice rinks
- V. Swimming pools and tennis, paddle, and basketball courts. For the exclusive use of the residents and their guests.
- W. Tool houses, sheds and other similar buildings. For storage of domestic supplies and equipment.
- X. Water retention and detention areas.

4.5.7. *Prohibited uses.* All uses not expressly authorized in Sections 4.5.3 through 4.5.6 are prohibited.

4.5.8. *Site and structure provisions.* The uses in the R-5 Single-Family Residence District shall conform to the following requirements:

A. *Minimum lot area.*

1. Minimum lot area of 10,000 square feet is required for each permitted or special use.  
Uses listed below shall meet additional requirements:

- a. Agricultural buildings and structures shall have a minimum lot area of five acres, except where agricultural buildings and structures are accessory uses.
- b. Boathouses (private), guesthouses (private), lots with individual water systems (wells) which also utilize individual sewage systems and detached living quarters for persons employed on the premises shall have a minimum lot area of 40,000 square feet.
- c. Cemeteries shall have a minimum lot area of two acres.
- d. Educational institutions (boarding) and recreation and social facilities shall have a minimum lot area of five acres.
- e. Educational institutions (nonboarding); religious institutions (except rectories, parsonages, and parish houses); health, medical and care institutions and



philanthropic and eleemosynary institutions shall have a minimum lot area of 20,000 square feet.

- f. Commercial and noncommercial stables shall have a minimum lot area of three acres.
- g. Private stables shall have a minimum lot area of one acre.
  - 1. Special uses may require lot areas greater than 10,000 square feet.

B. *Minimum lot width.*

- 1. Minimum lot width of 60 feet shall be provided for each lot used for a permitted or special use.

Uses listed below shall meet additional requirements:

- a. Agricultural buildings and structures shall have a minimum lot width of 300 feet.
  - b. Boathouses (private), guesthouses (private), detached living quarters for persons employed on the premises and lots with individual water systems (wells) which also utilize individual sewage disposal units shall have a minimum lot width of 150 feet.
  - c. Cemeteries shall have a minimum lot width of 100 feet.
  - d. Educational institutions (boarding); recreation and social facilities; and stables (private) shall have a minimum lot width of 300 feet.
  - e. Educational institutions (nonboarding); religious institutions (except rectories, parsonages and parish houses); health, medical and care institutions; philanthropic and eleemosynary institutions; and lots with individual sewage systems which do not utilize individual water systems (wells) shall have a minimum lot width of 100 feet.
- 2. Special uses may require a minimum lot width greater than 60 feet.

C. *Front yard.*

- 1. Buildings and structures shall be set back from the front lot line at least 30 feet or 20 percent of the lot depth, whichever is less.

Uses listed below shall meet additional requirements:

- a. Agricultural buildings and structures shall be set back from the front lot line at least 100 feet.
  - b. Educational institutions; religious institutions (except rectories, parsonages and parish houses); health, medical and care institutions; and philanthropic and eleemosynary institutions shall be set back from the front lot line at least 40 feet or 20 percent of the lot depth, whichever is less.
- 2. Special uses may require a front yard setback greater than 30.

D. *Interior side yard (adjacent to a zoning lot).*

- 1. Building and structures shall be set back the side lot line at least ten feet.

Uses listed below shall meet additional requirements:

- a. Agricultural buildings and structures and stables (private) shall be set in from the side lot line at least 30 feet.
- b. Educational institutions; public, quasi-public and governmental buildings; religious institutions; health, medical and care institutions; philanthropic and eleemosynary institutions; community center buildings; clubhouses, recreation buildings and tennis buildings shall be set back from the side lot line at least 15 feet, plus one foot for each two feet by which the building or structure height exceeds 15 feet.
- c. Roadside stands shall be set back from the side lot line at least 75 feet.

E. *Corner side yard (adjacent to a street).*

1. Building and structures shall be set back from the side lot line adjacent to the street right-of-way at least 15 feet.

Uses listed below shall meet additional requirements:

- a. Agricultural buildings and structures and stables (private) shall be set back from the side lot line adjacent to the street right-of-way at least 50 feet.
- b. Educational institutions; religious institutions; health; medical and care institutions; and philanthropic and eleemosynary institutions shall be set back from the side lot line adjacent to the street right-of-way at least 25 feet, plus one foot for each two feet by which the building or structure height exceeds 15 feet.

2. Special uses may require a corner side yard setback greater than 15 feet.

F. *Rear yard.*

1. Building and structures shall be set back from the rear lot line at least 40 feet.

Uses listed below shall meet additional requirements:

- a. Buildings accessory to single-family dwellings, except those uses specifically itemized in this section, may be located up to five feet from the rear lot line.
- b. Community center buildings and recreation buildings shall be set back from the rear lot line at least 50 feet or ten percent of the lot depth, whichever is less.
- c. Educational institutions (boarding); agricultural buildings and structures; and stables (private) shall be set back from the rear lot line at least 100 feet.
- d. Educational institutions (nonboarding); religious institutions (except rectories, parsonages and parish houses); health, medical and care institutions; and philanthropic and eleemosynary institutions shall be set back from the rear lot line at least 50 feet.

2. Special uses may require a rear yard setback greater than 40 feet.

G. *Distance from a residential use.* Structures and uses listed below shall be located at least 300 feet from a zoning lot used for residential purposes.

1. Golf course clubhouses, tennis buildings, indoor pools, polo clubs, driving ranges, gun clubs, skeet and trap and other shooting activities, commercial stables, kennels and zoos.

2. Mausoleums, crematories and columbaria in cemeteries.
3. Stadiums and grandstands.

H. *Floor area ratio.*

1. Maximum floor area ratio for the following uses shall be:
  - Single-family detached dwellings including rectories, parsonages and parish houses .....0.40
  - Educational institutions, nonboarding .....0.50
  - Recreation and social facilities .....0.20
  - Religious institutions, except rectories, parsonages and parish houses .....0.20
  - Educational institutions, boarding .....0.50
  - Health, medical and care institutions .....0.75
  - Philanthropic and eleemosynary institutions .....0.20
  - All other uses .....0.20
2. Floor area ratio shall be provided in the special use permit.

I. *Minimum size of dwelling.* Single-family detached dwellings and other structures occupied in whole or in part for residential purposes shall contain at least 720 square feet of livable floor area, exclusive of basement or garage space.

J. ~~*Maximum impervious surface.*~~ The maximum impervious surface shall not exceed 50 percent of the gross lot area.

4.5.9. *Special provisions.* The uses in the R-5 Single-Family Residence District shall conform to the following requirements:

- A. *Parking and loading.* Uses shall conform to Article 11.
- B. *Tents.* Tents shall not be used as a place of permanent residence and shall not be erected, used or maintained on any lot, except for a limited period of time. Tents shall not be used for the permanent storage of vehicles and other equipment.
- C. *Trailers, recreational vehicles and boats.* Travel trailers, camping trailers, recreational vehicles, motor homes, boats, boat trailers and miscellaneous trailers shall not be parked or stored on a zoning lot, except when located in a garage, a fully enclosed structure or in such a location that they are not visible from adjacent rights-of-way or from other zoning lots. Pursuant to adoption by local Ordinance by the Township Board of Trustees, such uses shall be allowed on a zoning lot which exceeds an acre or more in size subject to the following:
  1. *Front yard.*
    - a. RVs shall not be parked between the frontline of any portion of the building and the street, unless otherwise specifically provided for in this Article.
  2. *Side yard.*
    - a. No more than two RVs may be parked in a side yard.

- b. A single RV may not exceed 20 feet in length, and two RVs, if parked end-to-end, may not exceed a total combined length of 20 feet.
- c. A single RV may not exceed a height of four feet in height, and two RVs stacked shall not exceed a total combined height of four feet.
- d. Any RV located in an interior side yard, shall be parked a minimum of three feet from the side lot line.
- e. Any RV located in an interior side yard shall be screened with a single row of evergreens a minimum of five feet high at time of planting or a semi-open wood fence five feet high.

3. *Rear yard.*

- a. No more than two RVs shall be parked in a rear yard.
- b. A single RV shall not exceed 32 feet in length, and two RVs, if parked end-to-end, shall not exceed a total combined length of 32 feet.
- c. A single RV shall not exceed a height of 12 feet in height and two RVs stacked shall not exceed a total combined height of 12 feet.
- d. Any RV located in a rear yard, shall be parked a minimum of five feet from the rear lot line and a minimum of three feet from any interior lot line.
- e. Any RV located in a rear yard shall be screened with a single row of evergreens a minimum of five feet high at time of planting or semi-open wood fence five feet high.

4. *Exterior side yards and rear yards adjacent to a street or roadway.*

- a. No RVs shall be located in an exterior side yard or that portion of a rear yard that is between an adjacent street or roadway and a line extended from the building.

5. *Additional requirements.*

- a. Not more than two RVs may be parked on any residential zoning lot.
- b. At no time shall a parked RV be used for living, sleeping or other purposes. No RV shall be connected to gas, water or sanitary sewer service.
- c. Any RV may be parked in a fully enclosed garage unless such parking is specifically prohibited elsewhere in the Code.
- d. The owner of an RV shall not park the RV in a manner as to create a dangerous or unsafe condition on the lot where parked or to adjacent property. Parking in such fashion that the RV may readily tip or roll, shall be considered a dangerous or unsafe condition.
- e. The parking surface of an RV in any permitted area shall be a hard surface such as concrete, asphalt or crushed stone.
- f. RVs shall not have their wheels removed or be affixed to the ground so as to prevent ready removal of the vehicle.
- g. RVs shall not be used as accessory structures in any zoning district.
- h. No major automobile repairs, as defined in Article 4 of the Zoning Ordinance, shall be performed on any RV except within a garage or other structure.



*4.5A.1. Description of district.* The R-5A Residential Transition District is intended to provide an urban environment of medium density residential development limited to single-family detached dwellings, two-family dwellings and townhomes. This district is intended to protect the quality and ambience of single-family neighborhoods and create an appropriate urban environment in Bremen, Calumet, Leyden, Norwood Park, Proviso, River Forest, Stickney and Worth Townships. This district shall only be located in areas of transition between existing or planned single-family detached developments and multifamily, commercial or industrial districts where the lot size and density of single-family development is consistent with the provisions of the district.

*4.5A.2. Use, lot and bulk regulations.* The applicable use, lot and bulk regulations are set forth in Sections 4.5A.3 through 4.5A.9.

*4.5A.3. Permitted uses.* A permitted use of land or buildings shall be allowed in accordance with the provisions of this ordinance. Unless otherwise specifically set forth, wherever a permitted use is named as a major category, it shall be deemed to include only those enumerated uses. Unless otherwise specifically allowed by this ordinance, no building or zoning lot shall be devoted to any use other than a permitted use and no building or structure shall be erected, altered, enlarged or occupied except as a permitted use. Uses unlawfully established on the effectiveness of this ordinance, and rendered nonconforming by it, shall be subject to Article 10.

The following uses are permitted in the R-5A Residential Transition District:

- A. Residential.
  - 1. Single-family detached dwellings.
  - 2. Two-family dwellings.
  - 3. Townhomes.
  - 4. Group homes.
- B. Public.
  - 1. Parks and playgrounds.
  - 2. Forest preserves.
  - 3. Historical buildings and landmarks preserved for the public.
  - 4. Public libraries.
- C. Religious institutions.
  - 1. Places of worship.
  - 2. Convents, seminaries, monasteries and nunneries.
  - 3. Rectories, parsonages and parish houses.
- D. Miscellaneous.
  - 1. Cemeteries.

*4.5A.4. Special uses.* A special use may be allowed subject to the issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses.

The following special uses may be permitted in the R-5A District:

- A. Residential uses.

1. Clustering of residences as regulated by this ordinance.
  - ~~2. Earth sheltered homes.~~
  - ~~3.2.~~ Fraternity and sorority houses.
  3. Short-term Rental, Non-Supervised
  4. Transitional residence.
- B. Educational uses.
1. Public pre-kindergarten, kindergarten, elementary and high schools, boarding and nonboarding.
  - ~~2. Public high schools, boarding and nonboarding.~~
  - ~~3.2.~~ Parochial pre-kindergarten, kindergarten, elementary and high schools, boarding and nonboarding.
  - ~~4.3.~~ Private pre-kindergarten, kindergarten, elementary and high schools, boarding and nonboarding.
  - ~~5.4.~~ Colleges, junior colleges and universities, but not business colleges or trade schools.
- C. Recreation and social facilities.
1. Country clubs, including nonilluminated golf courses and driving ranges, tennis buildings, tennis courts, swimming pools and other recreation facilities.
  2. Health and physical fitness clubs.
  3. Community center buildings, clubhouses, recreation buildings, swimming pools and indoor pools, and tennis courts and buildings for indoor tennis, noncommercial and not-for-profit.
  4. Stables, commercial and noncommercial.
- D. Health, medical and care institutions.
1. Intermediate, extended or long-term care facilities.
  2. Nursing schools, children's day schools and childcare centers.
- E. Public utility and service uses.
1. Electric substations, gas regulator stations, telephone exchanges, cellular telephone towers and other essential public utilities and services.
  2. Fire stations.
  3. Police stations.
  4. Post offices.
  5. Public office buildings.
  6. Railroad passenger stations.
  7. Railroad rights-of-way. Railroad yards and shops other than for passenger purposes are prohibited.
  8. Ground-mounted solar arrays.
- F. Professional offices and limited commercial uses.

1. Accountants and bookkeepers.
  2. Architects, landscape architects and urban designers and planners.
  3. Attorneys.
  4. Doctors, physicians and dentists offices and clinics.
  5. Engineers.
  - ~~6. Landscape architects.~~
  6. Landscaping and groundskeeping companies.
  7. Limited commercial uses when considered as part of a planned unit development and where the planned commercial area does not exceed 35 percent of the total gross floor area of the development.
- G. Planned unit developments.
- H. Unique uses as regulated by this ordinance.
- I. Uses similar and compatible to those allowed in this district.

*4.5A.5. Temporary uses.* A temporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

- A. *Temporary buildings or yards.* ~~Any use permitted in Section 4.5.5(A).~~ Permits shall specify the location of the building or yard and the area of permitted operation. Permits shall be valid for not more than six months and shall not be renewed for more than four successive periods. The building or yard shall not interfere with the use and enjoyment of neighboring property.
- B. *Temporary sales offices.* ~~Any use permitted in Section 4.5.5(B).~~ Permits shall specify the location of the office and the area of permitted operation. Permits shall be issued in six-month increments for a period of not more than two years, unless otherwise authorized by the Building Commissioner.
- C. *Real estate signs.* ~~Any use permitted in Section 4.5.5(C).~~ Temporary real estate signs as regulated by Article 12.
- D. *Temporary construction trailers.* ~~Any use permitted in Section 4.5.5(D).~~ Permits shall terminate upon completion of the permitted work.
- E. ~~*Garage sales.*~~ Garage sales shall be limited to two sales per household per year. Garage sales shall be held for no more than three consecutive days, and only between the hours of 8:00 a.m. and 6:00 p.m. A garage sale shall not require a permit.
- ~~E.F.~~ *Portable storage containers.* Portable storage containers as regulated by Article 8.

*4.5A.6. Accessory uses.* A use, building or other structure customarily incidental to and commonly associated with a principal, permitted or special use may be allowed as an accessory use, provided it is operated and maintained under the same ownership and on the same lot as the permitted use. Accessory uses shall not include structures or features inconsistent with the permitted use or involve the conduct of any business, profession, trade or industry.

Accessory uses may include the following:

- A. Agricultural buildings and structures.
- ~~A.B.~~ Boathouses, private.



- ~~B-C.~~ Conservatories or greenhouses, private.
- D. Electric vehicle charging stations. For the exclusive use of residents, occupants and guests of the premises.
- ~~E.~~ Fallout shelters as regulated by this ordinance.
- ~~F.~~ Garages, carports or other parking spaces. For the exclusive use of residents, occupants and guests of the premises.
- ~~E.G.~~ Gardens.
- ~~F.H.~~ Guesthouses, private.
- ~~G-I.~~ Home occupations.
- J. Living quarters, detached. For persons employed on the premises and occupied only by such persons and their immediate family. Living quarters shall not be rented or otherwise used as a separate dwelling.
- ~~H-K.~~ Mausoleums, crematories and columbaria in cemeteries.
- L. Photovoltaic solar panels, only when attached to the roof of the principal structure.
- ~~I-M.~~ Playhouses and summerhouses.
- N. Roadside stands. For the display and sale of agricultural products only, where the principal use is agriculture.
- ~~J-O.~~ Sale of equipment, food or beverages incidental to the operation of a permitted use.
- P. Short-term Rental, Supervised.
- Q. Sewage disposal units and water systems, individual, as regulated by this ordinance.
- ~~K-R.~~ Signs as regulated by Article 12.
- ~~L-S.~~ Stables, private. No more than one horse shall be allowed per acre.
- ~~M-T.~~ Structures and enclosures for pets. For the exclusive use or personal enjoyment of residents of the premises, not for commercial purposes.
- U. Structures and enclosures that are portable, for athletic purposes such as batting or pitching, golf simulators, and portable ice rinks
- ~~N-V.~~ Swimming pools and tennis, paddle and basketball courts. For the exclusive use of the residents and their guests.
- ~~Ø-W.~~ Tool houses, sheds and other similar buildings. For storage of domestic supplies and equipment.
- ~~P-X.~~ Water retention and detention areas.

4.5A.7. *Prohibited uses.* All uses not expressly authorized in Sections 4.5A.3 through 4.5A.6 are prohibited.

4.5A.8. *Site and structure provisions.* The uses in the R-5A Single-Family Residence District shall conform to the following requirements:

- A. *Minimum lot area.*
  1. Minimum lot area of 5,000 square feet is required for each single-family detached dwelling.

2. Minimum lot area of three 3,000 square feet per unit is required for each two-family residential dwelling.
3. Minimum lot area of one gross acre is required per five town homes.
4. Minimum lot area of 5,000 square feet is required for each remaining permitted or special use. Uses listed below shall meet additional requirements:
  - a. Boathouses (private) and guesthouses (private) shall have a minimum lot area of 40,000 square feet.
  - b. Cemeteries shall have a minimum lot area of two acres.
  - c. Educational institutions (boarding) and recreation and social facilities shall have a minimum lot area of five acres.
  - d. Educational institutions (nonboarding); religious institutions (except rectories, parsonages and parish houses); health, medical and care institutions and public uses shall have a minimum lot area of 20,000 square feet.
  - e. Noncommercial stables shall have a minimum lot area of three acres.
  - f. Professional offices shall have a minimum lot area of three acres.
  - g. Private stables shall have a minimum lot area of one acre.
5. Special uses may require lot areas greater than 5,000 square feet.

B. *Minimum lot width.*

1. Minimum lot width of 40 feet shall be provided for each single family detached dwelling. Single-family detached dwellings located on corner lots shall have a minimum lot width of 50 feet.
2. Minimum lot width of 50 feet shall be provided for each two-family dwelling. Two-family dwellings located on corner lots shall have a minimum lot width of 60 feet.
3. Minimum lot width 50 feet shall be provided for each remaining permitted or special use.

Uses listed below shall meet additional requirements:

  - a. Boathouses (private); guesthouses (private); detached living quarters for persons employed on the premises; town homes; professional offices and public uses shall have a minimum lot width of 150 feet.
  - b. Cemeteries shall have a minimum lot width of 100 feet.
  - c. Educational institutions (boarding); recreation and social facilities and stables (private) shall have a minimum lot width of 300 feet.
  - d. Educational institutions (nonboarding); religious institutions (except rectories, parsonages and parish houses); and health, medical and care institutions shall have a minimum lot width of 100 feet.
4. Special uses may require a minimum lot width greater than 50 feet.

C. *Front yard.*

1. Single-family detached dwellings and two-family residential dwellings shall be set back from the front lot line at least 20 feet or 20 percent of the lot depth, whichever is greater.

2. Other buildings and structures shall be setback from the front lot line at least 25 feet or 20 percent of the lot depth, whichever is greater.
3. Special uses may require a front yard greater than 25 feet.

D. *Interior side yard (adjacent to a zoning lot).*

1. Single-family detached dwellings shall be set back from the side lot line at least two feet or ten percent of lot width, whichever is greater.
2. Two-family residential dwellings shall be set back from the side lot line at least 2½ feet or ten percent of lot width, whichever is greater.
3. Town homes shall be set back from the side lot line at least 15 feet.
4. Other buildings and structures shall be set back from the side lot line at least ten feet.
5. Special uses may require an interior side yard greater than ten feet; however, no special use shall have an interior side yard less than ten percent of the lot width.

E. *Corner side yard (adjacent to a street).*

1. Single-family detached dwellings and two-family residential dwellings shall be set back from the side lot line adjacent to the street right-of-way at least ten feet.
2. Other buildings and structures shall be set back from the side lot line adjacent to the street right-of-way at least 15 feet.
3. Special uses may require a corner side yard greater than 15 feet.

F. *Rear yard.* Building and structures shall be set back from the rear lot line at least 20 feet.

1. Uses listed below shall meet the following requirements:
  - a. Accessory buildings, except those uses specifically itemized in this section, may be located up to two feet from the rear lot line.
  - b. Recreation and social facility structures shall be set back from the rear lot line at least 50 feet or ten percent of the lot depth, whichever is greater.
  - c. Educational institutions (boarding) and stables (private) shall be set back from the rear lot line at least 100 feet.
  - d. Educational institutions (nonboarding); religious institutions (except rectories, parsonages and parish houses); add health, medical and care institutions shall be set back from the rear lot line at least 50 feet.
2. Special uses may require a rear yard set back greater than 20 feet.

G. *Floor area ratio.*

1. Maximum floor area ratio for specific uses shall be as follows:  
Single-family detached dwelling including rectories, parsonages and parish houses .....0.50  
Two-family residential dwellings .....0.50  
Town homes .....0.40  
All other uses .....0.40
2. Floor area ratio shall be provided in the special use permit.

3. Floor area ratio of accessory buildings shall be included in the total allowable floor area permitted on the zoning lot. Floor area devoted to off-street parking or loading facilities shall not be counted in the floor area used to determine floor area ratio.
- H. *Minimum size of dwelling.* Single-family detached dwellings and other structures occupied in whole or in part for residential purposes shall contain at least 720 square feet of livable floor area, exclusive of basement or garage space.
- I. The maximum impervious surface shall not exceed 50 percent of the gross lot area.

4.5A.9. *Special provisions.* The uses in the R-5A Residential Transition District shall conform to the following requirements:

- A. *Parking and loading.* Uses shall conform to Article 11.
- B. *Tents.* Tents shall not be used as a place of permanent residence and shall not be erected, used or maintained on any lot, except for a limited period of time. Tents shall not be used for the permanent storage of vehicles and other equipment.
- C. *Trailers, recreational vehicles and boats.* Travel trailers, camping trailers, recreational vehicles, motor homes, boats, boat trailers and miscellaneous trailers shall not be parked or stored on a zoning lot, except when located in a garage, a fully enclosed structure or in such a location that they are not visible from adjacent rights-of-way or from other zoning lots. Pursuant to adoption by local Ordinance by the Township Board of Trustees, such uses shall be allowed on a zoning lot which exceeds an acre or more in size subject to the following:
  1. *Front yard.*
    - a. RVs shall not be parked between the frontline of any portion of the building and the street, unless otherwise specifically provided for in this Article.
  2. *Side yard.*
    - a. No more than two RVs may be parked in a side yard.
    - b. A single RV may not exceed 20 feet in length, and two RVs, if parked end-to-end, may not exceed a total combined length of 20 feet.
    - c. A single RV may not exceed a height of four feet in height, and two RVs stacked shall not exceed a total combined height of four feet.
    - d. Any RV located in an interior side yard, shall be parked a minimum of three feet from the side lot line.
    - e. Any RV located in an interior side yard shall be screened with a single row of evergreens a minimum of five feet high at time of planting or a semi-open wood fence five feet high.
  3. *Rear yard.*
    - a. No more than two RVs shall be parked in a rear yard.
    - b. A single RV shall not exceed 32 feet in length, and two RVs, if parked end-to-end, shall not exceed a total combined length of 32 feet.
    - c. A single RV shall not exceed a height of 12 feet in height and two RVs stacked shall not exceed a total combined height of 12 feet.
    - d. Any RV located in a rear yard, shall be parked a minimum of five feet from the rear lot line and a minimum of three feet from any interior lot line.

- e. Any RV located in a rear yard shall be screened with a single row of evergreens a minimum of five feet high at time of planting or semi-open wood fence five feet high.
4. *Exterior side yards and rear yards adjacent to a street or roadway.*
- a. No RVs shall be located in an exterior side yard or that portion of a rear yard that is between an adjacent street or roadway and a line extended from the building.
5. *Additional requirements.*
- a. Not more than two RVs may be parked on any residential zoning lot.
  - b. At no time shall a parked RV be used for living, sleeping or other purposes. No RV shall be connected to gas, water or sanitary sewer service.
  - c. Any RV may be parked in a fully enclosed garage unless such parking is specifically prohibited elsewhere in the Code.
  - d. The owner of an RV shall not park the RV in a manner as to create a dangerous or unsafe condition on the lot where parked or to adjacent property. Parking in such fashion that the RV may readily tip or roll, shall be considered a dangerous or unsafe condition.
  - e. The parking surface of an RV in any permitted area shall be a hard surface such as concrete, asphalt or crushed stone.
  - f. RVs shall not have their wheels removed or be affixed to the ground so as to prevent ready removal of the vehicle.
  - g. RVs shall not be used as accessory structures in any zoning district.
  - h. No major automobile repairs, as defined in Article 4 of the Zoning Ordinance, shall be performed on any RV except within a garage or other structure.
  - i. Temporary parking of RVs for the purpose of loading or unloading shall be permitted for no more than two days within any period of four consecutive days.
- D. *Trucks.* Trucks, commercial vehicles and other commercial equipment shall not be parked or stored on a zoning lot, except when located in a garage, a fully enclosed structure or in such a location that they are not visible from adjacent rights-of-way or from other zoning lots. Vehicles to be parked or stored must be owned or legally controlled by the residents or occupants of the principal use. Small pickup trucks and vans used principally as passenger cars are excluded from this requirement. Pursuant to adoption by local Ordinance by the Township Board of Trustees, commercial vehicles may be parked on a zoning lot subject to the following:
- 1. *Size/weight limitation.* No commercial vehicle having a license class designation greater than "B" under the Illinois Vehicle Code shall be parked on a zoning lot. This limitation shall not apply to a pickup style commercial vehicle with the license class designation of "D". All other class "D" vehicles are prohibited.
  - 2. *Location.* Except as hereafter provided, no commercial vehicle shall be parked on a zoning lot unless parked in a garage or a fully enclosed structure. A commercial vehicle may be parked on a residential zoning lot if one of the following criteria is met:

- a. The vehicle has no signage.
  - b. The vehicle's signage is limited to the identification of the owner or operator, affixed by name or logo. Such identification may appear on not more than two separate portions of the vehicle.
- 3. The parking of commercial vehicles on residential lots shall be limited to one.
  - 4. Nothing in the provisions of this Ordinance shall be construed to prohibit trucks and other service vehicles from being parked on the premises temporarily for purposes of making deliveries or rendering service to the property as otherwise provided in this Ordinance.
- E. *Sewer and water.* Uses requiring water and sewer facilities shall be served by a municipal sewer and water system.

#### **4.6. - R-6 General Residence District.**

*4.6.1. Description.* The R-6 General Residence District is intended to provide for residential developments that can utilize a variety of modern building and development techniques on slightly higher density lots than exist in single-family developments. This district is intended to create an environment that allows a mixture of uses, including single-family detached dwellings, town homes and low-rise apartments which are compatible with and single-family development and serve as a transition with multifamily zoning districts. Only nonresidential uses which are compatible with the residential character of the district are allowed. Public or community utilities are required to service uses in this district.

*4.6.2. Use, lot and bulk regulations.* The applicable use, lot, and bulk regulations are set forth in Sections 4.6.3 through 4.6.9.

*4.6.3. Permitted uses.* A permitted use of land or buildings shall be allowed in accordance with the provisions of this ordinance. Unless otherwise specifically set forth, wherever a permitted use is named as a major category, it shall be deemed to include only those enumerated uses. Unless otherwise specifically allowed by this ordinance, no building or zoning lot shall be devoted to any use other than a permitted use and no building or structure shall be erected, altered, enlarged or occupied except as a permitted use in the zoning district in which the use is located. Uses lawfully established on the effective date of this ordinance, and rendered nonconforming by it, shall be subject to Article 10.

The following uses are permitted in the R-6 District:

- A. Residential.
  - 1. Single-family detached dwellings.
  - 2. Two-family dwellings.
  - 3. Multiple-family dwellings.
  - 4. Group homes.
- B. Educational institutions.
  - 1. Public pre-kindergarten, kindergarten, elementary and high schools, nonboarding.
  - 2. ~~Public high schools, nonboarding.~~
  - 3.2. Parochial pre-kindergarten, kindergarten, elementary and high schools, nonboarding.
  - 4.3. Private pre-kindergarten, kindergarten, elementary and high schools, nonboarding.
- C. Recreation and social facilities.

1. Athletic fields, including stadiums and grandstands, noncommercial.
  2. Country clubs, including nonilluminated golf courses and driving ranges, tennis buildings, tennis courts, swimming pools, and other recreational facilities.
  3. Grounds of recreational clubs, noncommercial, but not including gun clubs and skeet and trap shooting ranges.
  4. Golf courses, nonilluminated, and driving ranges accessory to golf courses, but not including commercially operated driving ranges, or miniature golf courses.
- D. Public and governmental land and buildings.
1. Forest preserves.
  2. Historical buildings and landmarks preserved for the public.
  3. Libraries, in conjunction with schools.
  4. Parks and playgrounds.
  5. Public libraries.
- E. Religious institutions.
1. Places of worship.
  2. Convents, seminaries, monasteries and nunneries.
  3. Rectories, parsonages, and parish houses.
- F. Agricultural land and buildings.
1. Agricultural uses.
- G. Miscellaneous.
1. Cemeteries.

*4.6.4. Special uses.* A special use may be allowed subject to the issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses.

The following special uses are permitted in the R-6 District:

- A. Residential.
1. Clustering of residences as regulated by this ordinance.
  2. Dormitories and housing accommodations and facilities necessary to the operation of a college or university.
  - ~~3. Earth sheltered homes.~~
  - ~~4.3.~~ Fraternity and sorority houses.
  - ~~5.4.~~ Mobile home parks.
  5. Short-term Rental, Non-Supervised.
  6. Transitional residence.
- B. Educational institutions.
1. Colleges, junior colleges and universities, ~~but not business colleges or trade schools.~~

2. Parochial elementary and high schools, boarding.
  3. Private elementary and high schools, boarding.
- C. Recreation and social facilities.
1. Community center buildings, clubhouses, recreation buildings, swimming pools and indoor pools, and tennis courts and buildings for indoor tennis, noncommercial and not-for-profit.
  2. Lodges and fraternal organizations.
  3. Recreation clubs and structures.
  4. Stables, commercial and noncommercial.
- D. Health, medical and care institutions.
1. Intermediate, extended and long-term care facilities.
  2. Hospitals.
  3. Institutions for the care and treatment of mental illness, drug or alcohol addiction.
  4. Nursery schools, children's day schools and childcare centers.
- E. Public utility and services.
1. Electric substations, gas regulator stations and telephone exchanges, cellular telephone towers and other essential public utility and service uses.
  2. Police stations.
  3. Post offices.
  4. Public office buildings.
  5. Railroad passenger stations.
  6. Railroad rights-of-way. Railroad yards and shops other than for passenger purposes are prohibited.
  7. Sewage treatment plants, not including individual sewage disposal units.
  8. Waterworks, reservoirs, pumping stations, wells and filtration plants not including individual wells.
  9. Waterworks, reservoirs, pumping stations, wells and filtration plants, not including individual wells.
  10. Ground-mounted solar arrays.
- F. Planned unit developments.
- G. Unique uses as regulated by this ordinance.
- H. Miscellaneous.
1. Artificial lakes.
  2. Pet cemeteries.
  3. Philanthropic and eleemosynary institutions, not including businesses sponsored by such institutions unless or incidental to, and located in, the same building as such institution.



- I. Uses similar and compatible to those allowed in this district.

4.6.5. *Temporary uses.* A temporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

- A. *Temporary buildings or yards.* Any use permitted in Section 4.5.5(A).
- B. *Temporary sales offices.* Any use permitted in [Section] 4.5.5(B).
- C. *Temporary real estate signs.* Any use permitted in Section 4.5.5(C).
- D. *Temporary construction trailers.* Any use permitted in Section 4.5.5(D).
- E. *Portable storage containers.* Portable storage containers as regulated by Article 8.

4.6.6. *Accessory uses.* A use, building or other structure customarily incidental to and commonly associated with a principal, permitted or special use may be allowed as an accessory use, provided it is operated and maintained under the same ownership and on the same lot as the permitted use. Accessory uses shall not include structures or features inconsistent with the permitted use or involve the conduct of any business, profession, trade or industry. Accessory uses may include the following and similar uses:

- A. Agricultural buildings and structures. Buildings and structures shall be located on a zoning lot at least five acres in size and the principal use must be agriculture.
- B. Boathouses, private. Not accessory to dwelling units other than single-family.
- C. Conservatories or greenhouses, private. Not accessory to dwellings having less than 5,000 square feet of lot area per dwelling unit.
- D. Fallout shelters as regulated by this ordinance.
- E. Garages, carports or other parking spaces. For the exclusive use of residents, occupants and guests of the premises.
- F. Gardens.
- G. Guesthouses, private.
- H. Home occupations.
- I. Living quarters, detached. For persons employed on the premises and occupied only by such persons and their immediate family. Living quarters shall not be rented or otherwise used as a separate dwelling.
- J. Mausoleums, crematories and columbaria in cemeteries.
- K. Photovoltaic solar panels, only when attached to the roof of the principal structure.
- ~~K-L.~~ Playhouses and summerhouses.
- ~~L-M.~~ Roadside stands. For the display and sale of agricultural products only where the principal use is agriculture.
- ~~M-N.~~ Sale of equipment, food or beverages incidental to the operation of a permitted use.
- O. Short-term Rental, Supervised.
- ~~N-P.~~ Signs as regulated by Article 12.
- ~~Q-Q.~~ Stables, private. No more than one horse shall be allowed per acre.
- ~~P-R.~~ Structures and enclosures for pets. For the exclusive use or personal enjoyment of residents of the premises, not for commercial purposes and limited to not more than three pets.

~~S.~~ Structures and enclosures that are portable, for athletic purposes such as batting or pitching, golf simulators, and portable ice rinks.

~~Q.T.~~ Swimming pools ~~and~~, tennis, paddle and basketball courts. For the exclusive use of the residents and their guests.

~~R.U.~~ Tool houses, sheds and other similar buildings. For storage of domestic supplies and equipment.

~~S.V.~~ Vending machines.

~~T.W.~~ Water retention and detention areas.

~~U.X.~~ Water systems, individual, as regulated by this ordinance.

4.6.7. *Prohibited uses.* All uses not expressly authorized in Sections 4.6.3 through 4.6.6 are prohibited.

4.6.8. *Site and structure provisions.* The uses in the R-6 General Residence District shall conform to the following requirements:

A. *Minimum lot area.* Uses listed below shall meet additional requirements:

1. Minimum lot area of 10,000 square feet is required for each permitted or special use.
  - a. Agricultural buildings and structures shall provide a minimum lot area of five acres, except where agricultural buildings and structures are accessory.
  - b. Boathouses (private), guesthouses (private) and detached living quarters for persons employed on the premises shall have a minimum lot area of 40,000 square feet.
  - c. Cemeteries shall have a minimum lot area of two acres.
  - d. Educational institutions (boarding) and recreation and social facilities shall have a minimum lot area of five acres.
  - e. Educational institutions (nonboarding); religious institutions (except rectories, parsonages, and parish houses); health, medical, and care institutions; and philanthropic and eleemosynary institutions shall have a minimum lot area of 20,000 square feet.
  - f. Mobile home parks shall have a minimum lot area as provided in the Cook County Mobile Home Park Ordinance {Chapter 110, Article II of the Code}.
  - g. Multiple-family dwellings and two-family dwellings shall have a minimum lot area of 5,000 square feet.
  - h. Commercial and noncommercial stables shall have a minimum lot area of three acres.
  - i. Private stables shall have a minimum lot area of one acre.
2. Special uses may require lot areas greater than 10,000 square feet.

B. *Minimum lot width.*

1. Minimum lot width of 60 feet shall be provided for each lot used for a permitted or special use.

Uses listed below shall meet additional requirements:

- a. Agricultural buildings and structures shall provide a minimum lot width of 300 feet.

- b. Boathouses (private), guesthouses (private) and detached living quarters for persons employed on the premises shall have a minimum lot width of 150 feet.
  - c. Educational institutions (boarding); recreational facilities; and stables (private) shall have a minimum lot width of 300 feet.
  - d. Educational institutions (nonboarding); religious institutions (except rectories, parsonages and parish houses); health, medical, and care institutions; and philanthropic and eleemosynary institutions shall have a minimum lot width of 100 feet.
2. Special uses may require a minimum lot width greater than 60 feet.

C. *Front yard.*

1. Buildings and structures shall be set back from the front line at least 30 feet or 20 percent of the lot depth, whichever is less.

Uses listed below shall meet additional requirements:

- a. Agricultural structures and buildings shall be set back from the front lot line at least 100 feet.
- b. Educational institutions; religious institutions; (except rectories, parsonages and parish houses); health, medical, and care institutions; and philanthropic and eleemosynary institutions shall be set back from the front lot line at least 40 feet or 20 percent of the lot depth, whichever is less.
- c. Roadside stands shall be set back from the front lot line at least 60 feet.
- d. Two-family dwellings and multiple-family dwellings shall be set back from the front lot line at least 20 feet, plus one foot for each three feet by which the building or structure height exceeds 40 feet.

2. Special uses may require a front yard setback greater than 30 feet.

D. *Interior side yard (adjacent to a zoning lot).*

1. Buildings and structures shall be set back from the side lot line at least ten feet.

Uses listed below shall meet additional requirements:

- a. Agricultural buildings and structures, stables (private), and riding clubs (noncommercial) shall be set back from the side lot line at least 30 feet.
- b. Educational institutions; public, quasi-public, and governmental buildings; religious institutions; health, medical, and care institutions; philanthropic and eleemosynary institutions and community center buildings, clubhouses, recreation buildings, and tennis buildings shall be set back from the side lot line at least 15 feet, plus one foot for each two feet by which the building or structure height exceeds 15 feet.
- c. Mobile home parks shall provide for a minimum spacing as provided in the Cook County Mobile Home Park Ordinance {Chapter 110, Article II of the Code}.
- d. Roadside stands shall be set back from the side lot line at least 75 feet.

2. Special uses may require an interior side yard setback greater than ten feet.

E. *Corner side yard (adjacent to a street).*

1. Buildings and structures shall be set back from the side lot line adjacent to the street right-of-way at least 15 feet. Uses listed below shall meet additional requirements:
  - a. Agricultural buildings and structures, stables (private) and riding academies, noncommercial, shall be set back from the side lot line adjacent to the street right-of-way at least 50 feet.
  - b. Educational institutions; religious institutions; health, medical, and care institutions; and philanthropic and eleemosynary institutions shall be set back from the side lot line adjacent to the street right-of-way at least 25 feet, plus one foot for each two feet by which the building height exceeds 15 feet.
  - c. Roadside stands shall be set back from the side lot line adjacent to the street right-of-way at least 75 feet.
  - d. Single-family detached dwellings shall be set back from the side lot line adjacent to the street right-of-way at least 25 feet.
  - e. Two-family and multiple-family dwellings shall be setback from the side lot line adjacent to the street right-of-way at least ten feet. Buildings 50 or more feet wide in front shall have corner side yards at least 15 percent of the building width or 30 percent of the building or structure height, whichever is greater.
2. Special uses may require a corner side yard setback greater than 15 feet.

F. *Rear yard.*

1. Buildings and structures shall be set back from the rear lot line at least 40 feet.  
Uses listed below shall meet additional requirements:
  - a. Buildings accessory to single-family dwellings, two-family dwellings and multiple-family dwellings, except those uses specifically itemized in this section, may be located up to three feet from the rear lot line.
  - b. Community center buildings and recreation buildings shall be set back from the rear lot line at least 50 feet or ten percent of the lot depth, whichever is less.
  - c. Education institutions (boarding) and agricultural buildings and structures and stables (private) shall be set back from the rear lot line at least 100 feet.
  - d. Educational institutions (nonboarding); religious institutions (except rectories, parsonages and parish houses); health, medical, and care institutions and philanthropic and eleemosynary institutions shall be set back from the rear lot line at least 50 feet.
2. Special uses may require a rear yard setback greater than 40 feet.

G. *Distance from a residential use.*

1. Buildings and structures and uses listed below shall be located at least 300 feet from a zoning lot used for residential purposes.
  - a. Golf course clubhouses, tennis buildings and indoor pools.
  - b. Mausoleums, crematories and columbaria in cemeteries.
  - c. Stadiums and grandstands.

H. *Floor area ratio.*

1. Maximum floor area ratio for the following uses shall be:
  - Single-family detached dwellings, including rectories, parsonages, and parish houses .....0.40
  - Two-family dwellings .....0.50
  - Multiple-family dwellings .....0.60
  - Educational institutions, nonboarding .....0.50
  - Recreation and social facilities .....0.20
  - Religious institutions, except rectories, parsonages, and parish houses .....0.50
  - Philanthropic and eleemosynary institutions .....0.20
  - All other uses .....0.20
2. Floor area ratio shall be provided in the special use permit.
3. Floor area of accessory buildings shall be included in the total allowable floor area permitted on the zoning lot. Floor area devoted to off-street parking or loading facilities shall not be counted in the floor area used to determine floor area ratio.

- I. *Minimum size of dwelling.* Structures occupied in whole or in part for residential purposes shall contain at least the following square feet of livable floor area, exclusive of basement or garage space:

	Square Feet
--	-------------

- Single-family detached dwelling .....720
- Two-family dwelling .....600
- Multiple-family dwelling .....600

4.6.9. *Special provisions.* The uses in the R-6 General Residence District shall conform to the following requirements:

- A. *Parking and loading.* Uses shall conform to in Article 11.
- B. *Tents.* Tents shall not be used as a place of permanent residence and shall not be erected, used or maintained on any lot, except for a limited period of time. Tents shall not be used for the permanent storage of vehicles or other equipment.
- C. *Trailers, recreational vehicles and boats.* Travel trailers, camping trailers, recreational vehicles, motor homes, boats, boat trailers and miscellaneous trailers shall not be parked or stored on a zoning lot, except when located in a garage, a fully enclosed structure or in such a location that they are not visible from adjacent rights-of-way or from other zoning lots. Pursuant to adoption by local Ordinance by the Township Board of Trustees, such

uses shall be allowed on a zoning lot which exceeds an acre or more in size subject to the following:

1. *Front yard.*
  - a. RVs shall not be parked between the frontline of any portion of the building and the street, unless otherwise specifically provided for in this Article.
2. *Side yard.*
  - a. No more than two RVs may be parked in a side yard.
  - b. A single RV may not exceed 20 feet in length, and two RVs, if parked end-to-end, may not exceed a total combined length of 20 feet.
  - c. A single RV may not exceed a height of four feet in height, and two RVs stacked shall not exceed a total combined height of four feet.
  - d. Any RV located in an interior side yard, shall be parked a minimum of three feet from the side lot line.
  - e. Any RV located in an interior side yard shall be screened with a single row of evergreens a minimum of five feet high at time of planting or a semi-open wood fence five feet high.
3. *Rear yard.*
  - a. No more than two RVs shall be parked in a rear yard.
  - b. A single RV shall not exceed 32 feet in length, and two RVs, if parked end-to-end, shall not exceed a total combined length of 32 feet.
  - c. A single RV shall not exceed a height of 12 feet in height and two RVs stacked shall not exceed a total combined height of 12 feet.
  - d. Any RV located in a rear yard, shall be parked a minimum of five feet from the rear lot line and a minimum of three feet from any interior lot line.
  - e. Any RV located in a rear yard shall be screened with a single row of evergreens a minimum of five feet high at time of planting or semi-open wood fence five feet high.
4. *Exterior side yards and rear yards adjacent to a street or roadway.*
  - a. No RVs shall be located in an exterior side yard or that portion of a rear yard that is between an adjacent street or roadway and a line extended from the building.
5. *Additional requirements.*
  - a. Not more than two RVs may be parked on any residential zoning lot.
  - b. At no time shall a parked RV be used for living, sleeping or other purposes. No RV shall be connected to gas, water or sanitary sewer service.
  - c. Any RV may be parked in a fully enclosed garage unless such parking is specifically prohibited elsewhere in the Code.
  - d. The owner of an RV shall not park the RV in a manner as to create a dangerous or unsafe condition on the lot where parked or to adjacent property. Parking in such fashion that the RV may readily tip or roll, shall be considered a dangerous or unsafe condition.

- e. The parking surface of an RV in any permitted area shall be a hard surface such as concrete, asphalt or crushed stone.
  - f. RVs shall not have their wheels removed or be affixed to the ground so as to prevent ready removal of the vehicle.
  - g. RVs shall not be used as accessory structures in any zoning district.
  - h. No major automobile repairs, as defined in Article 4 of the Zoning Ordinance, shall be performed on any RV except within a garage or other structure.
  - i. Temporary parking of RVs for the purpose of loading or unloading shall be permitted for no more than two days within any period of four consecutive days.
- D. *Trucks.* Trucks, commercial vehicles and other commercial equipment shall not be parked or stored on a zoning lot, except when located in a garage, a fully enclosed structure or in such a location that they are not be visible from adjacent rights-of-way or from other zoning lots. Vehicles to be parked or stored must be owned or legally controlled by the residents or occupants of the principal use. Small pickup trucks and vans used principally as passenger cars are excluded from this requirement. Pursuant to adoption by local Ordinance by the Township Board of Trustees, commercial vehicles may be parked on a zoning lot subject to the following:
- 1. *Size/weight limitation.* No commercial vehicle having a license class designation greater than "B" under the Illinois Vehicle Code shall be parked on a zoning lot. This limitation shall not apply to a pickup style commercial vehicle with the license class designation of "D". All other class "D" vehicles are prohibited.
  - 2. *Location.* Except as hereafter provided, no commercial vehicle shall be parked on a zoning lot unless parked in a garage or a fully enclosed structure. A commercial vehicle may be parked on a residential zoning lot if one of the following criteria is met:
    - a. The vehicle has no signage.
    - b. The vehicle's signage is limited to the identification of the owner or operator, affixed by name or logo. Such identification may appear on not more than two separate portions of the vehicle.
  - 3. The parking of commercial vehicles on residential lots shall be limited to one.
  - 4. Nothing in the provisions of this Ordinance shall be construed to prohibit trucks and other service vehicles from being parked on the premises temporarily for purposes of making deliveries or rendering service to the property as otherwise provided in this Ordinance.
- E. *Sewer and water.* Uses requiring sanitary facilities shall be served by either a municipal or private community sewer and water system, or an individual water system. Individual sewage disposal units are not permitted. Individual water supply systems must be approved by the Cook County Health Department.

#### **4.7. - R-7 General Residence District.**

*4.7.1. Description.* The R-7 General Residence District is intended to provide for medium-density residential developments. This district is intended to create an environment that allows a mixture of uses, including single-family, two-family and multiple family dwellings, open areas, schools, parks, ~~churches~~ and religious institutions which serve the residents living in the district. This district is utilized as a buffer

or transition zone along highways, major streets and bordering shopping centers. Public or community utilities are required to service uses in this district.

4.7.2. *Use, lot and bulk regulations.* The applicable use, lot and bulk regulations are set forth in Sections 4.7.3 through 4.7.9.

4.7.3. *Permitted uses.* A permitted use of land or buildings shall be allowed in accordance with the provisions of this ordinance. Unless otherwise specifically set forth, wherever a permitted use is named as a major category, it shall be deemed to include only those enumerated uses. Unless otherwise specifically allowed by this ordinance, no building or zoning lot shall be devoted to any use other than a permitted use and no building or structure shall be erected, altered, enlarged or occupied except as a permitted use. Uses lawfully established on the effective date of this ordinance, and rendered nonconforming by it, shall be subject to Article 10.

The following uses are permitted in the R-7 District:

- A. Residential.
  - 1. ~~Any use permitted in Section 4.6.3(A).~~
    - 1. Single-family detached dwellings.
    - 2. Two-family dwellings.
    - 3. Multiple-family dwellings.
    - 4. Group homes.
- B. Educational institutions.
  - 1. ~~Any use permitted in Section 4.6.3(B).~~
    - 1. Public pre-kindergarten, kindergarten, elementary and high schools, nonboarding.
    - 2. Parochial pre-kindergarten, kindergarten, elementary and high schools, nonboarding.
    - 3. Private pre-kindergarten, kindergarten, elementary and high schools, nonboarding.
- C. Recreation and social facilities.
  - 1. ~~Any use permitted in Section 4.6.3(C).~~
    - 1. Athletic fields, including stadiums and grandstands, noncommercial.
    - 2. Country clubs, including nonilluminated golf courses and driving ranges, tennis buildings, tennis courts, swimming pools, and other recreational facilities.
    - 3. Grounds of recreational clubs, noncommercial, but not including gun clubs and skeet and trap shooting ranges.
    - 4. Golf courses, nonilluminated, and driving ranges accessory to golf courses, but not including commercially operated driving ranges, or miniature golf courses.
- D. Public and governmental land and buildings.
  - 1. ~~Any use permitted in Section 4.6.3(D).~~
    - 1. Forest preserves.
    - 2. Historical buildings and landmarks preserved for the public.
    - 3. Libraries, in conjunction with schools.
    - 4. Parks and playgrounds.



- 5. Public libraries.
- E. Religious institutions.
  - 1. ~~Any use permitted in Section 4.6.3(E).~~
    - 1. Places of worship.
    - 2. Convents, seminaries, monasteries and nunneries.
    - 3. Rectories, parsonages, and parish houses.
- F. Health, medical and care institutions.
  - 1. Hospitals.
  - 2. Nursery schools, children's day schools and day care centers.
- G. Agricultural land and buildings.
  - 1. ~~Any use permitted in Section 4.6.3(F).~~
    - 1. Agricultural uses.

4.7.4. *Special uses.* A special use may be allowed subject to the issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses.

The following special uses may be permitted in the R-7 District:

- A. Residential.
  - 1. ~~Any use permitted in Section 4.6.4(A).~~
    - 1. Clustering of residences as regulated by this ordinance.
    - 2. Dormitories and housing accommodations and facilities necessary to the operation of a college or university.
    - 3. Fraternity and sorority houses.
    - 4. Mobile home parks.
    - 5. Transitional residence.
    - 6. Short-term rental, non-supervised.
- B. Educational institutions.
  - 1. ~~Any use permitted in Section 4.6.4(B).~~
    - 1. Colleges, junior colleges and universities.
    - 2. Parochial elementary and high schools, boarding.
    - 3. Private elementary and high schools, boarding.
- C. Recreation and social facilities.
  - 1. ~~Any use permitted in Section 4.6.4(C).~~
    - 1. Community center buildings, clubhouses, recreation buildings, swimming pools and indoor pools, and tennis courts and buildings for indoor tennis, noncommercial and not-for-profit.
    - 2. Lodges and fraternal organizations.

- 3. Recreation clubs and structures.
- 4. Stables, commercial and noncommercial.
- D. Health, medical and care institutions.
  - 1. Intermediate, extended and long-term care facilities.
  - 2. Institutions for the care and treatment of mental illness, drug or alcohol addiction.
- E. Public utility and services.
  - 1. Electric substations, gas regulator stations and telephone exchanges, cellular telephone towers and other essential public utility and service uses.
  - 2. Fire stations.
  - 3. Police stations.
  - 4. Post Offices.
  - 5. Public office buildings.
  - 6. Railroad passenger stations.
  - 7. Railroad rights-of-way. Railroad yards and shops other than for passenger purposes are prohibited.
  - 8. Sewage treatment plants, not including individual sewage disposal units.
  - 9. Waterworks, reservoirs, pumping stations, wells and filtration plants.
  - 10. Ground-mounted solar arrays.
- F. Planned unit developments.
- G. Unique uses as regulated by this ordinance.
- H. Miscellaneous.
  - 1. Artificial lakes.
- I. Uses similar and compatible to those allowed in this district.

4.7.5. *Temporary uses.* A temporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

- A. *Temporary buildings or yards.* ~~Any use permitted in Section 4.6.5(A).~~ Permits shall specify the location of the building or yard and the area of permitted operation. Permits shall be valid for not more than six months and shall not be renewed for more than four successive periods. The building or yard shall not interfere with the use and enjoyment of neighboring property.
- B. *Temporary sales offices.* ~~Any use permitted in Section 4.6.5(B).~~ Permits shall specify the location of the office and the area of permitted operation. Permits shall be issued in six-month increments for a period of not more than two years, unless otherwise authorized by the Building Commissioner.
- C. *Real estate signs.* ~~Any use permitted in Section 4.6.5(C).~~ Temporary real estate signs as regulated by Article 12.
- D. *Temporary construction trailers.* ~~Any use permitted in Section 4.6.5(D).~~ Permits shall terminate upon completion of the permitted work.

- E. *Portable storage containers.* Portable storage containers as regulated by Article 8.
- F. *Garage sales.* Garage sales shall be limited to two sales per household per year. Garage sales shall be held for no more than three consecutive days, and only between the hours of 8:00 a.m. and 6:00 p.m. A garage sale shall not require a permit.

4.7.6. *Accessory uses.* A use, building or other structure customarily incidental to and commonly associated with a principal, permitted or special use may be allowed as an accessory use, provided it is operated and maintained under the same ownership and on the same lot as the permitted use. Accessory uses shall not include structures or features inconsistent with the permitted use or involve the conduct of any business, profession, trade or industry. Accessory uses may include the following and similar uses:

- A. Agricultural buildings and structures. Buildings and structures shall be located on a zoning lot at least five acres in size and the principal use must be agriculture-or landscaping and groundskeeping.
- B. Boathouses, private. Not accessory to dwelling units other than single-family.
- C. Conservatories or greenhouses, private. Not accessory to dwellings having less than 5,000 square feet of lot area per dwelling unit.
- D. Fallout shelters as regulated by this ordinance.
- E. Garages, carports or other parking spaces. For the exclusive use of residents, occupants and guests of the premises.
- F. Gardens.
- G. Guesthouses, private. Not accessory to dwelling units other than single-family.
- H. Home occupations.
- I. Laundrettes, self-service only.
- J. Living quarters, detached. For persons employed on the premises and occupied only by such persons and their immediate family. Living quarters shall not be rented or otherwise used as a separate dwelling.
- K. Photovoltaic solar panels, only when attached to the roof of the principal structure.
- ~~K-L.~~ Playhouses and summer houses.
- ~~L-M.~~ Roadside stands. For the display and sale of agricultural products on lots where the principal use is agriculture.
- ~~M-N.~~ Sale of equipment, food or beverages incidental to the operation of a permitted use.
- O. Short-term rental, supervised.
- ~~N-P.~~ Signs as regulated by Article 12.
- ~~Q-Q.~~ *Structures and enclosures for pets.* For the exclusive use or personal enjoyment of residents of the premises, not for commercial purposes and limited to not more than three pets.
- R. Structures and enclosures that are portable, for athletic purposes such as batting or pitching, golf simulators, and portable ice rinks.
- P-S. Swimming pools and tennis, paddle and basketball courts. For the exclusive use of residents and their guests.
- ~~Q-T.~~ Tool houses, sheds and other similar buildings. For storage of domestic supplies and equipment.

~~R.U.~~ Vending machines.

~~S.V.~~ Water retention and detention areas.

~~T.W.~~ Water systems, individual, as regulated by this ordinance.

4.7.7. *Prohibited uses.* All uses not expressly authorized in Sections 4.7.3 through 4.7.6 are prohibited.

4.7.8. *Site and structure provisions.* The uses in the R-7 General Residence District shall conform to the following requirements:

A. *Minimum lot area.*

1. Minimum lot area of 10,000 square feet is required for each permitted or special use.

Uses listed below shall meet additional requirements:

- a. Agricultural buildings and structures shall provide a minimum lot area of five acres, except where the agricultural building and structure is an accessory use.
- b. Boathouses (private), guesthouses (private) and detached living quarters for persons employed on the premises shall have a minimum lot area of 40,000 square feet.
- c. Educational institutions (boarding) and recreation and social facilities shall have a minimum lot area of five acres.
- d. Educational institutions (nonboarding); religious institutions (except rectories, parsonages and parish houses); and health, medical and care institutions shall have a minimum lot area of 20,000 square feet.
- e. Mobile home parks shall have a minimum lot area as provided in the Cook County Mobile Home Park Ordinance [Chapter 110, Article II of the Code].
- f. Multiple-family dwellings shall have a minimum lot area of 4,000 square feet for every four-bedroom dwelling unit, 3,000 square feet for every three-bedroom dwelling unit, 2,500 square feet for every dwelling unit containing two bedrooms or less.
- g. Two-family dwellings shall have a minimum lot area for each dwelling unit of 5,000 square feet.
- h. Commercial and noncommercial stables shall have a minimum lot area of three acres.

2. Special uses may require lot areas greater than 10,000 square feet.

B. *Minimum lot width.*

1. Minimum lot width of 60 feet shall be provided for each lot used for a permitted or special use.

Uses listed below shall meet additional requirements:

- a. Agricultural buildings and structures shall provide a minimum width of 300 feet.
- b. Boathouses (private), guesthouses (private) and detached living quarters for persons employed on the premises shall have a minimum lot width of 150 feet.
- c. Educational institutions (boarding) shall have a minimum lot width of 300 feet.

- d. Educational institutions (nonboarding), religious institutions (except rectories, parsonages and parish houses) and health, medical and care institutions shall have a minimum lot width of 100 feet.
- e. Recreation and social facilities shall have a minimum lot width of 200 feet.

2. Special uses may require a minimum lot width greater than 60 feet.

C. *Front yard.*

1. Buildings and structures shall be set back from the front lot line at least 20 feet or 20 percent of the lot depth, whichever is less.

Uses listed below shall meet additional requirements:

- a. Agricultural buildings and structures shall be set back from the front lot line at least 100 feet.
- b. Educational institutions; religious institutions (except rectories, parsonages and parish houses); and health, medical and care institutions shall be set back from the front lot line at least 40 feet or 20 percent of the lot depth, whichever is less.
- c. Roadside stands shall be set back from the front lot line at least 60 feet.
- d. Two-family and multiple-family dwellings shall be set back from the front lot line at least 20 feet, plus one foot for each three feet by which the building or structure height exceeds 40 feet.

2. Special uses may require a front yard setback greater than 20 feet.

D. *Interior side yard (adjacent to a zoning lot).*

1. Buildings and structures shall be set back from the side lot at least five feet.

Uses listed below shall meet additional requirements:

- a. Agricultural buildings and structures, stables (private) and riding clubs noncommercial, shall be set back from the side lot line at least 30 feet.
- b. Educational institutions; and public, quasi-public and governmental buildings; religious institutions; health, medical and care institutions; community center buildings, clubhouses, recreation buildings and tennis buildings shall be set back from the side lot line at least 15 feet, plus one foot for each two feet by which the building or structure height exceeds 15 feet.
- c. Mobile home parks shall provide for a minimum spacing as provided in the Cook County Mobile Home Park Ordinance {Chapter 110, Article II of the Code}.
- d. Roadside stands shall be set back from the side lot at least 75 feet.
- e. Single-family detached dwellings shall provide a minimum side yard of ten feet.
- f. Two-family and multiple-family dwellings shall be set back from the side lot line at least five feet, unless the building height exceeds 25 feet, in which case the interior side yards shall be equal to one-fifth the building height. Buildings 50 or more feet wide along the front shall have side yards at least ten percent

of the building or structure width or 20 percent of the building height, whichever is greater.

2. Special uses may require an interior side yard setback greater than five feet.

E. *Corner side yard (adjacent to a street).*

1. Buildings and structures shall be set in from the side lot line adjacent to the street right-of-way at least ten feet.

Uses listed below shall meet additional requirements:

- a. Agricultural buildings and structures, stables (private) and riding clubs, noncommercial shall be set back from the side lot line adjacent to the street right-of-way at least 50 feet.
- b. Educational institutions; religious institutions; health, medical and care institutions; and philanthropic and eleemosynary institutions shall be set back from the side lot line adjacent to the street right-of-way at least 25 feet, plus one foot for each two feet by which the building or structure height exceeds 15 feet.
- c. Roadside stands shall be set back from the side lot line adjacent to the street right-of-way at least 75 feet.
- d. Single-family detached dwellings shall be set back from the side lot line adjacent to the street right-of-way at least 25 feet.
- e. Two-family and multiple-family dwellings shall be set back from the side lot line adjacent to the street right-of-way at least ten feet. Buildings 50 or more feet wide in front shall have corner side yards not less than 15 percent of the building or structure width or 30 percent of the building height, whichever is greater.

2. Special uses may require a corner side yard greater than ten feet.

F. *Rear yard.*

1. Buildings and structures shall be set back from the rear lot line at least zero feet.

Uses listed below shall meet additional requirements:

- a. Buildings accessory to single-family dwellings, two-family dwellings and multiple-family dwellings, except those uses specifically itemized in this section, may be located up to three feet from the rear lot line.
- b. Community center buildings and recreation buildings shall be set back from the rear lot line at least 50 feet or ten percent of the lot depth, whichever is less.
- c. Educational institutions (boarding) and agricultural buildings and structures, stables (private) and riding clubs, noncommercial, shall be set back from the rear lot line at least 100 feet.
- d. Educational institutions (non nonboarding); religious institutions (except rectories, parsonages and parish houses); and health, medical and care institutions shall be set back from the rear lot line at least 50 feet.
- e. Two-family and multiple-family dwellings shall be set back from the rear lot line at least 30 feet.

- 2. Special uses may require a rear yard setback greater than zero feet.
- G. *Distance from a residential use.* Buildings, structures and uses listed below shall be located at least 300 feet from a zoning lot used for residential purposes:
  - 1. Golf course clubhouses, tennis buildings and indoor pools.
  - 2. Stadiums and grandstands.
- H. *Floor area ratio.*
  - 1. The floor area ratio for specific uses shall be as follows:
    - Single-family detached dwellings, including rectories, parsonages and parish houses .....0.40
    - Two-family dwellings .....0.70
    - Multiple-family dwellings .....0.80
    - Educational institutions, nonboarding .....0.50
    - Recreation and social facilities .....0.30
    - Religious institutions, except rectories, parsonages and parish houses .....0.50
    - Educational institutions, boarding .....0.50
    - Health, medical and care institutions .....1.00
    - All other uses .....0.20
  - 2. Special uses shall have the floor area ratio provided in the special use permit.
  - 3. Floor area ratio of accessory buildings shall be included in the total allowable floor area permitted on the zoning lot. Floor area devoted to off-street parking or loading facilities shall not be counted in the floor area used to determine floor area ratio.
- I. *Minimum size of dwelling.* Structures occupied in whole or in part for residential purposes shall contain at least the following square feet of livable floor area, exclusive of basement or garage space:

	Square Feet
--	-------------

- Single-family detached dwelling .....720
- Two-family dwelling .....500
- Multiple-family dwelling .....500

4.7.9. *Special provisions.* The uses in the R-7 General Residence District shall conform to the following requirements:

- A. *Parking and loading.* Uses shall conform to Article 11.

- B. *Tents.* Tents shall not be used as a place of permanent residence and shall not be erected, used or maintained on any lot, except for a limited period of time. Tents shall not be used for the permanent storage of vehicles or other equipment.
- C. *Trailers, recreational vehicles and boats.* Travel trailers, camping trailers, recreational vehicles, motor homes, boats, boat trailers and miscellaneous trailers shall not be parked or stored on a zoning lot, except when located in a garage, a fully enclosed structure or in such a location that they are not visible from adjacent rights-of-way or from other zoning lots. Pursuant to adoption by local Ordinance by the Township Board of Trustees, such uses shall be allowed on a zoning lot which exceeds an acre or more in size subject to the following:
1. *Front yard.*
    - a. RVs shall not be parked between the frontline of any portion of the building and the street, unless otherwise specifically provided for in this Article.
  2. *Side yard.*
    - a. No more than two RVs may be parked in a side yard.
    - b. A single RV may not exceed 20 feet in length, and two RVs, if parked end-to-end, may not exceed a total combined length of 20 feet.
    - c. A single RV may not exceed a height of four feet in height, and two RVs stacked shall not exceed a total combined height of four feet.
    - d. Any RV located in an interior side yard, shall be parked a minimum of three feet from the side lot line.
    - e. Any RV located in an interior side yard shall be screened with a single row of evergreens a minimum of five feet high at time of planting or a semi-open wood fence five feet high.
  3. *Rear yard.*
    - a. No more than two RVs shall be parked in a rear yard.
    - b. A single RV shall not exceed 32 feet in length, and two RVs, if parked end-to-end, shall not exceed a total combined length of 32 feet.
    - c. A single RV shall not exceed a height of 12 feet in height and two RVs stacked shall not exceed a total combined height of 12 feet.
    - d. Any RV located in a rear yard, shall be parked a minimum of five feet from the rear lot line and a minimum of three feet from any interior lot line.
    - e. Any RV located in a rear yard shall be screened with a single row of evergreens a minimum of five feet high at time of planting or semi-open wood fence five feet high.
  4. *Exterior side yards and rear yards adjacent to a street or roadway.*
    - a. No RVs shall be located in an exterior side yard or that portion of a rear yard that is between an adjacent street or roadway and a line extended from the building.
  5. *Additional requirements.*
    - a. Not more than two RVs may be parked on any residential zoning lot.



- b. At no time shall a parked RV be used for living, sleeping or other purposes. No RV shall be connected to gas, water or sanitary sewer service.
- c. Any RV may be parked in a fully enclosed garage unless such parking is specifically prohibited elsewhere in the Code.
- d. The owner of an RV shall not park the RV in a manner as to create a dangerous or unsafe condition on the lot where parked or to adjacent property. Parking in such fashion that the RV may readily tip or roll, shall be considered a dangerous or unsafe condition.
- e. The parking surface of an RV in any permitted area shall be a hard surface such as concrete, asphalt or crushed stone.
- f. RVs shall not have their wheels removed or be affixed to the ground so as to prevent ready removal of the vehicle.
- g. RVs shall not be used as accessory structures in any zoning district.
- h. No major automobile repairs, as defined in Article 4 of the Zoning Ordinance, shall be performed on any RV except within a garage or other structure.
- i. Temporary parking of RVs for the purpose of loading or unloading shall be permitted for no more than two days within any period of four consecutive days.

D. *Trucks.* Trucks, commercial vehicles and other commercial equipment shall not be parked or stored on a zoning lot, except when located in a garage, a fully enclosed structure or in such a location that they are not visible from adjacent rights-of-way or from other zoning lots. Vehicles to be parked or stored must be owned or legally controlled by the residents or occupants of the principal use. Small pickup trucks and vans used principally as passenger cars are excluded from this requirement. Pursuant to adoption by local Ordinance by the Township Board of Trustees, commercial vehicles may be parked on a zoning lot subject to the following:

- 1. *Size/weight limitation.* No commercial vehicle having a license class designation greater than "B" under the Illinois Vehicle Code shall be parked on a zoning lot. This limitation shall not apply to a pickup style commercial vehicle with the license class designation of "D". All other class "D" vehicles are prohibited.
- 2. *Location.* Except as hereafter provided, no commercial vehicle shall be parked on a zoning lot unless parked in a garage or a fully enclosed structure. A commercial vehicle may be parked on a residential zoning lot if one of the following criteria is met:
  - a. The vehicle has no signage.
  - b. The vehicle's signage is limited to the identification of the owner or operator, affixed by name or logo. Such identification may appear on not more than two separate portions of the vehicle.
- 3. The parking of commercial vehicles on residential lots shall be limited to one.
- 4. Nothing in the provisions of this Ordinance shall be construed to prohibit trucks and other service vehicles from being parked on the premises temporarily for purposes of making deliveries or rendering service to the property as otherwise provided in this Ordinance.

- E. *Sewer and water.* Uses requiring sanitary facilities shall be served by either a municipal or private community sewer and water system.

#### **4.8. - R-8 General Residence District.**

*4.8.1. Description.* The R-8 General Residence District is intended to provide for high density residential developments. This district is intended to create a predominantly residential environment consisting of all types of residential structures, as well as schools, parks, ~~churches~~ religious institutions and public facilities which serve the residents of the district. General commercial or industrial uses, except those enumerated, are prohibited. This district normally abuts major thoroughfares and expressways that provide direct access to the site and is typically located in or near high intensity areas of the County. Public or community utilities are required to service uses in this district.

*4.8.2. Use, lot and bulk regulations.* The applicable use, lot and bulk regulations are set forth in Sections 4.8.3 through 4.8.9.

*4.8.3. Permitted uses.* A permitted use of land or buildings shall be allowed in accordance with the provisions of this ordinance. Unless otherwise specifically set forth, wherever a permitted use is named as a major category, it shall be deemed to include only those enumerated uses. Unless otherwise specifically allowed by this ordinance, no building or zoning lot shall be devoted to any use other than a permitted use and no building or structure shall be erected, altered, enlarged or occupied except as a permitted use. Uses lawfully established on the effective date of this ordinance, and rendered nonconforming by, shall be subject to Article 10.

The following uses are permitted in the R-8 District:

- ~~1. Any use permitted in Section 4.7.3(A).~~
  1. Single-family detached dwellings.
  2. Two-family dwellings.
  3. Multiple-family dwellings.
  4. Group homes.
- B. Educational institutions.
  - ~~1. Any use permitted in Section 4.7.3(B).~~
    1. Public pre-kindergarten, kindergarten, elementary and high schools, nonboarding.
    2. Parochial pre-kindergarten, kindergarten, elementary and high schools, nonboarding.
    3. Private pre-kindergarten, kindergarten, elementary and high schools, nonboarding.
- C. Recreation and social facilities.
  - ~~1. Any use permitted in Section 4.7.3(C).~~
    1. Athletic fields, including stadiums and grandstands, noncommercial.
    2. Country clubs, including nonilluminated golf courses and driving ranges, tennis buildings, tennis courts, swimming pools, and other recreational facilities.
    3. Grounds of recreational clubs, noncommercial, but not including gun clubs and skeet and trap shooting ranges.
    4. Golf courses, nonilluminated, and driving ranges accessory to golf courses, but not including commercially operated driving ranges, or miniature golf courses.
- D. Public and governmental land and buildings.

- ~~1. Any use permitted in Section 4.7.3(D).~~
  1. Forest preserves.
  2. Historical buildings and landmarks preserved for the public.
  3. Libraries, in conjunction with schools.
  4. Parks and playgrounds.
  5. Public libraries.
- E. Religious institutions.
- ~~1. Any use permitted in Section 4.7.3(E).~~
  1. Places of worship.
  2. Convents, seminaries, monasteries and nunneries.
  3. Rectories, parsonages, and parish houses.
- F. Health, medical and care institutions.
1. Hospitals.
  2. Nursery schools, children's day schools and childcare centers.
- G. Agricultural land and buildings.

4.8.4. *Special uses.* A special use may be allowed subject to the issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses.

The following special uses are permitted in the R-8 District:

- A. Residential.
1. Any use permitted in Section 4.7.4(A).
  2. Apartment hotels.
  3. Short-term rental, supervised.
3. Commercial uses located in multiple-family dwellings containing 50 or more dwelling units, provided that such uses are allowed under the C-1 Restricted Business District requirements, do not involve the sale or consumption of alcohol beverages and are accessible only through a lobby in a multiple-family structure. No advertising or display shall be visible from outside building.
- B. Educational institutions.
- ~~1. Any use permitted in Section 4.7.4(B).~~
  1. Colleges, junior colleges and universities.
  2. Parochial elementary and high schools, boarding.
  3. Private elementary and high schools, boarding.
- C. Recreation and social facilities.
- ~~1. Any use permitted in Section 4.7.4(C).~~

1. Community center buildings, clubhouses, recreation buildings, swimming pools and indoor pools, and tennis courts and buildings for indoor tennis, noncommercial and not-for-profit.
  2. Lodges and fraternal organizations.
  3. Recreation clubs and structures.
  4. Stables, commercial and noncommercial.
- D. Health, medical and care institutions.
1. ~~Any use permitted in Section 4.7.4(D).~~
    1. Intermediate, extended and long-term care facilities.
    2. Institutions for the care and treatment of mental illness, drug or alcohol addiction.
- E. Public utility and services.
1. ~~Any use permitted in Section 4.7.4(E).~~
    1. Electric substations, gas regulator stations and telephone exchanges, cellular telephone towers and other essential public utility and service uses.
    2. Fire stations.
    3. Police stations.
    4. Post Offices.
    5. Public office buildings.
    6. Railroad passenger stations.
    7. Railroad rights-of-way. Railroad yards and shops other than for passenger purposes are prohibited.
    8. Sewage treatment plants, not including individual sewage disposal units.
    9. Waterworks, reservoirs, pumping stations, wells and filtration plants.
    10. Ground-mounted solar arrays.
- F. Planned unit developments.
- G. Unique uses as regulated by this ordinance.
- H. Miscellaneous.
1. ~~Any use permitted in Section 4.7.4(H).~~
    1. Artificial lakes.
- I. Uses similar and compatible to those allowed in this district.

4.8.5. *Temporary uses.* A temporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

- A. Temporary buildings or yards. Any use permitted in Section 4.7.5(A). Permits shall specify the location of the building or yard and the area of permitted operation. Permits shall be valid for not more than six months and shall not be renewed for more than four successive periods. The building or yard shall not interfere with the use and enjoyment of neighboring property.

- B. Temporary sales offices. Any use permitted in Section 4.7.5(B). Permits shall specify the location of the office and the area of permitted operation. Permits shall be issued in six-month increments for a period of not more than two years, unless otherwise authorized by the Building Commissioner.
- C. Real estate signs. Any use permitted in Section 4.7.5(C). Temporary real estate signs as regulated by Article 12.
- D. Temporary construction trailers. Any use permitted in Section 4.7.5(D). Permits shall terminate upon completion of the permitted work.
- E. Portable storage containers. Portable storage containers as regulated by Article 8.
- F. Garage sales. Garage sales shall be limited to two sales per household per year. Garage sales shall be held for no more than three consecutive days, and only between the hours of 8:00 a.m. and 6:00 p.m. A garage sale shall not require a permit.

4.8.6. *Accessory uses.* A use, building or other structure customarily incidental to and commonly associated with a principal, permitted or special use may be allowed as an accessory use, provided it is operated and maintained under the same ownership and on the same lot as the permitted use. Accessory uses shall not include structures or features inconsistent with the permitted use or involve the conduct of any business, profession, trade or industry. Accessory uses may include the following and similar uses:

- A. Any use permitted in Section 4.7.6. Agricultural buildings and structures. Buildings and structures shall be located on a zoning lot at least five acres in size and the principal use must be agriculture- or landscaping and groundskeeping.
- B. Boathouses, private. Not accessory to dwelling units other than single-family.
- C. Conservatories or greenhouses, private. Not accessory to dwellings having less than 5,000 square feet of lot area per dwelling unit.
- D. Fallout shelters as regulated by this ordinance.
- E. Garages, carports or other parking spaces. For the exclusive use of residents, occupants and guests of the premises.
- F. Gardens.
- G. Guesthouses, private. Not accessory to dwelling units other than single-family.
- H. Home occupations.
- I. Launderettes, self-service only.
- J. Living quarters, detached. For persons employed on the premises and occupied only by such persons and their immediate family. Living quarters shall not be rented or otherwise used as a separate dwelling.
- K. Photovoltaic solar panels, only when attached to the roof of the principal structure.
- L. Playhouses and summer houses.
- M. Roadside stands. For the display and sale of agricultural products on lots where the principal use is agriculture.
- N. Sale of equipment, food or beverages incidental to the operation of a permitted use.
- O. Short-term rental, non-supervised.
- P. Signs as regulated by Article 12.

- Q. Structures and enclosures for pets. For the exclusive use or personal enjoyment of residents of the premises, not for commercial purposes and limited to not more than three pets.
- R. Structures and enclosures that are portable, for athletic purposes such as batting or pitching, golf simulators, and portable ice rinks.
- S. Swimming pools and tennis, paddle and basketball courts. For the exclusive use of residents and their guests.
- T. Tool houses, sheds and other similar buildings. For storage of domestic supplies and equipment.
- U. Vending machines.
- V. Water retention and detention areas.
- W. Water systems, individual, as regulated by this ordinance.

4.8.7. *Prohibited uses.* All uses not expressly authorized in Sections 4.8.3 through 4.8.6 are prohibited.

4.8.8. *Site and structure provisions.* The uses in the R-8 General Residence District shall conform to the following requirements:

A. *Minimum lot area.*

1. Minimum lot area of 10,000 square feet is required for each permitted or special use. Uses listed below shall meet additional requirements:
  - a. Agricultural buildings and structures shall have a minimum lot area of five acres, except where agricultural buildings and structures are accessory uses.
  - b. Apartment hotels and lodginghouses shall have a minimum lot area for each dwelling unit or lodging room of 1,500 square feet. In no instance shall minimum lot area be less than 10,000 square feet.
  - c. Boathouses (private), guesthouses (private) and detached living quarters for persons employed on the premises, shall have a minimum lot area of 40,000 square feet.
  - d. Educational institutions (boarding) and recreational and social facilities shall have a minimum lot area of five acres.
  - e. Educational institutions (nonboarding); religious institutions (except rectories, parsonages and parish houses); and health, medical and care institutions shall have a minimum lot area of 20,000 square feet.
  - f. Mobile home parks shall have a minimum lot area as provided in the Cook County Mobile Home Park Ordinance [Chapter 110, Article II of the Code].
  - g. Multiple-family dwellings shall have a minimum lot area of 4,000 square feet for every four-bedroom dwelling unit; 2,500 square feet for every three-bedroom dwelling unit; 1,500 square feet for every two- or one-bedroom dwelling unit; 1,000 square feet for every efficiency dwelling unit. In no instance shall the total minimum lot area for a multiple-family structure be less than 10,000 square feet.
  - h. Two-family dwellings shall have a minimum lot area for each dwelling unit of 5,000 square feet.

i. Commercial and noncommercial stables shall have a minimum lot area of three acres.

2. Special uses may require lot areas greater than 10,000 square feet.

B. *Minimum lot width.*

1. Minimum lot width of 60 feet shall be provided for each lot used for a permitted or special use.

Uses listed below shall meet additional requirements:

a. Agricultural buildings and structures shall have a minimum lot width of 300 feet.

b. Boathouses (private), guesthouses (private) and detached living quarters for persons employed on the premises shall have a minimum lot width of 150 feet.

c. Educational institutions (boarding) shall have a minimum lot width of 300 feet.

d. Educational institutions (nonboarding); religious institutions (except rectories, parsonages and parish houses); and health, medical and care institutions shall have a minimum lot width of 100 feet.

e. Recreation and social facilities shall have a minimum lot width of 200 feet.

2. Special uses may require a minimum lot width greater than 60 feet.

C. *Front yard.*

1. Buildings and structures shall be set back from the front lot line at least 20 feet or 20 percent of the lot depth, whichever is less.

Uses listed below shall meet additional requirements:

a. Agricultural buildings and structures shall be set back from the front lot line at least 100 feet.

b. Educational institutions; religious institutions (except rectories, parsonages and parish houses); and health, medical and care institutions shall be set back from the front lot line at least 40 feet or 20 percent of the lot depth, whichever is less.

c. Roadside stands shall be set back from the front lot line at least 60 feet.

d. Two-family dwellings, multiple-family dwellings, apartment hotels and lodging rooms shall be set back from the front lot line at least 20 feet, plus one foot for each three feet by which the building or structure height exceeds 40 feet.

2. Special uses may require a front yard setback greater than 20 feet.

D. *Interior side yard (adjacent to a zoning lot).*

1. Buildings and structures shall be set back from the side lot line at least five feet.

Uses listed below shall meet additional requirements:

a. Agricultural buildings and structures, stables (private) and riding clubs, noncommercial shall be set back from the side lot line at least 30 feet.

- b. Educational institutions; public, quasi-public and governmental buildings; religious institutions; health, medical and care institutions; and community center buildings, clubhouses, recreation buildings and tennis buildings shall be set back from the side lot line at least 15 feet, plus one foot for each two feet by which the building or structure height exceeds 15 feet.
  - c. Mobile home parks shall provide for a minimum spacing as provided in the Cook County Mobile Home Park Ordinance [Chapter 110, Article II of the Code].
  - d. Roadside stands shall be set back from the side lot line at least 75 feet.
  - e. Single-family detached dwellings shall provide a minimum side yard of ten feet.
  - f. Two-family and multiple-family dwellings, apartment hotels and lodginghouses shall be set back from the side lot line at least five feet, unless the building height exceeds 25 feet, in which buildings 50 or more feet wide in front shall have side yards at least ten percent of the building or structure width or 20 percent of the building height, whichever is greater.
2. Special uses may require an interior side yard setback greater than five feet.

E. *Corner side yard (adjacent to a street).*

1. Buildings and structures shall be set back from the side lot line adjacent to the street right-of-way at least ten feet.

Uses listed below shall meet additional requirements:

- a. Agricultural buildings and structures, stables (private) and riding clubs, noncommercial shall be set back from the side lot line adjacent to the street right-of-way at least 50 feet.
- b. Educational institutions; religious institutions; health, medical and care institutions; and philanthropic and eleemosynary institutions shall be set back from the side lot line adjacent to the street right-of-way at least 25 feet, plus one foot for each two feet by which the building or structure height exceeds 15 feet.
- c. Roadside stands shall be set back from the side lot line adjacent to the street right-of-way at least 75 feet.
- d. Single-family detached dwellings shall be set back from the side lot line adjacent to the street right-of-way at least 25 feet.
- e. Two-family and multiple-family dwellings shall be set back from the side lot line adjacent to the street right-of-way at least ten feet. Buildings 50 or more feet wide along the front lot line shall have corner side yards at least 15 percent of the building width or 30 percent of the building or structure height, whichever is greater.

2. Special uses may require a corner side yard setback greater than ten feet.

F. *Rear yard.*

1. Buildings and structures shall be set back from the rear lot line at least 40 feet.

Uses listed below shall meet additional requirements:



- a. Buildings accessory to single-family dwellings, two-family dwellings, multiple-family dwellings, apartment hotels and lodginghouses, except those uses specifically itemized in this section, may be located up to three feet from the rear lot line.
  - b. Community center buildings and recreation buildings shall be set back from the rear lot line at least 50 feet or ten percent of the lot depth, whichever is less.
  - c. Educational institutions (boarding) and agricultural buildings and structures, stables (private) and riding clubs, noncommercial, shall be set back from the rear lot line at least 100 feet.
  - d. Educational institutions (nonboarding); religious institutions (except rectories, parsonages and parish houses); and health, medical and care institutions shall be set back from the rear lot line at least 50 feet.
  - e. Two-family dwellings, multiple-family dwellings, apartment hotels and lodginghouses shall be set back from the rear lot line at least 30 feet.
2. Special uses may require a rear yard setback greater than 40 feet.

G. *Distance from a residential use.* Buildings, structures and uses listed below shall be located at least 300 feet from a zoning lot used for residential purposes.

- 1. Golf course clubhouses, tennis buildings and indoor pools.
- 2. Stadiums and grandstands.

H. *Floor area ratio.*

- 1. Maximum floor area ratio for specific uses shall be:

Single-family detached dwellings, including rectories, parsonages and parish houses  
.....0.40

Two-family dwellings .....0.70

Multiple-family dwellings .....1.00

Apartment hotels and lodginghouses .....1.00

Educational institutions, nonboarding .....0.50

Recreation and social facilities .....0.30

Religious institutions, except rectories, parsonages and parish houses .....0.50

Educational institutions, boarding .....0.50

Health, medical and care institutions .....1.00

All other uses .....0.20

- 2. Floor area ratio shall be provided by the special use permit.
- 3. Floor area ratio of accessory buildings shall be included in the total allowable floor area permitted on the zoning lot. Floor area devoted to off-street parking or loading facilities shall not be counted in the floor area used to determine floor area ratio.

- I. *Minimum size of dwelling.* Structures occupied in whole or in part for residential purposes shall contain at least the following square feet of livable floor area, exclusive of basement or garage space:

	Square Feet
--	-------------

Single-family detached dwelling .....720

Two-family dwelling .....600

Multiple-family dwelling .....600

4.8.9. *Special provisions.* The uses in the R-8 General Residence District shall conform to the following requirements:

- A. *Parking and loading.* Uses shall conform to Article 11.
- B. *Tents.* Tents shall not be used as a place of permanent residence and shall not be erected, used or maintained on any lot, except for a limited period of time. Tents shall not be used for the permanent storage of vehicles or other equipment.
- C. *Trailers, recreational vehicles and boats.* Travel trailers, camping trailers, recreational vehicles, motor homes, boats, boat trailers, and miscellaneous trailers shall not be parked or stored on a zoning lot, except when located in a garage, a fully enclosed structure or in such a location that they are not visible from adjacent rights-of-way or from other zoning lots. Pursuant to adoption by local Ordinance by the Township Board of Trustees, such uses shall be allowed on a zoning lot which exceeds an acre or more in size subject to the following:
  - 1. *Front yard.*
    - a. RVs shall not be parked between the frontline of any portion of the building and the street, unless otherwise specifically provided for in this Article.
  - 2. *Side yard.*
    - a. No more than two RVs may be parked in a side yard.
    - b. A single RV may not exceed 20 feet in length, and two RVs, if parked end-to-end, may not exceed a total combined length of 20 feet.
    - c. A single RV may not exceed a height of four feet in height, and two RVs stacked shall not exceed a total combined height of four feet.
    - d. Any RV located in an interior side yard, shall be parked a minimum of three feet from the side lot line.
    - e. Any RV located in an interior side yard shall be screened with a single row of evergreens a minimum of five feet high at time of planting or a semi-open wood fence five feet high.
  - 3. *Rear yard.*
    - a. No more than two RVs shall be parked in a rear yard.

- b. A single RV shall not exceed 32 feet in length, and two RVs, if parked end-to-end, shall not exceed a total combined length of 32 feet.
  - c. A single RV shall not exceed a height of 12 feet in height and two RVs stacked shall not exceed a total combined height of 12 feet.
  - d. Any RV located in a rear yard, shall be parked a minimum of five feet from the rear lot line and a minimum of three feet from any interior lot line.
  - e. Any RV located in a rear yard shall be screened with a single row of evergreens a minimum of five feet high at time of planting or semi-open wood fence five feet high.
4. *Exterior side yards and rear yards adjacent to a street or roadway.*
- a. No RVs shall be located in an exterior side yard or that portion of a rear yard that is between an adjacent street or roadway and a line extended from the building.
5. *Additional requirements.*
- a. Not more than two RVs may be parked on any residential zoning lot.
  - b. At no time shall a parked RV be used for living, sleeping or other purposes. No RV shall be connected to gas, water or sanitary sewer service.
  - c. Any RV may be parked in a fully enclosed garage unless such parking is specifically prohibited elsewhere in the Code.
  - d. The owner of an RV shall not park the RV in a manner as to create a dangerous or unsafe condition on the lot where parked or to adjacent property. Parking in such fashion that the RV may readily tip or roll, shall be considered a dangerous or unsafe condition.
  - e. The parking surface of an RV in any permitted area shall be a hard surface such as concrete, asphalt or crushed stone.
  - f. RVs shall not have their wheels removed or be affixed to the ground so as to prevent ready removal of the vehicle.
  - g. RVs shall not be used as accessory structures in any zoning district.
  - h. No major automobile repairs, as defined in Article 4 of the Zoning Ordinance, shall be performed on any RV except within a garage or other structure.
  - i. Temporary parking of RVs for the purpose of loading or unloading shall be permitted for no more than two days within any period of four consecutive days.
- D. *Trucks.* Trucks, commercial vehicles and other commercial equipment shall not be parked or stored on a zoning lot, except when located in a garage, a fully enclosed structure or in such a location that they are not visible from adjacent rights-of-way or from other zoning lots. Vehicles to be parked or stored must be owned or legally controlled by the residents or occupants of the principal use. Small pickup trucks and vans used principally as passenger cars are excluded from this requirement. Pursuant to adoption by local Ordinance by the Township Board of Trustees, commercial vehicles may be parked on a zoning lot subject to the following:
- 1. *Size/weight limitation.* No commercial vehicle having a license class designation greater than "B" under the Illinois Vehicle Code shall be parked on a zoning lot. This

limitation shall not apply to a pickup style commercial vehicle with the license class designation of "D". All other class "D" vehicles are prohibited.

2. Location. Except as hereafter provided, no commercial vehicle shall be parked on a zoning lot unless parked in a garage or a fully enclosed structure. A commercial vehicle may be parked on a residential zoning lot if one of the following criteria is met:
    - a. The vehicle has no signage.
    - b. The vehicle's signage is limited to the identification of the owner or operator, affixed by name or logo. Such identification may appear on not more than two separate portions of the vehicle.
  3. The parking of commercial vehicles on residential lots shall be limited to one.
  4. Nothing in the provisions of this Ordinance shall be construed to prohibit trucks and other service vehicles from being parked on the premises temporarily for purposes of making deliveries or rendering service to the property as otherwise provided in this Ordinance.
- E. *Sewer and water.* Uses requiring sanitary facilities shall be served by either a municipal or private community sewer and water system.

## **ARTICLE 5. - COMMERCIAL DISTRICTS**

### **5.0. - Purpose.**

The commercial district regulations are intended to govern the location, intensity and method of development for business and commercial uses within Cook County. Regulations provide for groupings of business and commercial uses that are compatible with the type of commodity sold, the scope of services provided and the method of operations. All business and commercial uses are contained in the following eight commercial districts:

C-1 Restricted Business District

C-2 Restricted Office District

C-3 General Service District

C-4 General Commercial District

C-5 Commercial Transition District

C-6 Automotive Service District

C-7 Office/Research Park District

C-8 Intensive Commercial District

For purposes of determining the restrictiveness of the eight commercial zoning districts, each of the districts shall be deemed independently and equally restrictive.

### **5.1. - C-1 Restricted Business District.**

*5.1.1. Description of district.* The C-1 Restricted Business District is intended to provide for convenient shopping necessary to satisfy most basic shopping needs. This district is designed to encourage the

development of small neighborhood shopping centers with off-street parking and loading and includes existing individual shops or small groups of local stores. Permitted uses in this district are relatively low intensity to be compatible with nearby residential areas. This district is normally located on primary or secondary thoroughfares, relatively small in size and has bulk standards that provide for compatibility with residential uses.

*5.1.2. Use, lot and bulk regulations.* The applicable use, lot and bulk regulations are set forth in Sections 5.1.3 through 5.1.9.

*5.1.3. Permitted uses.* A permitted use of land or buildings shall be allowed in accordance with the provisions of this ordinance. Unless otherwise specifically set forth, wherever a permitted use is named as a major category, it shall be deemed to include only those enumerated uses. Unless otherwise specifically allowed by this ordinance, no building or zoning lot shall be devoted to any use other than a permitted use, and no building or structure shall be erected, altered, enlarged or occupied, except as a permitted use. Uses lawfully established on the effective date of this ordinance, and rendered nonconforming by it, shall be subject to Article 10.

The following uses are permitted in the C-1 District:

- A. Retail businesses.
  1. Antique shops.
  2. Apparel, clothing, shoe, jewelry, and accessory shops.
  3. Art and school supplies.
  4. ~~Bakeries, provided that the manufacture of goods is limited to those retailed on the premises.~~
  - 5.4. Bicycle sales and service (nonmotorized).
  - ~~6.5.~~ Book and stationery stores.
  - ~~7.~~ ~~Camera and photographic supply.~~
  - ~~8.~~ ~~Candy and confectionery stores.~~
  - ~~9.~~ ~~China and glassware stores.~~
  - ~~10.~~ ~~Coin, stamp, trading card and numismatic stores.~~
  - ~~11.6.~~ Computer, electronics, and photographic sales and service.
  - ~~12.~~ ~~Delicatessens.~~
  - ~~13.7.~~ Drug stores and pharmacies.
  - ~~14.~~ ~~Electronic sales and service.~~
  - ~~15.8.~~ Florist shops.
  - ~~16.9.~~ Food and grocery stores, candy and confectionary stores, delicatessens, ice cream stores, and bakeries, provided that the manufacture of goods is limited to those retailed on the premises.
  - ~~17.10.~~ Gift shops.
  - ~~18.11.~~ Housewares and hardware stores.
  - ~~19.~~ ~~Ice cream stores.~~
  - ~~20.~~ ~~Jewelry stores.~~

~~21-12.~~ Restaurants. Live entertainment, and dancing requiring entry fees, and serving of alcohol, are prohibited.

~~22.~~ Shoe stores.

~~23-13.~~ Sporting goods stores.

B. Services.

1. Barber and beauty shops.

2. Currency exchanges.

~~3.~~ ~~Dry cleaners, laundries, launderettes and clothes pressing establishments. Dry cleaning and laundry plants serving more than one retail outlet are prohibited.~~

~~4-3.~~ Locksmith shops.

~~5-4.~~ Photographic studios.

~~6-5.~~ Shoe, clothing, hat and accessory repair shops.

~~7-6.~~ Signs, as regulated by Article 12.

~~8-7.~~ Tailor, dress-making and alteration shops. Employment of more than five persons on premises is prohibited.

C. Public and governmental land and buildings.

1. Forest preserves.

2. Historical buildings and landmarks preserved for the public.

3. Public libraries.

4. Public office buildings.

D. Religious institutions.

1. Places of worship.

2. Religious reading rooms.

E. Agricultural land and buildings.

1. Agricultural uses.

*5.1.4. Special uses.* A special use may be allowed subject to the issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses.

The following special uses may be permitted in the C-1 District:

A. Retail businesses.

1. Fish and meat markets.

2. Newsstands.

3. Pet sales and supplies.

4. Roadside stands.

5. Tobacco shops.

B. Services.

1. Automobile, gasoline and service stations, including minor accessories, supplies and services customarily incidental to gasoline and service stations, and electric vehicle charging stations.
  2. Banks and savings and loans.
  3. Dry cleaners, laundries, launderettes and clothes pressing establishments. Dry cleaning and laundry plants serving more than one retail outlet are prohibited.
  - ~~3.4.~~ Fix-it shops for general, minor repair.
  - ~~4.5.~~ Funeral homes and undertaking establishments.
  - ~~5.6.~~ Travel agencies or bureaus and transportation ticket offices.
- C. Professional offices.
1. Doctors, physicians and dentists offices and clinics.
  2. Insurance agencies.
  3. Real estate agencies.
  4. Security and commodity brokers.
- D. Residential.
1. Residence of the proprietor.
- E. Recreation and social facilities.
1. Clubs.
  2. Community center buildings, clubhouses, recreation buildings, swimming pools and buildings for indoor pools, tennis courts and buildings for indoor tennis courts, noncommercial and not for profit.
  3. Lodges and fraternal organizations.
- F. Public and governmental land and buildings.
1. Parks and playgrounds.
- G. Health, medical and care institutions.
1. Intermediate, extended and long-term care facilities.
  2. Hospitals, ~~but not including institutions for the care and treatment of mental illness, drug or alcohol addiction.~~
  3. Nursery schools, children's day schools, nurseries, and day care centers.
- H. Public utilities and services.
1. Electric substations, gas regulator stations, telephone exchanges, cellular phone towers, and other essential public utilities and services.
  2. Fire stations.
  3. Police stations.
  4. Post offices and substations.
  5. Railroad passenger stations.

- 6. Railroad rights-of-way. Railroad yards and shops for other than passenger service are prohibited.
- 7. Waterworks, reservoirs, pumping stations, wells and filtration plants.
- I. Planned unit developments.
- J. Unique uses as regulated by this ordinance.
- K. Uses similar and compatible to those allowed in this district.

5.1.5. *Temporary uses.* A temporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

- A. *Temporary buildings or yards.* For storage of construction materials and equipment both incidental and necessary to construction in the zoning district. Permits shall specify the location of the building or yard and the area of permitted operation. Permits shall be valid for not more than six months and shall not be renewed for more than four successive periods. The building or yard shall not interfere with the use and enjoyment of neighboring property.
- B. *Temporary sales offices.* Permits shall specify the location of the office and the area of permitted operation. Permits shall be issued in six-month increments for a period of not more than two years, unless otherwise authorized by the Building Commissioner.
- C. ~~Real estate signs.~~ Temporary real estate signs as regulated by Article 12.
- D. *Bazaars and dances.* Permits shall be valid for not more than seven days. No permit shall be issued for the same location within 90 days of the expiration of a bazaar or dance permit.
- E. *Christmas tree sales.* Permits shall be valid for not more than 60 days.
- F. *Parking lots for special events.* Permits shall be valid only for the duration of the event.
- G. ~~Portable signs.~~ Portable signs as regulated by Article 12.
- H. *Portable storage containers.* Portable storage containers as regulated by Article 8.

5.1.6. *Accessory uses.* A use, building or other structure customarily incidental to and commonly associated with a principal, permitted or special use may be allowed as an accessory use, provided it is operated and maintained under the same ownership and on the same lot as the permitted use. Accessory uses shall not include structures or features inconsistent with the permitted use or involve the conduct of any business, profession, trade or industry. Accessory uses may include the following and similar uses:

- A. Agricultural buildings and structures.
- B. Fallout shelters as regulated by this ordinance.
- C. Garages, carports or other parking spaces. Truck parking shall be limited to vehicles not more than 1½-ton capacity when located within 150 feet of a residence district.
- D. Gardens.
- E. Roadside stands. For the display and sale of agricultural products only, where the principal use is agriculture.
- F. Sewage disposal units and water systems, individual, as regulated by this ordinance.
- G. Signs as regulated by Article 12.
- H. Tool houses, sheds and other similar buildings. For the storage of supplies and equipment.
- I. Vending machines.



J. Water retention and detention areas.

5.1.7. *Prohibited uses.* All uses not expressly authorized in Sections 5.1.3 through 5.1.6 are prohibited.

5.1.8. *Site and structure provisions.* The uses in the C-1 Restricted Business District shall conform to the following requirements:

- A. *Minimum lot area.* Minimum lot area is not required, except for agricultural buildings and structures which require a minimum lot area of five acres.
- B. *Minimum lot width.* Minimum lot width is not required.
- C. *Front yard.* Buildings and structures, except agricultural buildings and structures, shall be set back from the front lot line at least 30 feet. Agricultural buildings and structures shall be set back from the front lot line at least 100 feet.
- D. *Interior side yard (adjacent to a zoning lot).* Interior side yard is not required.
- E. *Corner side yard (adjacent to a street).* Buildings and structures shall be set back from the side lot line adjacent to a street right-of-way at least 30 feet.
- F. *Rear yard.* Rear yard is not required, except for buildings in which a residential use is located above the first floor. Such yard shall be at least 30 feet in depth and shall be measured from the finished floor of the lowest residential unit.
- G. *Transitional yard.* Minimum transitional yard requirements for all buildings and structures shall be not less than those specified below:
  - 1. Side lot lines that abut a side or rear lot line in a residence district shall provide a yard along the side lot line. The yard shall be at least the minimum side yard required under this ordinance for a residential use on the adjacent residential lot.
  - 2. Rear lot lines that abut a side lot line in a residence district shall provide a yard along the rear lot line. The yard shall be at least the minimum side yard required under this ordinance for a residential use on the adjacent residential lot.
  - 3. Rear lot lines that abut a rear lot line in a residence district shall provide a yard along the rear lot line. The yard shall be at least 20 feet in depth.
  - 4. Front or side lot lines across a street, alley or other right-of-way from the front lot line of a lot in a residence district shall provide a yard at least the minimum front yard required by this ordinance on such adjacent residential lot along the front or side lot line.
  - 5. Land used for agricultural buildings and structures shall provide a transitional yard of at least 50 feet in depth along all lot lines that abut a lot line in an adjacent residence district.
- H. *Floor area ratio.* Maximum floor area ratio shall be 1.2.
- I. *Minimum size of dwelling.* Buildings and structures occupied in whole or in part for residential purposes shall contain at least 500 square feet of livable floor area, exclusive of basement and garage space.

5.1.9. *Special provisions.* The uses in the C-1 Restricted Business District shall conform to the following requirements:

- A. *Parking and loading.* Uses shall conform to Article 11.
- B. *Signs.* Uses shall conform to Article 12.

- C. *Trucks.* Parking of trucks as an accessory use, when used in the conduct of a permitted use located within 150 feet of a residence district boundary line, shall be limited to vehicles less than 1½-ton capacity.
- D. *Sewers and water.* Uses requiring sanitary facilities shall be served by either a municipal or private community sewer and water system, or a private individual sewage disposal and water supply system. The system used must be approved by the Cook County Health Department. Lodging houses and multiple-family dwellings must be served by either a municipal or private community sewer system, not by a private individual sewage disposal system.
- E. *Businesses.*
  - 1. Business uses and residential uses are not allowed on the same floor of the same building.
  - 2. Business uses are not allowed above the second floor in buildings containing residential dwelling units. A mezzanine may be provided by a business as an intermediate, fractional story between the floor and the ceiling of the first story.
  - 3. Business uses shall be retail or service establishments dealing directly with consumers. All goods produced on premises shall be sold at retail there.
  - 4. Business uses shall be conducted within enclosed buildings except for off-street parking and loading and automobile gasoline and service station operations.
  - 5. Business uses offering goods or services to customers waiting in parked motor vehicles are prohibited, except automobile gasoline and service stations.
  - 6. Business uses involving the production, processing, cleaning, servicing, testing or repair of materials, goods or products shall conform with the I-1 industrial performance standards in this ordinance. Performance standards shall be applied at the boundaries of the zoning lot in which such activities take place.

## **5.2. - C-2 Restricted Office District.**

*5.2.1. Description of district.* The C-2 Restricted Office District is intended to provide for development of small office structures located near residential areas. This district is designed to encourage the development of one- to three-story office structures which can accommodate most professional offices. Retail uses are severely restricted and are allowed only when they supplement an office use. This district is normally located on primary or secondary thoroughfares, is relatively small in size and requires protective measures to make permitted uses compatible with adjacent land uses.

*5.2.2.aaa Use, lot and bulk regulations.* The applicable use, lot and bulk regulations are set forth in Sections 5.2.3 through 5.2.9.

*5.2.3. Permitted uses.* A permitted use of land or buildings shall be allowed in accordance with the provisions of this ordinance. Unless otherwise specifically set forth, wherever a permitted use is named as a major category, it shall be deemed to include only those enumerated uses. Unless otherwise specifically allowed by this ordinance, no building or zoning lot shall be devoted to any use other than a permitted use and no building or structure shall be erected, altered, enlarged or occupied except as a permitted use and no building or structure shall be erected, altered, enlarged or occupied except as a permitted use. Uses lawfully established on the effective date of this ordinance, and rendered nonconforming by it, shall be subject to Article 10.

The following uses are permitted in the C-2 District:

- A. Retail businesses.

1. Drug stores and pharmacies.
2. Newsstands.
- ~~3~~2. Restaurants. Alcohol may be served for consumption on premises only if incidental to serving food. Live entertainment and dancing requiring entry fees are prohibited.

B. Services.

1. Artist studios.
2. Barber and beauty shops.
3. Financial institutions, including banks, investment and loan companies and savings and loans. Drive in facilities are prohibited.
4. Interior decorating studios.
5. Parking lots, other than accessory, subject to Article 11.
6. Photographic studios.
7. Signs as regulated by Article 12.
8. Telecommunications offices.
9. Travel agencies or bureaus and transportation ticket offices.

C. Professional offices.

1. Accountants and bookkeepers.
2. Architects, landscape architects, and urban designers and planners.
3. Attorneys.
4. Chambers of commerce.
5. Detective agencies.
6. Doctors, physicians and dentists offices and clinics.
7. Employment agencies.
8. Engineers.
9. Insurance agencies.
10. Labor union and organizations.
- ~~10. Landscape architects.~~
11. Land surveyors.
12. Merchant associations.
- ~~13. Miscellaneous business and professional offices.~~
- 13~~14~~. Newspaper, media, and web design and publishing agencies.
- 14~~15~~. Political organizations.
- 15~~16~~. Real estate agencies.
- 16~~17~~. Regional sales facilities.
- 17~~17~~. Secretarial agencies.

- ~~1848.~~ Security and commodity brokers.
- D. Public and governmental land and buildings.
  - 1. Forest preserves.
  - 2. Historical buildings and landmarks preserved for the public.
  - 3. Public libraries.
  - 4. Public office buildings.
- E. Religious institutions.
  - 1. Religious reading rooms.
- F. Agricultural land and buildings.
  - 1. Agricultural uses.

5.2.4. *Special uses.* A special use may be allowed subject to issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses.

The following special uses may be permitted in the C-2 District:

~~A.~~ ~~Retail businesses.~~

~~1.~~ ~~Newsstands.~~

AB. Services.

1. Banks and savings and loans with drive-in facilities.

~~C.~~ ~~Professional offices.~~

~~1.~~ ~~Labor union and organizations.~~

~~2.~~ ~~Regional sales facilities.~~

B~~D~~. Residential.

1. Residence of the proprietor.

C~~E~~. Recreation and social facilities.

1. Clubs.

2. Community center buildings, clubhouses, recreation buildings, swimming pools, and buildings for indoor pools, tennis courts and buildings for indoor tennis courts, noncommercial and not-for-profit.

3. Gymnasiums.

4. Health and physical fitness clubs.

F. Public and governmental land and buildings.

1. Parks and playgrounds.

2. Public office buildings.

G. Health, medical, and care institutions.

1. Intermediate, extended and long-term care facilities.

2. Nursery schools, children's day schools, nurseries, and day care centers.

- H. Educational institutions.
  - 1. Business colleges and commercial schools.
- I. Public utilities and services.
  - 1. Electric substations, gas regulator stations, telephone exchanges, cellular phone towers, and other essential public utility and services.
  - 2. Fire stations.
  - 3. Police stations.
  - 4. Post offices.
  - 5. Railroad passenger stations.
  - 6. Railroad rights-of-way. Railroad yards and shops for other than Passenger service are prohibited.
  - 7. Waterworks, reservoirs, pumping stations, wells and filtration plants.
- J. Planned unit developments.
- K. Unique uses, as regulated by this ordinance.
- L. Excavations.
  - 1. Artificial lakes.
- M. Uses similar and compatible to those allowed in this district.

5.2.5. *Temporary uses.* A temporary use may be allowed upon issuance of a permit by the Department of Building and Zoning.

- A. ~~Any use permitted in Section 5.1.5.~~
- A. Temporary buildings or yards. For storage of construction materials and equipment both incidental and necessary to construction in the zoning district. Permits shall specify the location of the building or yard and the area of permitted operation. Permits shall be valid for not more than six months and shall not be renewed for more than four successive periods. The building or yard shall not interfere with the use and enjoyment of neighboring property.
- B. Temporary sales offices. Permits shall specify the location of the office and the area of permitted operation. Permits shall be issued in six-month increments for a period of not more than two years, unless otherwise authorized by the Building Commissioner.
- C. [Real estate signs.] Temporary real estate signs as regulated by Article 12.
- D. Bazaars and dances. Permits shall be valid for not more than seven days. No permit shall be issued for the same location within 90 days of the expiration of a bazaar or dance permit.
- E. Christmas tree sales. Permits shall be valid for not more than 60 days.
- F. Parking lots for special events. Permits shall be valid only for the duration of the event.
- G. [Portable signs.] Portable signs as regulated by Article 12.
- H. Portable storage containers. Portable storage containers as regulated by Article 8.

5.2.6. *Accessory uses.* A use, building or other structure customarily incidental to and commonly associated with a principal, permitted or special use may be allowed as an accessory use, provided that it is operated and maintained under the same ownership and on the same lot as the permitted use. Accessory

uses shall not include structures or features inconsistent with the permitted use or involve the conduct of any business, profession, trade or industry.

Accessory uses may include the following and similar uses:

- ~~A. Any use permitted in Section 5.1.6.~~
- A. Agricultural buildings and structures.
- B. Fallout shelters as regulated by this ordinance.
- C. Garages, carports or other parking spaces. Truck parking shall be limited to vehicles not more than 1½-ton capacity when located within 150 feet of a residence district.
- D. Gardens.
- E. Roadside stands. For the display and sale of agricultural products only, where the principal use is agriculture.
- F. Sewage disposal units and water systems, individual, as regulated by this ordinance.
- G. Signs as regulated by Article 12.
- H. Tool houses, sheds and other similar buildings. For the storage of supplies and equipment.
- I. Vending machines.
- J. Water retention and detention areas.

5.2.7. *Prohibited uses.* All uses not expressly authorized in Sections 5.2.3 through 5.2.6 are prohibited.

5.2.8. *Site and structure provisions.* The use in the C-2 Restricted Office District shall conform to the following requirements:

- A. *Minimum lot area.* Minimum lot area is not required, except for agricultural buildings and structures which require a minimum lot area of five acres.
- B. *Minimum lot width.* Minimum lot width is not required.
- C. *Front yard.* Buildings and structures, except agricultural buildings and structures, shall be set back from the front lot line at least 30 feet. Agricultural buildings and structures shall be set back from the front lot line at least 100 feet.
- D. *Interior side yard (adjacent to a zoning lot).* Interior side yard is not required.
- E. *Corner side yard (adjacent to a street).* Buildings and structures shall be set back from the side lot line adjacent to a street right-of-way at least 30 feet.
- F. *Rear yard.* Rear yard is not required, except for buildings in which a residential use is located above the first floor. Such yard shall be at least 30 feet in depth and shall be measured from the finished floor of the lowest residential unit.
- G. *Transitional yard.* Minimum transitional yard requirements for all buildings and structures shall be not less than those specified below:
  - 1. Side lot lines that abut a side or rear lot line in a residence district shall provide a yard along the side lot line. The yard shall be at least the minimum side yard required under this ordinance for a residential use on the adjacent residential lot.
  - 2. Rear lot lines that abut a side lot line in a residence district shall provide a yard along the rear lot line. The yard shall be at least the minimum side yard required under this ordinance for a residential use on the adjacent residential lot.

3. Rear lot lines that abut a rear lot line in a residence district shall provide a yard along the rear lot line. The yard shall be at least 20 feet in depth.
  4. Front or side lot lines across a street, alley or other right-of-way from the front lot line of a lot in a residence district shall provide a yard at least the minimum front yard required by this ordinance on such adjacent residential lot along the front or side lot line.
  5. Land used for agricultural buildings and structures shall provide a transitional yard of at least 50 feet in depth along all lot lines that abut a lot line in an adjacent residence district.
- H. *Floor area ratio.* Maximum floor area ratio shall be 1:2.
- I. *Minimum size of dwelling.* Buildings and structures occupied in whole or in part for residential purposes shall contain at least 500 square feet of livable floor area, exclusive of basement and garage space.

5.2.9. *Special provisions.* The uses in the C-2 Restricted Office District shall conform to the following requirements:

- A. *Parking and loading.* Uses shall conform to Article 11.
- B. *Signs.* Uses shall conform to Article 12.
- C. *Trucks.* Parking of trucks as an accessory use, when used in the conduct of a permitted use located within 150 feet of a residence district boundary line, shall be limited to vehicles less than 1½-ton capacity.
- D. *Sewers and water.* Uses requiring sanitary facilities shall be served by either a municipal or private community sewer and water system, or a private individual sewage disposal and water supply system. The system used must be approved by the Cook County Health Department. Lodginghouses and multiple-family dwellings must be served by either a municipal or private community sewer system, not by a private individual sewage disposal system.
- E. *Businesses.*
  1. Business uses and residential uses are not allowed on the same floor of the same building.
  2. Business uses are not allowed above the second floor in buildings containing residential dwelling units. A mezzanine may be provided by a business as an intermediate, fractional story between the floor and ceiling of the first story.
  3. Business uses shall be retail or service establishments dealing directly with consumers. All goods produced on premises shall be sold at retail there.
  4. Business uses shall be conducted within enclosed buildings except for off-street parking, loading and automobile gasoline and service station operations.
  5. Business uses offering goods or services to customers waiting in parked motor vehicles are prohibited, except for banks and savings and loans, for which special use permit approval is required.
  6. Business uses involving the production, processing, cleaning, servicing, testing or repair of materials, goods or products shall conform with the I-1 Industrial performance standards in this ordinance. Performance standards shall be applied at the boundaries of the zoning lot on which such activities take place.

### 5.3. - C-3 General Service District.

5.3.1. *Description of district.* The C-3 General Service District is intended to provide locations for services and small businesses. This district is more intensive than either of the preceding commercial districts. This district is normally located at intersections of or along major thoroughfares.

5.3.2. *Use, lot and bulk regulations.* The applicable use, lot and bulk regulations are set forth in Sections 5.3.3 through 5.3.9.

5.3.3. *Permitted uses.* A permitted use of land or buildings shall be allowed in accordance with the provisions of this ordinance. Unless otherwise specifically set forth, wherever a permitted use is named as a major category, it shall be deemed to include only those enumerated uses. Unless otherwise specifically allowed by this ordinance, no building or zoning lot shall be devoted to any use other than a permitted use, and no building or structure shall be erected, altered, enlarged or occupied, except as a permitted use. Uses lawfully established on the effective date of this ordinance, and rendered nonconforming by it, shall be subject to Article 10.

The following uses are permitted in the C-3 District:

- A. Retail businesses.
  1. Apparel, clothing, and accessory, jewelry, and shoe stores shops.
  - ~~2. Art supply stores.~~
  23. Bakeries, provided that the manufacture of goods is limited to those retailed on the premises.
  34. Bicycle sales and services.
  45. Book, and stationery, art, and office supply stores.
  - ~~6. Camera and photographic supply stores.~~
  57. Catering establishments.
  68. Computer sales and services.
  - ~~9. Delicatessens.~~
  40. Drapery stores.
  744. Drug stores and pharmacies.
  842. Electronics sales and services, including but not limited to cellular and land-line phones, computers, televisions, radios, camera and photographic supplies, and household appliances.
  943. Florist shops, conservatories, and greenhouses, and nurseries.
  1044. Food, grocery and dairy stores.
  1145. Garden supply and seed stores.
  1246. Homewares and hardware stores.
  1347. Hearing aid sales and services.
  1448. Gift and Hobby shops.
  - ~~19. Ice and milk sales.~~
  - ~~20. Ice cream stores.~~



~~21. Jewelry stores.~~

1522. Musical instrument sales and repairs.

1623. Newsstands.

~~24. Office supply stores.~~

1725. Optical sales.

1826. Paint and wallpaper stores.

1927. Pet sales and supplies.

2028. Picture framing, when conducted for on-premises retail trade.

2129. Restaurants. Alcohol may be served for consumption on premise, only if incidental to serving food. Live entertainment and dancing requiring entry fees are prohibited.

2230. School supply stores.

~~31. Shoe stores.~~

2332. Sporting goods stores.

2433. Tobacco shops.

B. Services.

1. Artist studios.

2. Automobile, gasoline and service stations, including minor accessories, supplies, and services customarily incidental to gasoline and service stations, and electric vehicle charging stations. Facilities for service and washing shall be limited to not more than four vehicles, and enclosed in a building.

3. Barber and beauty shops.

~~4. Blueprinting, photostating and copying establishments.~~

45. Clothing rental agencies and formal wear shops.

56. Currency exchanges.

~~7. Dry cleaners, laundries, launderettes and clothes pressing establishments. Dry cleaning and laundry plants serving more than one retail outlet are prohibited.~~

68. Electronics service and repair shops.

79. Financial institutions, including banks and savings and loans. ~~Drive-in facilities are prohibited.~~

840. Fix-it shops, for general, minor repairs.

944. Funeral homes and undertaking establishments.

1042. Locksmith shops.

1143. News syndicates and newspaper distribution agencies.

12. Photocopying establishments.

1344. Photographic studios.

1445. Shoe, clothing and hat repair shops.

1546. Signs as regulated by Article 12.

1647. Tailor and dress-making shops.

~~18.—Telegraph offices.~~

1749. Ticket agencies, amusement.

1820. Travel agencies or bureaus and transportation ticket offices.

C. Professional offices.

1. Accountants and bookkeepers.

2. Animal hospitals and veterinary clinics for care and treatment of domestic pets and animals.

3. Architects.

4. Detective agencies.

5. Doctors, physicians, and dentists offices and clinics.

6. Employment agencies.

7. Engineers.

8. Insurance agencies.

9. Land surveyors.

10. Landscape architects.

~~11.—Miscellaneous professional offices.~~

1142. Newspaper, media, and web design and publishing agencies.

D. Recreation and social facilities.

1. Clubs.

2. Community center buildings, clubhouses, recreation buildings, swimming pools and buildings for indoor swimming pools, tennis courts and buildings for indoor tennis courts, noncommercial and not-for-profit.

3. Lodges and fraternal organizations.

4. Theaters, indoor.

E. Public and governmental land and buildings.

1. Forest preserves.

2. Historical buildings and landmarks preserved for the public.

3. Public libraries.

4. Public office buildings.

F. Public utilities and services.

1. Electric substations, gas regulator stations, telephone exchanges and other essential public utilities and services.

2. Post offices.

G. Agricultural land and buildings.

1. Agricultural uses.

5.3.4. *Special uses.* A special use may be allowed subject to issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses.

The following special uses may be permitted in the C-3 District:

- A. Retail businesses.
  - 1. Building material supplies, sales and service.
  - 2. Furniture stores.
  - 3. Roadside stands.
- B. Services.
  - 1. Automobile repair shops.
  - 2. Dry cleaners, drive-in laundries, launderettes and clothes pressing establishments. Dry cleaning and laundry plants serving more than one retail outlet are prohibited.
  - 3. Parking lots other than accessory, subject to Article 11.
- C. Residential.
  - 1. Hotels and motels.
  - 2. Residence of the proprietor.
- D. Public and governmental land and buildings.
  - 1. Parks and playgrounds.
- E. Health, medical and care institutions.
  - 1. Nursery schools, children's day schools, nurseries, and day care centers.
  - 2. Medical cannabis dispensing organization, as regulated by 410 ILCS 130/1 et seq.
- F. Public utilities and services.
  - 1. Bus terminals, turnarounds and lots.
  - 2. Fire stations.
  - 3. Police stations.
  - 4. Railroad passenger stations.
  - 5. Railroad rights-of-way. Railroad yards and shops for other than passenger service are prohibited.
  - 6. Waterworks, reservoirs, pumping stations, wells and filtration plants.
- G. Planned unit developments.
- H. Recreation and social facilities.
  - 1. Video gaming.
- I. Unique uses as regulated by this ordinance.
- J. Uses similar and compatible to those allowed in this district.

5.3.5. *Temporary uses.* The following temporary uses may be allowed upon issuance of a permit by the Department of Building and Zoning:

- A. ~~Any use permitted in Section 5.1.5.~~
- A. Temporary buildings or yards. For storage of construction materials and equipment both incidental and necessary to construction in the zoning district. Permits shall specify the location of the building or yard and the area of permitted operation. Permits shall be valid for not more than six months and shall not be renewed for more than four successive periods. The building or yard shall not interfere with the use and enjoyment of neighboring property.
- B. Temporary sales offices. Permits shall specify the location of the office and the area of permitted operation. Permits shall be issued in six-month increments for a period of not more than two years, unless otherwise authorized by the Building Commissioner.
- C. [Real estate signs.] Temporary real estate signs as regulated by Article 12.
- D. Bazaars and dances. Permits shall be valid for not more than seven days. No permit shall be issued for the same location within 90 days of the expiration of a bazaar or dance permit.
- E. Christmas tree sales. Permits shall be valid for not more than 60 days.
- F. Parking lots for special events. Permits shall be valid only for the duration of the event.
- G. [Portable signs.] Portable signs as regulated by Article 12.

5.3.6. *Accessory uses.* A use, building or other structure customarily incidental to and commonly associated with a principal, permitted or special use may be allowed as an accessory use, provided that it is operated and maintained under the same ownership and on the same lot as the permitted use. Accessory uses shall not include structures or features inconsistent with the permitted use or involve the conduct of any business, profession, trade or industry. Accessory uses may include the following and similar uses:

- A. ~~Any use permitted in Section 5.1.6.~~
- A. Agricultural buildings and structures.
- B. Fallout shelters as regulated by this ordinance.
- C. Garages, carports or other parking spaces. Truck parking shall be limited to vehicles not more than 1½-ton capacity when located within 150 feet of a residence district.
- D. Gardens.
- E. Roadside stands. For the display and sale of agricultural products only, where the principal use is agriculture.
- F. Sewage disposal units and water systems, individual, as regulated by this ordinance.
- G. Signs as regulated by Article 12.
- H. Tool houses, sheds and other similar buildings. For the storage of supplies and equipment.
- I. Vending machines.
- J. Water retention and detention areas.

5.3.7. *Prohibited uses.* All uses not expressly authorized in Sections 5.3.3 through 5.3.6 are prohibited.

5.3.8. *Site and structure provisions.* The uses in the C-3 General Service District shall conform to the following requirements:

- A. Minimum lot area. Minimum lot area is not required, except for those uses specified below:

1. Hotels and motels shall have not less than 500 square feet of lot area per unit or suite.
  2. Agricultural buildings and structures shall have a minimum lot area of five acres.
- B. *Minimum lot width.* Minimum lot width is not required.
- C. *Front yard.* Buildings and structures, except agricultural buildings and structures, shall be set back from the front lot line at least 30 feet. Agricultural buildings and structures shall be set back from the front lot line at least 100 feet.
- D. *Interior side yard (adjacent to a zoning lot).* Interior side yard is not required.
- E. *Corner side yard (adjacent to a street).* Buildings and structures shall be set back from the side lot adjacent to a street right-of-way at least 30 feet.
- F. *Rear yard.* Rear yard is not required, except for buildings in which a residential use is located above the first floor. Such yard shall be at least 30 feet in depth and shall be measured from the finished floor of the lowest residential unit.
- G. *Transitional yard.* Minimum transitional yard requirements for all buildings and structures shall be not less than those specified below:
1. Side lot lines that abut a side or rear lot line in a residence district shall provide a yard along the side lot line. The yard shall be at least the minimum side yard required under this ordinance for a residential use on the adjacent residential lot.
  2. Rear lot lines that abut a side lot line in a residence district shall provide a yard along the rear lot line. The yard shall be at least the minimum side yard required under this ordinance for a residential use on the adjacent residential lot.
  3. Rear lot lines that abut a rear lot line in a residence district shall provide a yard along the rear lot line. The yard shall be at least 20 feet in depth.
  4. Front or side lot lines across a street, alley or other right-of-way from the front lot line of a lot in a residence district shall provide a yard at least the minimum front yard required by this ordinance on such adjacent residential lot along the front or side lot line.
  5. Land used for agricultural buildings and structures shall provide a transitional yard of at least 50 feet in depth along all lot lines that abut a lot line in an adjacent residence district.
- H. *Floor area ratio.* Maximum floor area ratio shall be 1:2.
- I. *Minimum size of dwelling.* Buildings and structures occupied in whole or in part for residential purposes shall contain at least 500 square feet of livable floor area, exclusive of basement and garage space.

5.3.9 . *Special provisions.* The uses in the C-3 Restricted Business District shall conform to the following requirements:

- A. *Parking and loading.* Uses shall conform to Article 11.
- B. *Signs.* Uses shall conform to Article 12.
- C. *Trucks.* Parking of trucks as an accessory use, when used in the conduct of a permitted use located within 150 feet of a residence district boundary line, shall be limited to vehicles less than 1½-ton capacity.
- D. *Sewers and water.* Uses requiring sanitary facilities shall be served by either a municipal or private community sewer and water system or a private individual sewage disposal

system and water supply system. The system used must be approved by the Cook County Health Department. Lodging houses and multiple-family dwellings must be served by either a municipal or private community sewer system, not by a private individual sewage disposal system.

E. *Businesses.*

1. Business uses and residential uses are not allowed on the same floor of the same building.
2. Business uses are not allowed above the second floor in buildings containing residential dwelling units. A mezzanine may be provided by a business as an intermediate, fractional story between the floor and the ceiling of the first story.
3. Business uses shall be retail or service establishments dealing directly with consumers. All goods produced on premises shall be sold at retail there.
4. Business uses offering goods or services to customers waiting in parked motor vehicles are prohibited, except automobile gasoline and service stations.
5. Business uses involving the production, processing, cleaning, servicing, testing or repair of materials, goods or products shall conform with the I-1 industrial performance standards in this ordinance. Performance standards shall be applied at the boundaries of the zoning lot in which such activities take place.

**5.4. - C-4 General Commercial District.**

*5.4.1. Description of district.* The C-4 General Commercial District is intended to provide locations for primary shopping areas. This district is designed to encourage the development of a variety of structures from freestanding buildings to larger, neighborhood or community shopping centers. Permitted uses in this district include diverse commercial activities, businesses, services and offices. This district is normally located at the intersection of primary thoroughfares.

*5.4.2. Use, lot and bulk regulations.* The applicable use, lot and bulk regulations are set forth in Sections 5.4.3 through 5.4.9.

*5.4.3. Permitted uses.* A permitted use of land or buildings shall be allowed in accordance with the provisions of this ordinance. Unless otherwise specifically set forth, wherever a permitted use is named as a major category, it shall be deemed to include only those enumerated uses. Unless otherwise specifically allowed by this ordinance, no building or zoning lot shall be devoted to any use other than a permitted use, and no building or structure shall be erected, altered, enlarged, or occupied, except as a permitted use. Uses lawfully established on the effective date of this ordinance, and rendered nonconforming by it, shall be subject to Article 10.

The following uses are permitted in the C-4 District:

- A. Retail businesses.
1. Antique shops.
  2. Apparel, clothing, notions, shoe, jewelry, and accessory shops.
  3. ~~Appliance stores.~~
  4. Art galleries and art supply stores.
  5. ~~Auction rooms.~~
  6. Audio and video recording sales.

57. Bakeries, provided that the manufacture of goods is limited to those retailed on the premises.
68. Bars, taverns, and cocktail lounges. Live entertainment and dancing are permitted.
- ~~9. — Bicycle sales and services.~~
740. Book and stationery, art, office, and school supply stores.
811. Camera and photographic supply stores.
- ~~942.~~ Candy and confectionery stores.
- ~~1043.~~ Catering establishments.
- ~~1144.~~ China and glassware stores.
- ~~15. — Coin, stamp, trading card and numismatic stores.~~
- ~~1246.~~ Computer sales and services.
- ~~17. — Delicatessens.~~
1318. Department stores.
- ~~19. — Drapery stores.~~
1420. Drug stores, and pharmacies, hearing aid sales and services, and orthopedic and medical appliance sales and services, including brace and limb fitting.
- ~~1524.~~ Electronic sales and services.
1622. Florist shops, conservatories, and greenhouses, nurseries, and garden supply and seed stores.
- ~~23. — Floor covering stores.~~
1724. Food, grocery and dairy stores, and meat and fish markets.
- ~~25. — Frozen food stores, including locker rental in conjunction with the purchase of food.~~
- ~~26. — Furniture stores, including upholstering when conducted as part of the retail operations and incidental to the principal use.~~
1827. Furrier shops, including incidental storage and conditioning.
- ~~28. — Garden supply and seed stores.~~
1929. Gift and hobby shops.
2030. Homewares, appliance, floor covering, furniture and upholstering (when conducted as part of the retail operations, paint and wallpaper, and hardware stores.
- ~~31. — Hearing aid sales and services.~~
- ~~32. — Hobby shops.~~
- ~~33. — Ice and milk sales.~~
- ~~34. — Ice cream shops.~~
- ~~35. — Jewelry stores.~~
2136. Leather goods and luggage stores.
2237. Musical instrument sales and repairs.

- ~~2338.~~ Newsstands.
- ~~39.~~ Notions stores.
- ~~40.~~ Office supply stores.
- ~~2441.~~ Optical sales.
- ~~42.~~ Orthopedic and medical appliance sales and services, including brace and limb fitting.
- ~~2543.~~ Package liquor stores.
- ~~44.~~ Paint and wallpaper stores.
- ~~2645.~~ Pet sales and supplies.
- ~~2746.~~ Picture framing, when conducted for on-premises retail trade.
- ~~2847.~~ Restaurants. Live entertainment, dancing and serving alcohol are permitted.
- ~~2948.~~ Roadside stands.
- ~~49.~~ School supply stores.
- ~~3050.~~ Secondhand stores.
- ~~51.~~ Shoe stores.
- ~~3152.~~ Sporting good stores, including bicycle sales and services.
- ~~53.~~ Taxidermist shops.
- ~~3254.~~ Tobacco shops.
- ~~3355.~~ Toy stores.

B. Services.

1. Artist studios.
2. Automobile repair garages, not including body repair, painting or engine rebuilding.
3. Automobile gasoline and service stations, including minor accessories, supplies and services customarily incidental to gasoline and service stations, and electric vehicle charging stations. Facilities for service and washing shall be limited to not more than four vehicles, and enclosed in a building.
4. Barber and beauty shops.
5. ~~Blueprinting, photostating and~~ Photocopying establishments.
6. Clothing rental agencies and formal wear stores.
7. Currency exchanges.
8. Dry cleaners, laundries, launderettes and clothes pressing establishments. Dry cleaning and laundry plants serving more than one retail outlet are prohibited.
9. Electronic service and repair shops.
10. Financial institutions, including banks, investment and loan companies and savings and loans. Drive-in facilities are prohibited.
11. Fix-it shops, for general, minor repairs.



12. Funeral homes and undertaking establishments.
13. Interior decorating studios, including upholstering, draperies, slip covers and other similar articles, incidental to the principal use.
14. Landscape business.
- ~~14~~15. Locksmith shops.
- ~~15~~16. News syndicates and newspaper distribution agencies.
- ~~16~~17. Parking lots for commercial use, other than accessory, subject to the provisions of this ordinance.
- ~~17~~18. Photographic studios.
19. Restaurants with drive-in facilities.
- ~~18~~20. Recording studios.
- ~~19.~~ ~~Shoe, clothing and hat repair shops.~~
- ~~20~~21. Signs as regulated by Article 12.
- ~~21~~22. Tailor, dress-making, ~~and alteration, and shoe, clothing and hat repair shops.~~
- ~~22.~~ ~~Telegraph offices.~~
23. Ticket agencies, amusement.
24. Travel agencies or bureaus and transportation ticket offices.

C. Professional offices.

1. Accountants and bookkeepers.
2. Animal hospitals and veterinary clinics for care and treatment of domestic pets and animals.
3. Architects, landscape architects, and urban designers and planners.
4. Attorneys.
5. Chambers of commerce and merchant associations.
6. Detective agencies.
7. Doctors, physicians and dentists offices, clinics and laboratories.
8. Employment agencies.
9. Engineers.
10. Insurance agencies.
11. Labor unions and organizations.
12. Land surveyors.
- ~~13.~~ ~~Landscape architects.~~
- ~~14.~~ ~~Merchant associations.~~
- ~~13~~145. Miscellaneous business and professional offices.
- ~~14~~146. Newspaper, media, and web publishing and design agencies.
- ~~15~~147. Political organizations.

1648. Real estate agencies.

1749. Secretarial agencies.

1820. Security and commodity brokers.

D. Residential.

1. Hotels and motels.

E. Recreation and social facilities.

1. Billiard and pool halls.

2. Bowling alleys.

3. Clubs.

4. Community center buildings, clubhouses, recreation buildings, swimming pools and buildings for indoor pools, tennis courts and buildings for indoor tennis courts, noncommercial and not-for-profit.

5. Dance halls.

6. Gymnasiums.

7. Health and physical fitness clubs.

8. Skating rinks, indoor.

9. Lodges and fraternal organizations.

10. Theaters, indoor.

F. Public and governmental land and buildings.

1. Forest preserve

2. Historical buildings and landmarks preserved for the public.

3. Public libraries.

4. Public office buildings.

G. Public utilities and services.

1. Electric substations, gas regulator stations, telephone exchanges and other essential public utilities and services.

2. Post offices and substations.

H. Educational institutions.

1. Business colleges and commercial schools.

2. Dance schools and studios.

3. Music schools.

4. Trade and vocational schools.

I. Religious institutions.

1. Religious reading rooms.

J. Agricultural land and buildings.

1. Agricultural uses.

K. Miscellaneous.

1. Philanthropic and eleemosynary institutions.
2. Radio and television studios, stations and tower, transmitting and receiving.

5.4.4. *Special uses.* A special use may be allowed subject to issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses.

The following special uses may be permitted in the C-4 District:

A. Retail businesses.

1. Automobile sales and leasing.
2. Building material supplies, sales and service establishments.
- ~~3. Catalog stores.~~
34. Farm supply stores.
45. Mail order houses.
56. Pawn shops.

B. Services.

- ~~1. Banks and savings and loans with drive in facilities.~~
12. Dry cleaners.
23. Garages and parking lots.
3. Landscape business with bulk storage.
4. Water softener services.

C. Residential.

1. Residence of the proprietor.

D. Public and governmental land and buildings.

1. Parks and playgrounds.

E. Health, medical and care institutions.

1. Nursery schools, children's day schools, nurseries and day care centers.
2. Medical cannabis dispensing organization, as regulated by 410 ILCS 130/1 et seq.

F. Public utilities and services.

1. Bus terminals, turnarounds (off-street) and lots.
2. Fire stations.
3. Police stations.
4. Railroad passenger stations.
5. Railroad rights-of-way. Railroad yards and shops for other than passenger service are prohibited.
6. Waterworks, reservoirs, pumping stations, wells and filtration plants.

- G. Agricultural land and buildings.
  - 1. Greenhouses and nurseries, wholesale.
- H. Planned unit developments.
- I. Unique uses as regulated by this ordinance.
- J. Miscellaneous.
  - 1. Convention halls and centers.
  - 2. Exhibition and meeting halls.
  - 3. Heliports.
- K. Uses similar and compatible to those allowed in this district.

5.4.5. *Temporary uses.* The following temporary uses may be allowed upon issuance of a permit by the Department of Building and Zoning:

- ~~A. Any use permitted in Section 5.1.5.~~
- A. *Temporary buildings or yards.* For storage of construction materials and equipment both incidental and necessary to construction in the zoning district. Permits shall specify the location of the building or yard and the area of permitted operation. Permits shall be valid for not more than six months and shall not be renewed for more than four successive periods. The building or yard shall not interfere with the use and enjoyment of neighboring property.
- B. *Temporary sales offices.* Permits shall specify the location of the office and the area of permitted operation. Permits shall be issued in six-month increments for a period of not more than two years, unless otherwise authorized by the Building Commissioner.
- C. *[Real estate signs.]* Temporary real estate signs as regulated by Article 12.
- D. *Bazaars and dances.* Permits shall be valid for not more than seven days. No permit shall be issued for the same location within 90 days of the expiration of a bazaar or dance permit.
- E. *Christmas tree sales.* Permits shall be valid for not more than 60 days.
- F. *Parking lots for special events.* Permits shall be valid only for the duration of the event.
- G. *[Portable signs.]* Portable signs as regulated by Article 12.

5.4.6. *Accessory uses.* A use, building or other structure customarily incidental to and commonly associated with a principal, permitted or special use may be allowed as an accessory use, provided it is operated and maintained under the same ownership and on the same lot as the permitted use. Accessory uses shall not include structures or features inconsistent with the permitted use, or involve the conduct of any business, profession, trade or industry. Accessory uses may include the following and similar uses:

- ~~A. Any use permitted in Section 5.1.6. Agricultural buildings and structures.~~
- B. *Fallout shelters* as regulated by this ordinance.
- C. *Garages, carports or other parking spaces.* Truck parking shall be limited to vehicles not more than 1½-ton capacity when located within 150 feet of a residence district.
- D. *Gardens.*
- E. *Roadside stands.* For the display and sale of agricultural products only, where the principal use is agriculture.

F. Sewage disposal units and water systems, individual, as regulated by this ordinance.

G. Signs as regulated by Article 12.

H. Tool houses, sheds and other similar buildings. For the storage of supplies and equipment.

I. Vending machines.

J. Water retention and detention areas.

5.4.7. *Prohibited uses.* All uses not expressly authorized in Sections 5.4.3 through 5.4.6 are prohibited.

5.4.8. *Site and structure provisions.* The uses in the C-4 General Commercial District shall conform to the following requirements:

- A. *Minimum lot area.* Minimum lot area is not required, except for those uses specified below.
  - 1. Hotels and motels shall have not less than 500 square feet of lot per unit or suite.
  - 2. Agricultural buildings and structures shall have a minimum lot area of five acres.
- B. *Minimum lot width.* Minimum lot width is not required.
- C. *Front yard.* Buildings and structures, except agricultural buildings and structures, shall be set back from the front lot line at least 30 feet. Agricultural buildings and structures shall be set back from the front lot line at least 100 feet.
- D. *Interior side yard (adjacent to a zoning lot).* Interior side yard is not required.
- E. *Corner side yard (adjacent to a street).* Buildings and structures shall be set back from the side lot line adjacent to the street right-of-way at least 30 feet.
- F. *Rear yard.* Rear yard is not required, except for buildings in which a residential use is located above the first floor. Such yard shall not be less than 30 feet in depth and shall be measured from the finished floor of the lowest residential unit.
- G. *Transitional yard.* Minimum transitional yard requirements for all buildings and structures shall not be less than those specified below.
  - 1. Side lot lines that abut a side or rear lot line in a residence district shall provide a yard along the side lot line. The yard shall be at least the minimum side yard required under this ordinance for a residential use on the adjacent residential lot.
  - 2. Rear lot lines that abut a side lot line in a residence district shall provide a yard along the rear lot line. The yard shall be at least the minimum side yard required under this ordinance for a residential use on the adjacent residential lot.
  - 3. Rear lot lines that abut a rear lot line in a residence district shall provide a yard along the rear lot line. The yard shall be at least 20 feet in depth.
  - 4. Front or side lot lines across a street, alley or other right-of-way from the front lot line of a lot in a residence district shall provide a yard at least the minimum front yard required by this ordinance on such adjacent residential lot along the front or side lot line.
  - 5. Land used for agricultural buildings and structures shall provide a transitional yard of at least 50 feet in depth along all lot lines that abut a lot line in an adjacent residence district.
- H. *Floor area ratio.* Maximum floor area shall be 1.2.

- I. *Minimum size of dwelling.* Buildings and structures occupied in whole or part for residential purposes shall contain at least 500 square feet of livable floor area, exclusive of basement and garage space.

5.4.9. *Special provisions.* The uses in the C-4 General Commercial District shall conform to the following requirements:

- A. *Parking and loading.* All uses shall conform to Article 11.
- B. *Signs.* Uses shall conform to in Article 12.
- C. *Trucks.* Parking of trucks as an accessory use, when used in the conduct of a permitted use located within 150 feet of a residence district boundary line, shall be limited to vehicles less than 1½-ton capacity.
- D. *Sewers and water.* Uses requiring sanitary facilities shall be served by either a municipal or private community sewer and water system, or a private individual sewage disposal system and water supply system. The system used must be approved by the Cook County Health Department. Lodginghouses and multiple-family dwellings must be served by either a municipal or private community sewer system, not by a private individual sewage disposal system.
- E. *Businesses.*
  - 1. Business uses and residential uses are not allowed on the same floor of the same building.
  - 2. Business uses are not allowed above the second floor in buildings containing residential dwelling units. A mezzanine may be provided by a business as an intermediate, fractional story between the floor and the ceiling of the first story.
  - 3. Business uses shall be retail or service establishments dealing directly with consumers. All goods produced on premises shall be sold at retail there.
  - 4. Business uses offering goods or services to customers waiting in parked motor vehicles are prohibited, except automobile gasoline and service stations.
  - 5. Business uses involving the production, processing, cleaning, servicing, testing or repair of materials, goods or products shall conform with the I-1 industrial performance standards in this ordinance. Performance standards shall be applied at the boundaries of the zoning lot in which such activities take place.

## **5.5. - C-5 Commercial Transition District.**

5.5.1. *Description of district.* The C-5 Commercial Transition District is intended to provide locations for residential structures which are suitable for use as small businesses or offices. This district is designed to encourage the development of structures which architecturally blend with neighboring residential buildings and often serves as a buffer between residential and commercial areas. The district is normally located on primary and secondary thoroughfares where single-family structures are being converted to low intensity commercial uses, while remaining compatible with the contiguous single-family neighborhood.

5.5.2. *Use, lot and bulk regulations.* The applicable use, lot and bulk regulations are set forth in Sections 5.5.3 through 5.5.9.

5.5.3. *Permitted uses.* A permitted use of land or buildings shall be allowed in accordance with the provisions of this ordinance. Unless otherwise specifically set forth, wherever a permitted use is named as a major category, it shall be deemed to include only those enumerated uses. Unless otherwise specifically allowed by this ordinance, no building or zoning lot shall be devoted to any use other than a permitted use,

and no building or structure shall be erected, altered, enlarged or occupied, except as a permitted use. Uses lawfully established on the effective date of this ordinance, and rendered nonconforming by it, shall be subject to Article 10.

The following uses are permitted in the C-5 District:

- A. Retail businesses.
  - 1. Antique shops.
  - 2. Art galleries. Auction rooms are prohibited.
  - 3. Book and stationery stores.
  - 4. China and glassware stores.
  - 5. Coin, stamp, trading card and numismatic stores.
  - 6. Drug stores and pharmacies.
  - 7. Florist shops.
  - 8. Gift, hobby and jewelry shops.
  - ~~9. Ice cream shops.~~
  - ~~10. Jewelry stores.~~
  - ~~911.~~ Picture framing, when conducted for on-premises retail trade.
  - ~~1012.~~ Restaurants. Live entertainment, and dancing requiring entry fees and serving of alcohol are prohibited.
- B. Services.
  - 1. Artist studios.
  - 2. Barber and beauty shops.
  - 3. Clothes, hat and shoe repair, tailor, and dressmaking shops.
  - 4. Currency exchanges.
  - 5. Fix-it shops, for general, minor repairs.
  - 6. Interior decorating studios, including upholstery, draperies, slip covers and other similar articles, incidental to the principal use.
  - 7. Photographic studios.
  - 8. Signs as regulated by Article 12.
  - ~~9. Tailor and dressmaking shops.~~
  - ~~910.~~ Travel agencies or bureaus and transportation ticket offices.
- C. Professional offices.
  - 1. Accountants and bookkeepers.
  - 2. Architects, landscape architects, and urban designers and planners.
  - 3. Attorneys.
  - 4. Chambers of commerce and merchant associations.
  - 5. Detective agencies.

- 6. Doctors, physicians and dentists offices and clinics.
- 7. Employment agencies.
- 8. Engineers.
- 9. Insurance agencies.
- 10. Land surveyors.
- ~~11. Landscape architects.~~
- ~~12. Merchant associations.~~
- 1143. Miscellaneous business and professional offices.
- 1244. Newspaper, media, and web publishing and design agencies.
- ~~1345.~~ Political organizations.
- ~~1446.~~ Real estate agencies.
- ~~1547.~~ Secretarial service agencies.
- ~~1648.~~ Security and commodity brokers.
- D. Public and governmental land and buildings.
  - 1. Forest preserves.
  - 2. Historical buildings and landmarks preserved for the public.
  - 3. Parks and playgrounds.
  - 4. Public libraries.
  - 5. Public office buildings.
- E. Religious institutions.
  - 1. Places of worship.
  - 2. Religious reading rooms.
- F. Educational institutions.
  - 1. Dance schools and studios.
  - 2. Music schools.

5.5.4. *Special uses.* A special use may be allowed subject to the issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses.

The following special uses may be permitted in the C-5 District:

- A. Retail businesses.
  - 1. Newsstands.
- B. Residential.
  - 1. Lodging houses.
  - 2. Residence of the proprietor.
- C. Health, medical and care institutions.



1. Intermediate, extended and long-term care facilities.
  2. Hospitals, but not including institutions for the care or treatment of mental illness, drug or alcohol addiction.
  3. Nursery schools, children's day schools, nurseries, and day care centers.
- D. Educational institutions.
1. Parochial pre-kindergarten, kindergarten, elementary and high schools, nonboarding.
  2. Private pre-kindergarten, kindergarten, elementary and high schools, nonboarding.
  3. Public pre-kindergarten, kindergarten, elementary and high schools, nonboarding.
- E. Public utilities and services.
1. Electric substations, gas regulator stations, telephone exchanges and other essential public utilities and services.
  2. Fire stations.
  3. Police stations.
  4. Post offices.
  5. Public office buildings.
  6. Railroad passenger stations.
  7. Railroad rights-of-way. Railroad yards and shops for other than passenger service are prohibited.
  8. Waterworks, reservoirs, pumping stations, wells and filtration plants.
- F. Recreational and social facilities.
1. Video gaming.
- GF. Planned unit developments.
- HG. Unique uses as regulated by this ordinance.
- IH. Excavations.
1. Artificial lakes.
- J. Uses similar and compatible to those allowed in this district.

5.5.5. *Temporary uses.* A temporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

- A. *Temporary buildings or yards.* Any use permitted in Section 5.1.5(A).
- B. *Temporary sales offices.* Any use permitted in Section 5.1.5(B).
- C. *[Real estate signs.]* Temporary real estate signs as regulated by Article 12.
- D. *Christmas tree sales.* Permits shall be valid for not more than 60 days.
- E. *Portable storage containers.* Portable storage containers as regulated by Article 8.

5.5.6. *Accessory uses.* A use, building or other structure customarily incidental to and commonly associated with a principal, permitted or special use may be allowed as an accessory use, provided it is operated and maintained under the same ownership and on the same lot as the permitted use. Accessory

uses shall not include structures or features inconsistent with the permitted use, or involve the conduct of any business, profession, trade or industry. Accessory uses may include the following and similar uses:

- A. Fallout shelters as regulated by this ordinance.
- B. Garages, carports or other parking spaces. Truck parking shall be limited to vehicles not more than 1½-ton capacity when located within 150 feet of a residence district.
- C. Gardens.
- D. Sewage disposal units and water systems, individual, as regulated by this ordinance.
- E. Signs as regulated by Article 12.
- F. Tool houses, sheds and other similar buildings. For storage of supplies and equipment.
- G. Vending machines.
- H. Water retention and detention areas.

5.5.7. *Prohibited uses.* All uses not expressly authorized in Sections 5.5.3 through 5.5.6 are prohibited.

5.5.8. *Site and structure provisions.* The uses in the C-5 Commercial Transition District shall conform to the following requirements:

- A. *Maximum lot area.* Maximum lot areas in excess of 25,000 square feet is prohibited.
- B. *Minimum lot area.* Minimum lot area is not required, except for lodginghouses which require a minimum lot area of 1,250 square feet per lodging room.
- C. *Maximum lot coverage.* No more than 40 percent of the lot area of a lot may be occupied by buildings, structures, or parking areas.
- D. *Minimum lot width.* Minimum lot width of 60 feet is required.
- E. *Front yard.* Buildings and structures shall be set back from the front lot line at least 30 feet.
- F. *Interior side yard (adjacent to a zoning lot).* Interior side yard is not required.
- G. *Corner side yard (adjacent to a street).* Buildings and structures shall be set back from the side lot line adjacent to the street right-of-way a distance of not less than 30 feet.
- H. *Rear yard.* Rear yard is not required.
- I. *Transitional yard.* Minimum transitional yard requirements for all buildings and structures shall be not less than those specified below:
  - 1. Side lot lines that abut a side or rear lot line in a residence district shall provide a yard along the side lot line. The yard shall be at least the minimum side yard required under this ordinance for a residential use on the adjacent residential lot.
  - 2. Rear lot lines that abut a side lot line in a residence district shall provide a yard along the rear lot line. The yard shall be at least the minimum side yard required under this ordinance for a residential use on the adjacent residential lot.
  - 3. Rear lot lines that abut a rear lot line in a residence district shall provide a yard along the rear lot line. The yard shall be at least 20 feet in depth.
  - 4. Front or side lot lines across a street, alley or other right-of-way from the front lot line of a lot in a residence district shall provide a yard at least the minimum front yard required by this ordinance on such adjacent residential lot along the front or side lot line.

J. *Floor area ratio.* Maximum floor area ratio shall be 0.4.

5.5.9. *Special provisions.* The uses in the C-5 Commercial Transition District shall conform to the following requirements:

A. *Parking and loading.* Uses shall conform to Article 11.

B. *Signs.* Uses shall conform to Article 12.

C. *Trucks.* Parking of trucks as an accessory use, when used in the conduct of a permitted use located within 150 feet of a residence district boundary line, shall be limited to vehicles less than 1½-ton capacity.

D. *Sewers and water.* Uses requiring sanitary facilities shall be served by either a municipal or private community sewer and water system, or a private individual sewage disposal system and water supply system. The system used must be approved by the Cook County Health Department. Lodginghouses and multiple-family dwellings must be served by either a municipal or private community sewer system, not by a private individual sewage disposal system.

E. *Business requirements.*

1. Business uses and residential uses are not allowed on the same floor of the same building.
2. Business uses are not allowed above the second floor in buildings containing residential dwelling units. A mezzanine may be provided by a business as an intermediate, fractional story between the floor and the ceiling of the first story.
3. Business uses shall be retail or service establishments dealing directly with consumers. All goods produced on premises shall be sold at retail there.
4. Business uses shall be conducted within enclosed buildings except for off-street parking and loading.
5. Business uses offering goods or services to customers waiting in parked motor vehicles are prohibited.
6. Business uses involving the production, processing, cleaning, servicing, testing or repair of materials, goods or products shall conform with the I-1 Industrial performance standards in this ordinance. Performance standards shall be applied at the boundaries of the zoning lot in which such activities take place.

F. *Screening and landscaping.* Business uses abutting or across the street from a residence district shall be provided with screening and landscaping. The entire site shall be adequately and attractively landscaped in accord with plans prepared by a state licensed landscape architect.

## **5.6. - C-6 Automotive Service District.**

5.6.1. *Description of district.* The C-6 Automotive Service District is intended to provide locations for automotive oriented uses, including services offered in conjunction with motor vehicles. This district serves a relatively large trade area and draws its business, in part, from passing traffic. The district is normally located on primary thoroughfares which contain adequately sized parcels of land for sufficient setbacks, clear vision and safe ingress and egress.

5.6.2. *Use, lot and bulk regulations.* The applicable use, lot and bulk regulations are set forth in Sections 5.6.3 through 5.6.9.

5.6.3. *Permitted uses.* A permitted use of land or buildings shall be allowed in accordance with the provisions of this ordinance. Unless otherwise specifically set forth, wherever a permitted use is named as a major category, it shall be deemed to include only those enumerated uses. Unless otherwise specifically allowed by this ordinance, no building or zoning lot shall be devoted to any use other than a permitted use, and no building or structure shall be erected, altered, enlarged, or occupied, except as a permitted use. Uses lawfully established on the effective date of this ordinance, and rendered nonconforming by it, shall be subject to Article 10.

The following uses are permitted in the C-6 District:

- A. Retail businesses.
  - 1. Automobile accessory stores.
  - ~~2. Automobile sales and leasing.~~
  - ~~3. Boat and marine sales.~~
  - ~~4. Camper and recreational vehicle sales.~~
  - 25. Food, ~~and~~ grocery, ice, and milk stores.
  - 36. Greenhouses and nurseries.
  - 47. Hardware stores.
  - ~~8. Ice and milk sales.~~
  - ~~9. Mobile home sales.~~
  - ~~10. Motorcycle sales.~~
  - 544. Restaurants. Live entertainment, dancing and serving alcohol are permitted.
  - 642. Restaurants, drive-in.
  - 743. Roadside stands.
  - ~~14. Snowmobile sales.~~
  - 845. Swimming pool sales and service facilities.
  - ~~16. Trailer sales and rentals.~~
  - 9. Vehicle sales, services, and leasing, including automobiles, boats and marine vehicles, campers and recreational vehicles, mobile homes, motorcycles, snowmobiles, and trailers.
- B. Services.
  - 1. Automobile and motorcycle diagnostic centers or clinics.
  - 2. Automobile and motorcycle driving schools.
  - 3. Automobile and motorcycle paint shops.
  - 4. Automobile and motorcycle rentals.
  - 5. Automobile and motorcycle repair shops.
  - 6. Automobile and gasoline service stations, including minor accessories, supplies and services customarily incidental to gasoline and service stations, and electric vehicle charging stations.
  - 7. Automobile and motorcycle undercoating and rustproofing shops.

- 8. Car washes.
- ~~98.~~ Dry cleaners, drive-in~~thru.~~
- ~~109.~~ Equipment rental and leasing.
- ~~1140.~~ Financial institutions, including banks, loan companies and savings and loans. ~~Drive-in facilities are permitted.~~
- ~~11.~~ ~~Motorecycle service and repair shops.~~
- 12. Parking lots and garages, other than accessory, for private passenger automobiles, subject to Article 11.
- 13. Signs as regulated by Article 12.
- 14. Tire retreading and repair shops.
- 15. Towing services.
- C. Public and governmental land and buildings.
  - 1. Forest preserves.
  - 2. Historical buildings and landmarks preserved for the public.
  - 3. Public libraries.
  - 4. Public office buildings.
- D. Residential uses.
  - 1. Hotels and motels.
- E. Public utilities and services.
  - 1. Bus terminals, turnarounds and lots.
  - 2. Electric substations, gas regulator stations, telephone exchanges and other essential public utilities and services.
  - 3. Post offices and substations.
  - 4. Public or municipal garages.

5.6.4. *Special uses.* A special use may be allowed subject to issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses.

The following special uses may be permitted in the C-6 District:

- A. Retail businesses.
  - 1. Truck sales and services.
- B. Services.
  - ~~1.~~ ~~Car washes.~~
  - ~~12.~~ Cartage and express facilities.
  - ~~2.~~ Truck dispatch.
  - ~~3.~~ Truck repair and maintenance.
  - ~~4.~~ Truck parking.

- C. Residential.
  - 1. Residence of the proprietor.
- D. Public utilities and services.
  - 1. Fire stations.
  - 2. Police stations.
  - 3. Railroad passenger stations.
  - 4. Railroad rights-of-way. Railroad yards and shops for other than passenger service are prohibited.
  - 5. Waterworks, reservoirs, pumping stations, wells and filtration plants.
- E. Recreation and social facilities.
  - 1. Automobile and motor-sport race tracks, raceways and speedways. Racing from 6:00 p.m. to 11:00 a.m. is prohibited.
  - 2. Bowling alleys.
  - 3. Skating rinks, indoor.
  - 4. Theaters, drive-in.
- F. Planned unit developments.
- G. Unique uses as regulated by this ordinance.
- H. Warehouses.
- I. Uses similar and compatible to those allowed in this district.

5.6.5. *Temporary uses.* A temporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

- A. *Temporary buildings or yards.* Any use permitted in Section 5.1.5(A).
- B. *[Real estate signs.]* Temporary real estate signs as regulated by Article 12.
- C. *Christmas tree sales.* Permits shall be valid for not more than 60 days.
- D. *Parking lots for special events.* Permits shall be valid only for the duration of the event.
- E. *[Portable signs.]* Portable signs as regulated by Article 12.
- F. *Portable storage containers.* Portable storage containers as regulated by Article 8.

5.6.6. *Accessory uses.* A use, building or other structure customarily incidental to and commonly associated with a principal, permitted or special use may be allowed as an accessory use, provided it is operated and maintained under the same ownership and on the same lot as the permitted use. Accessory uses shall not include structures or features inconsistent with the permitted use or involve the conduct of any business, profession, trade or industry. Accessory uses may include the following and similar uses:

- A. Fallout shelters as regulated by this ordinance.
- B. Garages, carports or other parking spaces. Truck parking shall be limited to vehicles not more than one and 1½-ton capacity when located within 150 feet of a residence district.
- C. Sewage disposal units and water systems, individual, as regulated by this ordinance.
- D. Signs as regulated by Article 12.

- E. Tool houses, sheds and other similar buildings. For storage of supplies and equipment.
- F. Vending machines.
- G. Water retention and detention areas.

5.6.7. *Prohibited uses.* All uses not expressly authorized in Section 5.6.3 through 5.6.6 are prohibited.

5.6.8. *Site and structure provisions.* The uses in the C-6 Automotive Service District shall conform to the following requirements:

- A. *Minimum lot area.* Minimum lot area is not required, except that each hotel and motel is required to provide not less than 500 square feet of lot area per suite.
- B. *Minimum lot width.* Minimum lot width is not required.
- C. *Front yard.* Buildings and structures shall be set back from the front lot line at least 30 feet.
- D. *Interior side yard (adjacent to a zoning lot).* Interior side yard is not required.
- E. *Corner side yard (adjacent to a street).* Buildings and structures shall be set back from the side lot line adjacent to the street right-of-way at least 30 feet.
- F. *Rear yard.* Rear yard is not required.
- G. *Transitional yard.* Minimum transitional yard requirements for all buildings and structures shall be not less than those specified below:
  - 1. Side lot lines that abut a side or rear lot line in a residence district shall provide a yard along the side lot line. The yard shall be at least the minimum side yard required under this ordinance for a residential use on the adjacent residential lot.
  - 2. Rear lot lines that abut a side lot line in a residence district shall provide a yard along the rear lot line. The yard shall be at least the minimum side yard required under this ordinance for a residential use on the adjacent residential lot.
  - 3. Rear lot lines that abut a rear lot line in a residence district shall provide a yard along the rear lot line. The yard shall be at least 20 feet in depth.
  - 4. Front or side lot lines across a street, alley or other right-of-way from the front lot line of a lot in a residence district shall provide a yard at least the minimum front yard required by this ordinance on such adjacent residential lot along the front or side lot line.
- H. *Floor area ratio.* Maximum floor area ratio shall be 1.2.

5.6.9. *Special provisions.* The uses in the C-6 Automotive Service District shall conform to the following requirements:

- A. *Parking and loading.* Uses shall conform to Article 11.
- B. *Signs.* Uses shall conform to Article 12.
- C. *Trucks.* Parking of trucks as an accessory use, when used in the conduct of a permitted use located within 150 feet of a residence district boundary line, shall be limited to vehicles less than 1½-ton capacity.
- D. *Sewers and water.* Uses requiring sanitary facilities shall be served by either a municipal or private community sewer and water system, or a private individual sewage disposal and water supply system. The system used must be approved by the Cook County Health Department. Hotels and motels must be served by either a municipal or private community sewer system, not by a private individual sewage disposal system.

E. *Businesses.*

1. Business uses shall be retail or service establishments dealing directly with consumers. All goods produced on premises shall be sold at retail there.
2. Outdoor sales space shall be provided with a permanent, durable and dustless surface and shall be graded and drained of all surface water.
3. Outdoor storage facilities for fuel, raw materials and products shall be enclosed by a fence, wall or vegetation adequate to conceal the products from adjacent properties and the public right-of-way.
4. Business uses involving the production, processing, cleaning, servicing, testing or repair of materials, goods or products shall conform with the I-1 industrial performance standards in this ordinance. Performance standards shall be applied at the boundaries of the zoning lot in which such activities take place.

**5.7. - C-7 Office/Research Park District.**

*5.7.1. Description of district.* The C-7 Office/Research Park District is intended to provide locations for large office structures and/or clean and light industries. This district is designed to encourage development of large, accessible parcels with architecturally coordinated office and industrial structures in a park-like atmosphere. Retail and service uses are generally prohibited from the district. This district is normally located on primary thoroughfares and requires at least 20 acres for each district.

*5.7.2. Use, lot and bulk regulations.* The applicable use, lot and bulk regulations are set forth in Sections 5.7.3 through 5.7.9.

*5.7.3. Permitted uses.* A permitted use of land or buildings shall be allowed in accordance with the provisions of this ordinance. Unless otherwise specifically set forth, wherever a permitted use is named as a major category, it shall be deemed to include only those enumerated uses. Unless otherwise specifically allowed by this ordinance, no building or zoning lot shall be devoted to any use other than a permitted use, and no building or structure shall be erected, altered, enlarged, or occupied, except as a permitted use. Uses lawfully established on the effective date of this ordinance, and rendered nonconforming by it, shall be subject to Article 10.

The following uses are permitted in the C-7 District:

A. *Services.*

1. Signs as regulated by Article 12.

B. *Professional offices.*

1. Accountants and bookkeepers.
2. Architects, landscape architects, and urban designers and planners.
3. Attorneys.
4. Business headquarters.
5. Engineers.
6. Insurance agencies.
7. Land surveyors.
8. Labor unions and organizations.
8. ~~Landscape architects.~~



- 99. Medical and dental laboratories.
- ~~10. —Medical research facilities.~~
- ~~104~~1. Miscellaneous business and professional offices.
- ~~114~~2. Regional sales facilities.
- ~~124~~3. Security and commodity brokers.
- C. Industrial.
  - 1. Pharmaceuticals.
  - 2. Research and development laboratory facilities, including medical research facilities.
- D. Public and governmental land and buildings.
  - 1. Forest preserves.
  - 2. Historical buildings and landmarks preserved for the public.
  - 3. Parks and playgrounds.
  - 4. Public office buildings.
- E. Recreation and social facilities.
  - 1. Clubs.
  - 2. Community center buildings, clubhouses, recreation buildings, swimming pools and buildings for indoor pools, tennis courts and buildings for indoor tennis courts, noncommercial and not-for-profit.
- F. Health, medical and care institutions. Hospitals, but not including institutions for the care or treatment of mental illness, drug or alcohol addiction.

5.7.4. *Special uses.* A special use may be allowed subject to issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses.

The following special uses may be permitted in the C-7 District:

- A. Retail businesses.
  - 1. Book and stationery stores.
  - 2. Office supply stores.
  - 3. Restaurants. Live entertainment, dancing and serving alcohol are permitted.
- B. Services.
  - 1. Financial institutions, including banks, investment and loan companies and savings and loans.
  - 2. Parking lots and garages, other than accessory, subject to Article 11.
  - 3. Personnel training centers.
- C. ~~Offices.~~
  - ~~1. —Labor unions and organizations.~~
- D. Residential.

1. Dormitories and housing accommodations necessary to the operation of colleges, universities and personnel training centers.
  2. Fraternity and sorority houses.
  3. Hotels and motels.
  4. Residence of the proprietor.
- E. Public utilities and services.
1. Bus terminals, turnarounds and lots.
  2. Electric substations, gas regulator stations, telephone exchanges and other essential public utilities and services.
  3. Fire stations.
  4. Police stations.
  5. Post offices and substations.
  6. Public or municipal garages.
  7. Railroad passenger stations.
  8. Railroad rights-of-way. Railroad yards and shops for other than passenger service are prohibited.
  9. Sewage treatment plants.
  10. Waterworks, reservoirs, pumping stations, wells and filtration plants.
- F. Educational institutions.
1. Business colleges and commercial schools.
  2. Colleges, junior colleges and universities.
  3. Trade and vocational schools.
- G. Excavations.
1. Artificial lakes.
- H. Recreation and social facilities.
1. Golf courses.
  2. Gymnasiums.
  3. Health and physical fitness clubs.
  4. Polo clubs and fields.
- I. Agricultural land and buildings.
1. Agricultural uses.
- J. Planned unit developments.
- K. Unique uses as regulated by this ordinance.
- L. Miscellaneous.
1. Convention halls and centers.
  2. Exhibition and meeting halls.

3. Heliports.
4. Philanthropic and eleemosynary institutions.
5. Stadiums, auditoriums and arenas.

M. Uses similar and compatible to those allowed in this district.

5.7.5. *Temporary uses.* A temporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

- A. *Temporary buildings or yards.* Any use permitted in Section 5.1.5(A).
- B. *Temporary sales offices.* Any use permitted in Section 5.1.5(B).
- C. *[Real estate signs.]* Temporary real estate signs as regulated by Article 12.
- D. *Portable storage containers.* Portable storage containers as regulated by Article 8.

5.7.6. *Accessory uses.* A use, building or other structure customarily incidental to and commonly associated with principal, a permitted or special use may be allowed as an accessory use, provided it is operated and maintained under the same ownership and on the same lot as the permitted use. Accessory uses shall not include structures or features inconsistent with the permitted use, or involve the conduct of any business, profession, trade or industry. Accessory uses may include the following and similar uses:

- A. Agricultural buildings and structures.
- B. Fallout shelters as regulated by this ordinance.
- C. Garages, carports or other parking spaces. Truck parking shall be limited to vehicles not more than 1½-ton capacity when located within 150 feet of a residence district.
- D. Gardens.
- E. Roadside stands. For the display and sale of agricultural products only, where the principal use is agriculture.
- F. Sewage disposal units and water systems, individual, as regulated by this ordinance.
- G. Signs as regulated by and Article 12.
- H. Tool houses, sheds and other similar buildings. For storage of supplies and equipment.
- I. Vending machines.
- J. Water retention and detention areas.

5.7.7. *Prohibited uses.* All uses not expressly authorized in Sections 5.7.3 through 5.7.6 are prohibited.

5.7.8. *Site and structure provisions.* The uses in the C-7 Office/Research Park District shall conform to the following requirements:

- A. *Minimum lot area.* Minimum lot area of five acres is required for each permitted or special use. This provision is intended to facilitate the construction of office buildings and office parks. There shall be provided not less than 500 square feet of lot area per suite for hotels and motels, with a minimum of ten acres being provided for the hotel or motel.
- B. *Minimum lot width.* Minimum lot width of 300 feet shall be provided for each lot used for a permitted or special use.
- C. *Front yard.* Buildings and structures shall be set back from the front lot line at least 100 feet.

- D. *Interior side yard (adjacent to a zoning lot).* Buildings and structures shall be set back from the side lot line at least 50 feet.
- E. *Corner side yard (adjacent to a street).* Buildings and structures shall be set back from the side lot line adjacent to the street right-of-way at least 100 feet.
- F. *Rear yard.* Buildings and structures shall be set back from the rear lot line at least 50 feet.
- G. *Transitional yard.* Minimum transitional yard requirements for all buildings and structures shall be not less than those specified below:
  - 1. Rear lot lines that abut a rear lot line in a residence district shall provide a yard along the rear lot line. The yard shall be at least 20 feet in depth.
- H. *Floor area ratio.* Maximum floor area ratio shall be 1.0. In addition, the floor area of accessory buildings and structures, excluding floor area devoted to off-street parking and loading facilities, shall be counted as floor area used to determine floor area ratio.
- I. *Maximum lot coverage.* Buildings and structures may occupy no more than 30 percent of the area of a lot.

5.7.9. *Special provisions.* Uses in the C-7 Office/Research Park District shall conform to the following requirements:

- A. *Parking and loading.* Uses shall conform to Article 11.
- B. *Signs.* Uses shall conform to Article 12.
- C. *Trucks.* Parking of trucks as an accessory use, when used in the conduct of a permitted use located within 150 feet of a residence district boundary line, shall be limited to vehicles less than 1½-ton capacity.
- D. *Sewers and water.* Uses requiring sanitary facilities shall be served by either a municipal or private community sewer and water system, or a private individual sewage disposal system and water supply system. The system used must be approved by the Cook County Health Department. Hotels and motels must be served by either a municipal or private community sewer system, not by a private individual sewage disposal system.
- E. *Businesses and industries.*
  - 1. Business uses shall be retail or service establishments dealing directly with consumers. All goods produced on premises shall be sold at retail there.
  - 2. Business uses shall be conducted within enclosed buildings except for off-street parking and loading.
  - 3. Business uses offering goods or services to customers waiting in parked motor vehicles are prohibited.
  - 4. Business uses involving the production, processing, cleaning, servicing, testing or repair of materials, goods or products shall conform with the I-1 industrial performance standards in this ordinance. Performance standards shall be applied at the boundaries of the zoning lot in which such activities take place.
- F. *Screening and landscaping.* Business uses that abut or are across the street from a residence district shall provide screening and landscaping. The entire site shall be adequately and attractively landscaped in accord with plans prepared by a State licensed landscape architect.

**5.8. - C-8 Intensive Commercial District.**

5.8.1. *Description of district.* The C-8 Intensive Commercial District is intended to provide locations for uses that serve large segments of the population with a wide variety of business and commercial uses. This district is designed to encourage development of large commercial uses, regional shopping centers, certain wholesale and warehouse uses and limited industrial activities that are normally associated with commercial uses. The district is normally located on primary thoroughfares and contains parcels that are relatively large in size.

5.8.2. *Use, lot and bulk regulations.* The applicable use, lot and bulk regulations are set forth in Sections 5.8.3 through 5.8.9.

5.8.3. *Permitted uses.* A permitted use of land or buildings shall be allowed in accordance with the provisions of this ordinance. Unless otherwise specifically set forth, wherever a permitted use is named as a major category, it shall be deemed to include only those enumerated uses. Unless otherwise specifically allowed by this ordinance, no building or zoning lot shall be devoted to any use other than a permitted use and no building or structure shall be erected, altered, enlarged, or occupied, except as a permitted use. Uses lawfully established on the effective date of this ordinance, and rendered nonconforming by it, shall be subject to Article 10.

The following uses are permitted in the C-8 District:

- A. Retail businesses.
  1. Antique shops.
  2. Apparel, clothing, furrier, jewelry, notions, shoe, formal wear and accessory shops.
  3. ~~Appliance stores.~~
  4. Art galleries and art supply stores.
  5. Auction rooms.
  6. ~~Audio, video and recordings sales.~~
  7. Automobile accessory stores.
  8. ~~Automobile sales and leasing.~~
  9. Bakeries, provided that the manufacturing of goods is limited to those retailed on the premises.
  10. Bars, taverns and cocktail lounges. Live entertainment and dancing are permitted.
  11. ~~Bicycle sale and service.~~
  12. ~~Boat and marine sales.~~
  13. Book, and stationery, art and office supply stores.
  14. Building material supplies, sales and services, including lumber companies and yards.
  15. ~~Camera and photographic supply stores.~~
  16. ~~Camper and recreational vehicle sales.~~
  17. ~~Candy and confectionery stores.~~
  18. ~~Catalog showrooms and sales.~~
  19. Catering establishments.

- 1120. China and glassware stores.
- ~~21. — Coin, stamp, trading card and numismatic stores.~~
- ~~22. — Computer sales and services.~~
- ~~23. — Delicatessens.~~
- 1224. Department stores.
- ~~25. — Drapery stores.~~
- 1326. Drug stores and pharmacies.
- 1427. Electronics sales and services, including audio, video and recording sales, camera and photographic supply stores, and computer sales and services.
- 1528. Farm supply stores.
- 1629. Florist shops, greenhouses, ~~and~~ nurseries, and garden supply and seed stores.
- ~~30. — Floor covering stores.~~
- 1731. Food, ~~and~~ grocery and dairy stores, meat and fish markets.
- ~~32. — Frozen food and dairy stores, including locker rental and food processing in conjunction with the purchase of food.~~
- 1833. Furniture stores, including upholstery, repair and cleaning.
- ~~34. — Furrier shops, including the incidental storage and conditioning of furs.~~
- ~~35. — Garden supply and seed stores.~~
- 1936. Gift and hobby shops.
- 2037. Grave markers and monument sales.
- 2138. Hardware stores, home supply centers, drapery, floor covering, paint and wallpaper, and appliance stores.
- 2239. Hearing aid sales and services.
- ~~40. — Hobby shops.~~
- ~~41. — Home supply centers.~~
- ~~42. — Ice and milk sales.~~
- ~~43. — Ice cream sales.~~
- ~~44. — Jewelry stores.~~
- 2345. Leather goods and luggage stores.
- 2446. Live bait stores.
- ~~47. — Lumber companies and yards.~~
- 2548. Machinery sales.
- ~~49. — Mail order houses.~~
- ~~50. — Mobile home sales.~~
- 2651. Model homes, garages and accessory building sales.
- ~~52. — Motorcycle sales.~~

- ~~2753.~~ Musical instrument sales and repairs.
- ~~2854.~~ Newsstands.
- ~~55.~~ ~~Notions stores.~~
- ~~56.~~ ~~Office supply stores.~~
- ~~2957.~~ Optical sales.
- ~~3058.~~ Orthopedic and medical appliance sales and service, including brace and limb fitting, assembly and manufacture.
- ~~3159.~~ Package liquor stores.
- ~~60.~~ ~~Paint and wallpaper stores.~~
- ~~3261.~~ Pawn shops.
- ~~3362.~~ Pet sales and supplies.
- ~~3463.~~ Picture framing.
- ~~3564.~~ Plumbing and heating sales and service.
- ~~3665.~~ Restaurants. Live entertainment, dancing and serving alcohol are permitted.
- ~~3766.~~ Restaurants, drive-in.
- ~~3867.~~ Roadside stands.
- ~~3968.~~ Roofing sales and services.
- ~~4069.~~ Secondhand stores.
- ~~70.~~ ~~Shoe stores.~~
- ~~71.~~ ~~Snowmobile sales and services.~~
- ~~4172.~~ Sporting goods stores.
- ~~4273.~~ Swimming pool sales and services.
- ~~74.~~ ~~Taxidermists shops.~~
- ~~4375.~~ Tobacco shops.
- ~~4476.~~ Toy stores.
- ~~77.~~ ~~Trailer sales and rentals.~~
- 45. Vehicle sales, services, and leasing, including automobiles, boats and marine vehicles, campers and recreational vehicles, mobile homes, motorcycles, snowmobiles, and trailers

B. Services.

1. Artist studios.
2. Automobile diagnostic centers and clinics.
3. Automobile driving schools.
4. Automobile rentals.
5. Automobile repair shops.

6. Automobile gasoline and service stations, including minor accessories, supplies and services customarily incidental to gasoline and service stations, and electric vehicle charging stations.
7. Barber and beauty shops.
8. ~~Blueprinting, photostating and~~ Photocopying establishments.
9. Clothes rental agencies ~~and formal wear stores.~~
10. Credit unions.
11. Currency exchanges.
- ~~12. Dry cleaners, drive-in.~~
- 12~~13~~. Dry cleaners, laundries, launderettes and clothes pressing establishments, including drive-thru facilities. Dry cleaning and laundry plants serving more than one retail outlet are prohibited.
- 13~~14~~. Electronics service and repair shops.
- 14~~15~~. Equipment rental and leasing.
- 15~~16~~. Financial institutions, including banks, investment and loan companies and savings and loans. Drive-thru facilities permitted.
- 16~~17~~. Fix-it shops, for general, minor repairs.
- 17~~18~~. Funeral homes and undertaking establishments.
- 18~~19~~. Furnace supplies and services.
- 19~~20~~. Furniture cleaning, repair and upholstering services.
- 20~~21~~. Interior decorating studios.
- 21~~22~~. Lawnmower sales and repairs.
- 22~~23~~. Linen, towel, diaper and other similar supply services.
- 23~~24~~. Locksmith shops.
- 24~~25~~. Motorcycle service and repair shops.
- 25~~26~~. News syndicates and newspaper distribution agencies.
- 26~~27~~. Parking lots and garages, other than accessory, for private passenger automobiles, subject to Article 11.
- 27~~28~~. Photographic studios.
- 28~~29~~. Recording studios.
- ~~30. Shoe, clothing and hat repair shops.~~
- 29~~31~~. Signs as regulated by Article 12.
- 30~~32~~. Tailor, ~~and dressmaking, shoe, clothing and hat repair~~ shops.
- ~~33. Telegraph offices.~~
- 31~~34~~. Ticket agencies, amusement.
- 32~~35~~. Tire retreading and repair shops.



~~3336~~. Towing services.

~~3437~~. Travel agencies or bureaus and transportation ticket offices.

~~3538~~. Water softener services.

~~3639~~. Window cleaning services.

C. Professional offices.

1. Accountants and bookkeepers.
2. Animal hospitals and veterinary clinics, for care and treatment of domestic pets and animals.
3. Architects, landscape architects, and urban designers and planners.
4. Attorneys.
5. Business headquarters.
6. Chambers of commerce and merchant associations.
7. Detective agencies.
8. Doctors, physicians and dentists offices and clinics.
9. Employment agencies.
10. Engineers.
11. Insurance agencies.
12. Labor unions and organizations.
13. Land surveyors.
- ~~14. Landscape architects.~~
- ~~1445.~~ Medical and dental laboratories.
- ~~1516. Merchant association.~~
- ~~1647.~~ Miscellaneous business and professional offices.
- ~~1748.~~ Newspaper agencies, media, and web design and publishing offices.
- ~~1849.~~ Political organizations.
- ~~1920.~~ Real estate agencies.
- ~~2024.~~ Regional sales facilities.
- ~~2122.~~ Secretarial agencies.
- ~~2223.~~ Security and commodity brokers.

D. Warehouses.

1. Automobile storage facilities for vehicles in operating condition.
2. Warehouses.

E. Industries.

1. Fuel oil dealers.
2. Printing, publishing or lithography establishments.

- F. Residential.
  - 1. Hotels and motels.
- G. Recreation and social facilities.
  - 1. Amusement establishments, including archery ranges, shooting galleries and other similar amusements.
  - 2. Amusement parks including permanent carnivals, kiddie parks, golf driving ranges, pitch and putt or miniature golf courses and other similar outdoor amusements.
  - 3. Billiard and pool halls.
  - 4. Bowling alleys.
  - 5. Clubs.
  - 6. Community center buildings, clubhouses, recreation buildings, swimming pools and buildings for indoor pools, tennis courts and buildings for indoor tennis courts, noncommercial and not-for-profit.
  - 7. Dance halls.
  - 8. Gymnasiums.
  - 9. Health and physical fitness clubs.
  - 10. Skating rinks, indoor.
  - 11. Lodges and fraternal organizations.
  - 12. Theaters, indoor.
- H. Public utilities and services.
  - 1. Bus terminals, turnarounds and lots.
  - 2. Electric substations, gas regulator stations, telephone exchanges and other essential public utilities and services.
  - 3. Post offices and substations.
  - 4. Public or municipal garages.
- I. Public and governmental land and buildings.
  - 1. Forest preserves.
  - 2. Historical buildings and landmarks preserved for the public.
  - 3. Public libraries.
  - 4. Public office buildings.
- J. Educational institutions.
  - 1. Business colleges and commercial schools.
  - 2. Dancing schools and studios.
  - 3. Music schools.
  - 4. Trade and vocational schools.
- K. Agricultural land and buildings.

- 1. Greenhouses and nurseries, wholesale.
- L. Religious institutions.
  - 1. Religious reading rooms.
- M. Miscellaneous.
  - 1. Convention halls and centers.
  - 2. Exhibition and meeting halls.
  - 3. Philanthropic and eleemosynary institutions.
  - 4. Radio and television stations.

5.8.4. *Special uses.* A special use may be allowed subject to the issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses.

The following special uses may be permitted in the C-8 District:

- A. Retail businesses.
  - 1. Truck sales and service.
- B. Services.
  - 1. Automobile paint shops.
  - 2. Automobile undercoating and rustproofing services.
  - 3. Car washes.
  - 4. Flea markets.
  - 5. Kennels.
  - 6. Landscape business with bulk storage.
  - ~~6~~7. Packing and crating services.
  - ~~7~~8. Parcel delivery and pickup services.
  - 9. Truck dispatch.
  - 10. Truck repair and maintenance.
  - 11. Truck parking.
- C. Residential.
  - 1. Apartment hotels.
  - 2. Residence of the proprietor.
- D. Recreation and social facilities.
  - 1. Automobile and motor-sport race tracks, raceways and speedways. Racing activity between 6:00 p.m. and 11:00 a.m. is prohibited.
  - 2. Racetracks, excluding automobile and motor-sport race tracks, raceways and speedways.
  - 3. Stables, commercial.
  - 4. Theaters, drive-thru.

- E. Public and governmental land and buildings.
  - 1. Parks and playgrounds.
- F. Health, medical and care institutions.
  - 1. Nursery schools, children's day schools, nurseries, and day care centers.
- G. Public utilities and services.
  - 1. Fire stations.
  - 2. Police stations.
  - 3. Railroad passenger stations.
  - 4. Railroad rights-of-way. Railroad yards and shops for other than passenger service are prohibited.
  - 5. Waterworks, reservoirs, pumping stations, wells and filtration plants.
- H. Planned unit developments.
- I. Unique uses as regulated by this ordinance.
- J. Miscellaneous.
  - 1. Fairgrounds.
  - 2. Heliports.
  - 3. Landfills, solid waste.
  - 4. Stadiums, auditoriums, and arenas.
- K. Uses similar and compatible to those allowed in this district.

5.8.5. *Temporary uses.* A temporary use may be allowed upon issuance of a permit by the Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

- A. *Temporary buildings or yards.* Any use permitted in Section 5.1.5(A).
- B. *Temporary sales offices.* Any use permitted in Section 5.1.5(B).
- C. *Temporary real estate signs as regulated by Article 12.* Any use permitted in Sections 5.1.5(B).
- D. *Bazaars and dances.* Permits shall be valid for not more than seven days. No permit shall be issued for the same location within 90 days of the expiration of a bazaar or dance permit.
- E. *Christmas tree sales.* Permits shall be valid for not more than 60 days.
- F. *Parking lots for special events.* Permits shall be valid only for the duration of the event.
- G. *[Portable signs.]* Portable signs as regulated by Article 12.
- H. *Portable storage containers.* Portable storage containers as regulated by Article 8.

5.8.6. *Accessory uses.* A use, building or other structure customarily incidental to and commonly associated with a principal, permitted or special use may be allowed as an accessory use, provided it is operated and maintained under the same ownership and on the same lot as the permitted use. Accessory uses shall not include structures or features inconsistent with the permitted use, or involve the conduct of any business, profession, trade or industry.

Accessory uses may include the following and similar uses:

- A. Fallout shelters as regulated by this ordinance.
- B. Garages, carports or other parking spaces. Truck parking shall be limited to vehicles not more than 1½-ton capacity when located within 150 feet of a residence district.
- C. Sewage disposal units and water systems, individual, as regulated by this ordinance.
- D. Signs as regulated by and Article 12.
- E. Tool houses, sheds and other similar buildings. For the storage of supplies and equipment.
- F. Vending machines.
- G. Water retention and detention areas.

5.8.7. *Prohibited uses.* All uses not expressly authorized in Sections 5.8.3 through 5.8.6 are prohibited.

5.8.8. *Site and structure provisions.* The uses in the C-8 Intensive Commercial District shall conform to the following requirements:

- A. *Minimum lot area.* Minimum lot area is not required, except that apartment hotels shall have at least 750 square feet of lot area per room and hotels and motels shall have not less than 500 square feet of lot area per suite.
- B. *Minimum lot width.* Minimum lot width is not required.
- C. *Front yard.* Buildings and structures shall be set back from the front lot line at least 30 feet.
- D. *Interior side yard (adjacent to a zoning lot).* Interior side yard is not required.
- E. *Corner side yard (adjacent to a street).* Buildings and structures shall be set in back from the side lot line adjacent to the street right-of-way at least 30 feet.
- F. *Rear yard.* Rear yard is not required.
- G. *Transitional yard.* Minimum transitional yard requirements for all structures shall be not less than those specified below:
  1. Side lot lines that abut a side or rear lot line in a residence district shall provide a yard along the side lot line. The yard shall be at least the minimum side yard required under this ordinance for a residential use on the adjacent residential lot.
  2. Rear lot lines that abut a side lot line in a residence district shall provide a yard along the rear lot line. The yard shall be at least the minimum side yard required under this ordinance for a residential use on the adjacent residential lot.
  3. Rear lot lines that abut a rear lot line in a residence district shall provide a yard along the rear lot line. The yard shall be at least 20 feet in depth.
  4. Front or side lot lines across a street, alley or other right-of-way from the front lot line of a lot in a residence district shall provide a yard at least the minimum front yard required by this ordinance on such adjacent residential lot along the front or side lot line.

- H. *Floor area ratio.* Maximum floor area ratio shall be 1:2.

5.8.9. *Special provisions.* The uses in the C-8 Intensive Commercial District shall conform to the following requirements:

- A. *Parking and loading.* Uses shall conform to Article 11.
- B. *Signs.* Uses shall conform to Article 12.

- C. *Trucks.* Parking of trucks as an accessory use, when used in the conduct of a permitted use located within 150 feet of a residence district boundary line, shall be limited to vehicles less than 1½-ton capacity.
- D. *Sewers and water.* Uses requiring sanitary facilities shall be served by either a municipal or private community sewer and water system, or a private individual sewage disposal and water supply system. The system used must be approved by the Cook County Health Department. Apartment hotels, hotels and motels, must be served by either a municipal or private community sewer system, not by a private individual sewage disposal system.
- E. *Businesses.*
  - 1. Outdoor sales space shall be provided with a permanent, durable and dustless surface and shall be graded and drained of all surface water.
  - 2. Outdoor storage facilities for fuel, raw materials and products shall be enclosed by a fence, wall or vegetation adequate to conceal the products from adjacent properties and the public right-of-way.
  - 3. Business uses involving the production, processing, cleaning, servicing, testing or repair of materials, goods or products shall conform with the I-1 industrial performance standards in this ordinance. Performance standards shall be applied at the boundaries of the zoning lot in which such activities take place.

## **ARTICLE 6. - INDUSTRIAL DISTRICTS**

### **6.0. - Purpose.**

The Industrial District regulations are intended to govern the location, intensity and method of development of industrial areas of Cook County. Regulations provide for the grouping of compatible industries that are not objectionable to the community as a whole. Regulations preserve lands for industrial and allied uses and prohibit the intrusion of residential and other noncompatible uses into the industrial area. Industrial uses are regulated by establishing performance standards for the external effects of noise, smoke, vibration and other potential nuisances. All industrial uses are contained in the following four industrial districts:

I-1 Restricted Industrial District

I-2 General Industrial District

I-3 Intensive Industrial District

I-4 Motor Freight Terminal District

For purposes of determining the restrictiveness of the four industrial zoning districts, the I-1 District shall be considered as the most restrictive industrial district and the I-3 District as the least restrictive industrial district. The I-2 and I-4 Districts shall be viewed as being equally restrictive and between the I-1 and I-3 Districts in degree of restrictiveness.

### **6.1. - I-1 Restricted Industrial District.**

*6.1.1. Description of district.* The I-1 Restricted Industrial District is intended to control the development of lands to be used by industrial firms that have high standards of performance and that can locate in close proximity to residential and business uses without creating nuisances. District regulations are designed to permit the operations of most manufacturing, wholesaling and warehousing activities while providing adequate protection to adjacent district uses and sufficient control of external effects to protect

one industry from another. Some retail uses are permitted that service the industrial uses within the industrial district or that do not depend upon intensive visits of retail customers.

*6.1.2. Use, lot and bulk regulations.* The applicable use, lot and bulk regulations are set forth in Sections 6.1.3 through 6.1.9.

*6.1.3. Permitted uses.* A permitted use of land or buildings shall be allowed in accordance with the provisions of this ordinance. Unless otherwise specifically set forth, wherever a permitted use is named as a major category, it shall be deemed to include only those enumerated uses. Unless otherwise specifically allowed by this ordinance, no building or zoning lot shall be devoted to any use other than a permitted use and no building or structure shall be erected, altered, enlarged or occupied, except as a permitted use. Uses lawfully established on the effective date of this ordinance, and rendered nonconforming by it, shall be subject to Article 10.

The following uses are permitted in the I-1 District:

- A. Industrial.
  - 1. Assembly firms for assembly of completely fabricated parts.
  - 2. Bakeries, production of goods.
  - 3. Bottling works.
  - 4. Contractor and construction offices, shops and yards, such as building, cement, electrical, heating, ventilating and air conditioning, masonry, painting, plumbing, refrigeration and roofing.
  - 5. Dairy products manufacturing.
  - 6. Dry cleaning and laundry establishments. Plants serving more than one retail outlet are permitted.
  - 7. Industrial launderers.
  - 8. Machine shops.
  - 9. Manufacturing and industrial activities, including fabrication, processing, assembly, disassembly, repairing, cleaning, servicing, testing, packaging and storage of materials, and products and goods that can be conducted wholly within enclosed buildings. Uses must conform with the performance standards of this section and shall not be injurious to the occupants of adjacent premises.
  - 10. Packing and crating services.
  - 11. Pharmaceutical industries.
  - 12. Printing, publishing or lithography establishments.
  - 13. Stone companies.
- B. Wholesale and warehouse.
  - 1. Automotive storage facilities for vehicles in operating condition.
  - 2. Beverage distributors.
  - 3. Frozen food stores, including locker rental and food processing.
  - 4. Greenhouses and nurseries, wholesale.
  - 5. Storage facilities, including self-storage and mini-warehouse facilities.

6. Wholesale establishments.
- C. Retail business.
1. Auction rooms.
  2. Automobile accessory stores.
  3. Automobile vehicle sales, new and used.
  4. Bars, taverns and cocktail lounges. Live entertainment and dancing are permitted.
  5. Boat and marine sales.
  6. Bottled gas dealers.
  7. Building material supplies, sales and service.
  8. Business machine sales and service.
  9. Camper and recreational vehicle sales.
  10. Carpet and rug stores.
  - ~~11. Catalog stores.~~
  - ~~11~~12. Drug stores and pharmacies.
  - ~~12~~13. Extermination shops.
  - ~~13~~14. Farm supply and feed stores.
  - ~~14~~15. Furrier shops, including storage.
  - ~~15~~16. Garden supply and seed stores.
  - ~~16~~17. Gravestone and monument sales.
  - ~~17~~18. Greenhouses and nurseries, retail.
  - ~~18~~19. Ice and milk machine sales.
  19. Landscaping services, including bulk storage of materials.
  20. Lumber companies and yards.
  21. Machinery sales.
  - ~~22. Mail order houses.~~
  - ~~22~~23. Mobile home sales.
  - ~~23~~24. Model home and garage displays and sales.
  - ~~24~~25. Motorcycle sales.
  - ~~25~~26. Plumbing and heating showrooms and sales.
  - ~~26~~27. Retail outlet stores, accessory to a manufacturing or wholesale establishment.
  - ~~27~~28. Restaurants. Live entertainment, dancing and serving alcohol are permitted.
  - ~~28~~29. Roadside stands.
  - ~~29~~30. Roofing sales and service.
  - ~~30~~31. Snowmobile sales and service.
  - ~~31~~32. Swimming pool sales and service.



~~3233~~. Tire, battery and accessory sales.

~~3334~~. Trailer sales and service.

~~3435~~. Truck sales and service.

D. Services.

1. Automobile diagnostic centers and clinics.

2. Automobile driving schools.

3. Automobile paint shops.

4. Automobile rentals.

5. Automobile repair shops.

6. Automobile gasoline and service stations, including minor accessories, supplies and services customarily incidental to gasoline and service stations. Oil and lubrication services are permitted only if enclosed in a building.

7. Automobile undercoating services.

8. Banks and savings and loan institutions, with or without drive-thru facilities.

~~9. Blueprinting, photostating and copying establishments.~~

~~9.40~~. Cartage and express facilities for trucks not over 1½-ton capacity.

~~1044~~. Credit unions.

~~1142~~. Currency exchanges.

~~1243~~. Electrical shops.

~~1344~~. Equipment rental and leasing services.

~~1445~~. Fix-it shops, for general, minor repairs.

~~1546~~. Furnace supplies and services.

~~1647~~. Furniture cleaning, repair and upholstering service shops.

~~1748~~. Glazing shops.

~~1849~~. Lawnmower sales and repair shops.

~~1920~~. Linen, towel, diaper and other similar supply services.

~~2024~~. Locksmith shops.

~~2122~~. Motorcycle service and repair shops.

~~2223~~. Newspaper distribution agencies.

~~2324~~. Parcel delivery services.

~~2425~~. Parking lots and garages, other than accessory, subject to Article 11.

~~2526~~. Personnel training centers.

~~2627~~. Photocopying establishments.

27. Radio and television service and repair shops.

28. Radio and television stations.

29. Refrigeration shops.
30. Sewer and septic tank cleaning and rodding services.
31. Sheet metal shops.
32. Sign contractors.
33. Signs as regulated by Article 12.
- ~~34. Taxidermist shops.~~
- ~~34~~<sup>35</sup>. Tire retreading and repair shops.
- ~~35~~<sup>36</sup>. Towing services.
36. Truck dispatch.
37. Truck repair and maintenance.
38. Truck parking.
- ~~39~~<sup>37</sup>. Water softener services.
- ~~40~~<sup>38</sup>. Welding shops.
- ~~41~~<sup>39</sup>. Window cleaning services.

E. Professional offices.

1. Animal hospitals and veterinary clinics.
2. Architects, landscape architects, and urban designers and planners.
3. Engineers.
4. Labor unions and organizations.
5. Land surveyors.
- ~~6. Landscape architectural services.~~
- ~~6~~<sup>7</sup>. Medical and dental laboratories.
- ~~7~~<sup>8</sup>. Medical research facilities.

F. Recreation and social facilities.

1. Clubs.
2. Community center buildings, clubhouses, recreation buildings, for indoor pools and buildings for indoor pools, tennis courts and buildings for indoor tennis courts, noncommercial and not-for-profit.
3. Dance halls.
4. Gymnasiums.
5. Health and physical fitness clubs.
6. Lodges and fraternal organizations.
7. Theaters, indoor.

G. Public and governmental land and buildings.

1. Forest preserves.

2. Historical buildings and landmarks preserved for the public.
  3. Public office buildings.
- H. Public utilities and services.
1. Bus terminals, turnarounds, garages and lots.
  2. Electric substations, gas regulator stations, telephone exchanges and other essential public utilities and services.
  3. Fire stations.
  4. Highway maintenance shops and yards.
  5. Parking lots and garages.
  6. Police stations.
  7. Post office substations.
  8. Railroad passenger stations.
  9. Waterworks, reservoirs, pumping stations, wells and filtration plants.
  10. Weight stations operated by the State of Illinois.
  11. Private and Public Solar Arrays.
- I. Educational institutions.
1. Business colleges and commercial schools.
  2. Trade and vocational schools.
- J. Agricultural land and buildings.
1. Agricultural uses.
- K. Miscellaneous.
1. Convention halls and centers.
  2. Exhibition and meeting halls.
  3. Kennels.
  4. Radar installations and towers.
  5. Stadiums, auditoriums and arenas.

*6.1.4. Special uses.* A special use may be allowed subject to the issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses.

The following special uses may be permitted in the I-1 District:

- A. Industrial.
1. Chemical processing and production.
  2. Electroplating.
  3. Paper products manufacturing.
  4. Plastics manufacturing.

5. Research and development laboratory facilities.
  6. Soap manufacturing.
  7. Woodworking and wood products.
  8. Medical cannabis cultivation center, as regulated by 410 ILCS 130/1 et seq.
- B. Services.
1. Automobile testing grounds, excluding competitive racing.
  2. Banks and savings and loans.
  3. Car washes.
  4. Restaurants, drive-in.
  5. Cannabis transportation business
- C. Residential uses.
1. Hotels and motels.
  2. Residence of the proprietor.
- D. Recreation and social facilities.
1. Racetracks. Racing activity between 6:00 p.m. and 11:00 a.m. is prohibited in automobile and motor-sport race tracks, raceways and speedways.
  2. Theaters, drive-thru.
  3. Video gaming.
- E. Public and governmental land and buildings.
1. Parks and playgrounds.
  2. Penal and correctional institutions.
- F. Public utilities and services.
1. Air, railroad and water freight terminals, railroad switching and classification yards, repair shops and roundhouses.
  2. Railroad rights-of-way.
  3. Sewage treatment plants.
  4. Wind turbines and wind turbine farms.
- G. Planned unit developments.
- H. Unique uses as regulated by this ordinance.
- I. Miscellaneous.
1. Airports and heliports, including aircraft landing fields, runways, flight strips and flying schools together with hangars, terminal buildings and other auxiliary facilities.
  2. Artificial lakes.
  3. Landfills, sanitary or solid waste.
  4. Waste transfer facilities.
  5. Medical cannabis dispensing organization, as regulated by 410 ILCS 130/1 et seq.

- J. Uses similar and compatible to those allowed in this district.

6.1.5. *Temporary uses.* A temporary use may be allowed upon issuance of a permit by the Cook County Department of Building and Zoning, unless this ordinance specifically states that a permit is not required.

- A. *Temporary buildings or yards.* For construction materials and equipment, both incidental and necessary to construction in the zoning district. Permits shall specify the location of the building or yard and the area of permitted operation. Permits shall be valid for not more than six months and shall not be renewed for more than four successive periods. The building or yard shall not interfere with the use and enjoyment of neighboring property.
- B. *Temporary sales offices.* Permits shall specify the location of the office and the area of permitted operation. Permits shall be issued in six-month increments for a period of not more than two years, unless otherwise authorized by the Building Commissioner.
- C. *[Real estate signs.]* Temporary real estate signs as regulated by Article 12.
- D. *[Portable signs.]* Portable signs as regulated by Article 12.
- E. *Portable storage containers.* Portable storage containers as regulated by Article 8.

6.1.6. *Accessory uses.* A use, building or other structure customarily incidental to and commonly associated with a principal, permitted or special use may be allowed as an accessory use, provided it is operated and maintained under the same ownership and on the same lot as the permitted use. Accessory uses shall not include structures or features inconsistent with the permitted use or involve the conduct of any business, profession, trade or industry. Accessory uses may include the following and similar uses:

- A. Agricultural buildings and structures.
- B. Fallout shelters as regulated by this ordinance.
- C. Garages, carports or other parking spaces. Truck parking shall be limited to vehicles not more than 1½-ton capacity when located within 150 feet of a residence district.
- D. Gardens.
- E. Retail outlet stores, accessory to a manufacturing or wholesale establishment.
- F. Roadside stands. For the display and sale of agricultural products only, on lots where the principal use is agriculture.
- G. Sewage disposal units and water systems as regulated by this ordinance.
- H. Signs as regulated by Article 12.
- I. Tool houses, sheds and other similar buildings. For storage of supplies and equipment.
- J. Vending machines.
- K. Water retention and detention areas.

6.1.7. *Prohibited uses.* All uses not expressly authorized in Sections 6.1.3 through 6.1.6 are prohibited.

6.1.8. *Site and structure provisions.* The uses in the I-1 Restricted Industrial District shall conform to the following requirements:

- A. *Minimum lot area.* Minimum area of 10,000 square feet is required for each permitted or special use, except that agricultural buildings and structures require a minimum lot area of five acres and hotels and motels require a minimum of 500 square feet of lot area per suite.

- B. *Minimum lot width.* Minimum lot width of 60 feet shall be provided for each lot used for a permitted or special use, except that agricultural buildings and structures require a minimum lot width of 300 feet.
- C. *Front yard.* Buildings and structures shall be set back from the front lot line at least 30 feet.
- D. *Interior side yard (adjacent to a zoning lot).* Interior side yard is not required.
- E. *Corner side yard (adjacent to a street).* Buildings and structures shall be set back from the side lot line adjacent to the street right-of-way at least 30 feet.
- F. *Rear yard.* Buildings and structures shall be set back from the rear lot line at least ten feet, except that agricultural buildings and structures require a minimum rear yard setback of 75 feet.
- G. *Transitional yard.* Minimum transitional yard requirements for all buildings and structures shall be not less than those specified below:
  1. Side lot lines that abut a side or rear lot line in a commercial or residence district shall provide a yard along the side lot line. The yard shall be at least 30 feet in width.
  2. Rear lot lines that abut a side lot line in a commercial or residence district shall provide a yard along the rear lot line. The yard shall be at least 30 feet in depth.
  3. Rear lot lines that abut a rear lot line in a commercial or residence district shall provide a yard along the rear lot line. The yard shall be at least 30 feet in depth.
- H. *Floor area ratio.* Maximum floor area ratio shall be 1:2.

6.1.9. *Special provisions.* The uses in the I-1 Restricted Industrial District shall conform to the following requirements:

- A. *Parking and loading.* Uses shall conform to Article 11.
- B. *Signs.* Uses shall conform to Article 12.
- C. *Sewer and water.* Uses requiring sanitary facilities shall be served by either a municipal or private community sewer and water system, or a private individual sewage disposal and water supply system. The system used must be approved by the Cook County Health Department. Hotels and motels must be served by either a municipal or private sewage disposal system.
- D. *Businesses.*
  1. *Enclosure of use.* Uses shall be conducted within enclosed buildings, unless otherwise provided.
  2. *Outdoor storage.* Outdoor storage of fuel, raw materials and products shall be screened and enclosed by a fence, wall or plant materials adequate to conceal the storage from adjacent properties and public rights-of-way. Outdoor storage of uncontained bulk material is prohibited.
  3. *Surfacing.* Outdoor sales space shall have a permanent, durable, dustless surface and shall be graded and drained to dispose of all surface water.
  4. *Spacing.* Uses located across the street from a commercial or residence district having any point on the structure surface greater than 35 feet above curb level shall be located at least 1½ times its height above curb level from the commercial or residence district boundary line. However, stacks, tanks, bulkheads or ventilating

equipment, including enclosing towers, shall be exempt from such limitation if not exceeding in the aggregate 25 feet in linear dimension parallel to the street for any 100 feet of street frontage. Parapets not exceeding three feet in height shall also be exempt from this spacing limitation.

Uses located adjacent to a side or rear property line in a commercial or residence district having any point on the structure surface greater than 35 feet above curb level shall be located at least a distance equal to its height above curb level from the commercial or residence district lot line. However, stacks, tanks, bulkheads or ventilating equipment, including enclosing towers shall be exempt from this limitation if not exceeding in the aggregate 25 feet in linear dimension parallel to the commercial or residence district lot line for any 100-foot lot line. Parapets not exceeding three feet in height shall also be exempt from this spacing limitation.

E. *Performance standards.*

1. *Purpose.*

- a. Permit industrial nuisances to be measured factually and objectively.
- b. Ensure that all industries will provide methods to protect the community from hazards which can be prevented by processes of control and nuisance elimination.
- c. Protect industries from arbitrary exclusion based upon past nuisance protection of a particular type of industry.

2. *Application.*

- a. Any use established, any building or structure constructed or tract of land developed for any permitted, special or accessory use shall comply with all performance standards with the exception of airports, heliports and automobile or motorcycle race tracks for which compliance with noise performance standards may be waived by the Cook County Board of Commissioners.
- b. The performance standards shall apply to any existing use or structure that is extended, enlarged, moved, altered or reconstructed.

3. *Procedure.*

- a. *Initiation.* Where there may be substantial doubt as to whether an existing or proposed land use complies with the standards of this ordinance, a report shall be filed with the Cook County Department of Environment and Sustainability by an authorized enforcement officer of the State of Illinois, Cook County or any municipality within Cook County, stating that there may be noncompliance.
- b. *Investigation.* Subsequent to a study of an existing or proposed use, the Cook County Department of Environment and Sustainability, upon receipt of information concerning the use from the Cook County Department of Building and Zoning, may determine that there are reasonable grounds to believe that the use may violate the standards of this section and may initiate an investigation.
- c. *Required data.* Following the initiation of an investigation, the Cook County Department of Building and Zoning, upon request from the Cook County Department of Environment and Sustainability, may require the owner or

operator of any existing or proposed use to submit data and evidence needed to make an objective determination. Evidence may include, but is not limited to, the following:

- i. Plans of the existing or proposed construction and development.
  - ii. Description of the existing or proposed machinery, processes and products.
  - iii. Specifications for mechanisms and techniques used or proposed in restricting the possible emission of dangerous or objectionable elements.
  - iv. Measurements of the amounts or rates of emission of dangerous or objectionable elements.
- d. *Failure to submit data.* The failure to provide data requested by the Cook County Department of Building and Zoning shall constitute grounds for denying a permit. All data shall be submitted to the Cook County Department of Environment and Sustainability.
- e. *Consultant reports.* The Cook County Department of Building and Zoning and/or the Cook County Department of Environment and Sustainability may require any person, firm or corporation to retain expert consultants to study and report as to compliance with performance standards. Consultants shall be qualified and mutually agreed upon by the Cook County Department of Building and Zoning, Cook County Department of Environment and Sustainability and the owner or operator of the use in question. In the event the parties are unable to select mutually agreeable consultants, the Cook County Zoning Board of Appeals shall make the selection. The cost of consultant services shall be borne by the property owner or operator.
- f. *Cook County Department of Environment and Sustainability action.* Within 30 days following the receipt of the required evidence, or receipt of the reports of expert consultants, the Cook County Department of Environment and Sustainability shall make a determination as to compliance with performance standards. If the Cook County Department of Environment and Sustainability determines the existing or proposed use is in compliance, it shall authorize the Cook County Department of Building and Zoning to issue any permits which may have been withheld pending the determination.
- g. *Issuance or denial of permits.* Within 15 days of receiving the Cook County Department of Environment and Sustainability's report summarizing its determination, the Cook County Department of Building and Zoning shall issue or deny permits based on the report.
- h. *Required alterations.* Upon request of the Cook County Department of Environment and Sustainability, the Cook County Department of Building and Zoning may require alterations of the existing or proposed construction or the operational procedures to ensure that compliance with performance standards will be maintained. The operator shall be given a reasonable length of time to implement changes prescribed by the Department of Building and Zoning for purposes of securing compliance with the performance standards.
- i. *Appeal.* Within 30 days following action by the Cook County Department of Building and Zoning with respect to the performance standards procedure, an appeal may be taken to the Cook County Zoning Board of Appeals. In the



absence of an appeal, the Cook County Department of Building and Zoning's determination shall be final.

- j. *Continued enforcement.* The Cook County Department of Environment and Sustainability shall investigate any purported violation of performance standards. The Cook County Department of Environment and Sustainability may employ qualified experts to investigate. The Cook County Department of Environment and Sustainability shall conduct a hearing, with notice to the owner or operator, on the alleged violation. If the Department of Environment and Sustainability finds that a violation occurred or exists, a copy of the Department's findings shall be forwarded to the owner or operator with instructions to correct the violation. Services of qualified experts who are employed by the Cook County Department of Environment and Sustainability shall be paid by the violator if a violation is established. If no violation is established, Cook County shall be responsible for payment of expert fees.
  - k. *Cancellation of permits.* If the owner or operator fails to implement changes within the time allotted for compliance with performance standards, any permits previously issued shall be void and the operator shall cease operation until the violation is remedied.
4. *Industrial performance standards.* Uses shall comply with the following standards:
- a. *Noise.* For purposes of measuring the intensity and frequency of sound, the sound level meter, the octave band analyzer and the impact noise analyzer shall be employed. The flat network and the fast meter response of the sound level meter shall be used. Sounds of short duration, which cannot be measured accurately with the sound level meter, shall be measured with the impact noise analyzer. Octave band analyzers calibrated in the preferred frequencies (using American Standards Association Preferred Frequencies for Acoustical Measurements) shall be used with the following tables:

At no point along the boundary of a residential district or along an adjacent lot shall the sound pressure level of any operation or plant exceed the decibel limits in the octave bands designated below.

MAXIMUM (In Decibels)	PERMITTED	SOUND	LEVEL	TABLES
TABLE I				
DAYTIME HOURS - 7:00 A.M.—10:00 P.M. LOCAL TIME				

<i>Octave Preferred Center Frequency (Hertz)</i>	<i>Band</i>	<i>Along Residence District Boundaries</i>	<i>Along Adjacent Lot Boundaries</i>
31.5		76	79
63		71	74
125		65	69
250		57	64
500		51	58
1000		45	52
2000		39	47
4000		34	43
8000		32	40

TABLE II
NIGHTTIME HOURS - 10:00 P.M.—7:00 A.M. LOCAL TIME

<i>Octave Preferred Center Frequency (Hertz)</i>	<i>Band</i>	<i>Along Residence District Boundaries</i>	<i>Along Adjacent Lot Boundaries</i>
31.5		72	79
63		67	74
125		61	68

250	53	60
500	47	53
1000	41	47
2000	35	41
4000	30	36
8000	28	34

TABLE III

Impact noises shall not exceed the following peak intensities:		
	<i>Along Residence District Boundaries</i>	<i>Along Adjacent Lot Boundaries</i>
Overall Peak	80	86

The following uses and activities shall be exempt from noise level regulations in the I-1 District:

- i. Noises not directly under the property user's control.
- ii. Noises emanating from construction and maintenance activities between 7:00 a.m., and 10:00 p.m., Activities are those which are nonroutine operations accessory to primary activities and which are temporary in nature or conducted infrequently.
- iii. Noises of safety signals, warning devices and emergency pressure relief valves.
- iv. Transient noises of moving sources such as automobiles, trucks, airplanes and railroads.

- b. *Vibration.* Any industrial operation or activity which causes earth borne vibrations at any point along the nearest adjacent lot line in excess of the limits set forth in Column I is prohibited.

In addition, any industrial operation or activity which causes earth borne vibrations at any point along a residence district boundary line in excess of the limits set forth in Column II is prohibited.

Vibrations shall be expressed as displacement in inches and shall be measured with a three-component measuring system approved by the Cook County Department of Building and Zoning.

	I*	II*
<i>Frequency</i> (Cycles Per Second)	Displacement (Inches)	Displacement (Inches)
0 to 10	.0008	.0004
10 to 20	.0005	.0002
20 to 30	.0002	.0001
30 to 40	.0002	.0001
40 and over	.0001	.0001
*Steady-state vibrations, for purposes of this ordinance, are vibrations which are continuous or vibrations in discrete impulses more frequent than 100 per minute. Discrete impulses which do not exceed 100 per minute shall be considered impact vibrations and shall not cause in excess of twice the displacements stipulated.		

The following uses and activities shall be exempt from the vibration level regulations:

- i. Vibrations not directly under the property user's control.
- ii. Vibrations emanating from construction and maintenance activities between 7:00 a.m. and 9:00 p.m. Such activities are those which are nonroutine operations accessory to the primary activities and which are temporary in nature or conducted infrequently.

- iii. Transient vibrations of moving sources such as automobiles, trucks, airplanes and railroads.
- c. *Smoke and particulate matter.* Dust and other types of air pollution borne by the wind from such sources as storage areas, yards and roads shall be kept to a minimum by appropriate landscaping, paving, oiling or other acceptable means.

For the purpose of grading the density equivalent opacity of smoke, the Ringelmann Chart, published by the United States Bureau of Mines, shall be employed.

The emission of more than 20 smoke units per hour stack is prohibited, including smoke of a density in excess of Ringelmann No. 2. However, once during any six-hour period each stack may emit up to 35 smoke units, not to exceed Ringelmann No. 2, 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 four minutes per period.

The rate of emission of particulate matter from all sources within the boundaries of any lot shall not exceed a net figure of one pound per acre of lot area during any one hour, after deducting from the gross hourly emission per acre the correction factor set forth in the following table:

ALLOWANCE (Interpolate for intermediate values not shown in table)	FOR	HEIGHT	OF	EMISSION
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Height Emission Above (Feet)	of Grade	<i>Correction</i> Pounds Per (Per Acre)	Hour
50		0.01	
100		0.06	
150		0.10	
200		0.16	
300		0.30	
400		0.50	

Determination of the total net rate of emission of particulate matter within the boundaries of any lot shall be made as follows:

- i. To obtain the gross hourly rate of emission in pounds per acre, determine the maximum emission in pounds per hour from each source of emission and divide by the number of acres of lot area.
  - ii. To obtain the net rate of emission in pounds per acre per hour from each source of emission, deduct the correction factor (interpolating as required) for height of emission set forth in the table from each gross hourly rate of emission derived in [Subsection i.] (i) above.
  - iii. To obtain the total net rate of emission from all sources of emission within the boundaries of the lot, add together the individual net rates of emission derived in [Subsection ii.] (ii) above. The total shall not exceed one pound per acre of lot area during any one hour.
- d. *Toxic matter.* The measurement of toxic matter shall be made at ground level or habitable elevation and shall be the average of any 24-hour sampling period. The release of any airborne toxic matter shall not exceed the fractional quantities permitted of those toxic matters currently listed in the Threshold Limit Values adopted by the American Conference of Governmental Industrial Hygienists. If a toxic substance is not contained in this listing, the applicant shall satisfy Cook County that the proposed levels will be safe and not detrimental to general population nor injurious to plant or animal life.
- In the I-1 District, the release of airborne toxic matter shall not exceed 1/30 of the threshold limit values across lot lines.
- e. *Noxious and odorous matter.* In the I-1 District, no activity or operation shall cause the discharge of matter across lot lines in such concentration as to be noxious. The emission of matter in such quantities as to be readily detectable as an odor at any point along lot lines is prohibited.
- f. *Fire and explosive hazards.*
- i. *Flammable solids.* Storage, utilization or manufacture of solid materials or products ranging from incombustible to moderate burning is permitted. Storage, utilization or manufacture of solid materials or products ranging from free or active burning to intense burning are permitted only within completely enclosed buildings having incombustible exterior walls and protected throughout by an automatic fire extinguishing system.
  - ii. *Flammable liquids and gases.* Storage, utilization or manufacture of flammable liquids or materials\* which produce flammable or explosive vapors or gases are permitted in accordance with the following table, except that storage of finished products in original sealed containers is unrestricted:

\_\_\_\_\_

TOTAL CAPACITY OF FLAMMABLE MATERIALS PERMITTED (In Gallons)
---

<i>Industries Engaged in Storage Only</i>	<i>Above Ground</i>	<i>Under Ground</i>
Materials having a closed cup flash point of 187° F.	Prohibited	100,000
From and including 105° F. to and including 187° F.	Prohibited	100,000
Materials having a closed cup flash point of less than 105° F.	Prohibited	100,000

<i>Industries Engaged In Utilization and Manufacture of Flammable Materials</i>	<i>Above Ground</i>	<i>Under Ground</i>
Materials having a closed cup flash point over 187° F.	50,000	100,000
From and including 105° F. to and including 187° F.	20,000	100,000
Materials having a closed cup flash point of less than 105° F.*	5,000	100,000

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When flammable gases are stored, utilized or manufactured and measured in cubic feet, the quantity in cubic feet (at S.T.P.) permitted shall not exceed 300 times the quantities as listed above.

The manufacture of liquid or gaseous oxygen is prohibited. Liquid or gaseous oxygen may be stored or utilized in accordance with National Fire Protection Association Standard No. 566 in force and effect, adopted herein by reference, and the total quantity of gaseous or liquid oxygen stored shall not exceed 550,000 standard cubic feet.

- iii. Detonable materials. Activities involving the storage, utilization or manufacture of materials or products which decompose by denotation are prohibited.
- g. *Glare and heat.* Any operation or activity producing glare shall be conducted within a completely enclosed building so that direct and indirect illumination

from the source of light does not cause illumination in excess of one-half footcandle measured at the lot line. Exposed sources of light shall be shielded and flickering or intense sources of light shall be controlled so as not to cause a nuisance across lot lines.

Any operation producing intense 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.

- h. *Radiation hazards-release outside property lines.* Release of radioactive materials or emission of ionizing radiation outside of property lines shall be in accordance with the rules and regulations of the State of Illinois.

Unsealed radioactive materials shall not be manufactured, utilized or stored (except when such materials are stored in a fireproof container at or below ground level) in excess of the quantities appearing in the following table:

#### QUANTITIES OF RADIOACTIVE MATERIALS

<i>Unsealed, Radioactive Material</i>	<i>Curies</i>
Antimony (Sb <sup>124</sup> )	1
Arsenic 76 (As <sup>76</sup> )	10
Arsenic 77 (As <sup>77</sup> )	10
Barium-Lanthanum 140 (BaLa <sup>140</sup> )	1
Beryllium (Be <sup>7</sup> )	50
Cadmium-silver 109 (CdAg <sup>109</sup> )	10
Calcium 45 (Ca <sup>45</sup> )	10
Carbon 14 (C <sup>14</sup> )	50
Cerium-praseodymium 144 (CePr <sup>144</sup> )	1
Cesium-barium 137 (CsBa <sup>137</sup> )	1
Chlorine 36 (Cr <sup>36</sup> )	1
Chromium 51 (Cr <sup>51</sup> )	50



Cobalt 60 (Co <sup>60</sup> )	1
Copper 64 (Cu <sup>64</sup> )	50
Europium 154 (Eu <sup>154</sup> )	1
Fluorine 18 (F <sup>18</sup> )	50
Gallium 72 (Ga <sup>72</sup> )	10
Germanium 71 (Ge <sup>71</sup> )	50
Gold 198 (Au <sup>198</sup> )	10
Gold 199 (Au <sup>199</sup> )	10
Hydrogen 3 (tritium) (H <sup>3</sup> )	250
Indium 114 (In <sup>114</sup> )	1
Iodine 131 (I <sup>131</sup> )	10
Iridium 192 (Ir <sup>192</sup> )	10
Iron 55 (Fe <sup>55</sup> )	50
Iron 59 (Fe <sup>59</sup> )	1
Lanthanum 140 (La <sup>140</sup> )	10
Manganese 52 (Mn <sup>52</sup> )	1
Manganese 56 (Mn <sup>56</sup> )	50
Molybdenum 99 (Mo <sup>99</sup> )	10
Nickel 59 (Ni <sup>59</sup> )	1
Nickel 63 (Ni <sup>63</sup> )	1
Niobium 95 (Nb <sup>95</sup> )	10

Palladium 109 (Pd <sup>109</sup> )	10
Palladium-rhodium 103 (PdRh <sup>103</sup> )	50
Phosphorus 32 (P <sup>32</sup> )	10
Polonium 210 (Po <sup>210</sup> )	0.1
Potassium 42 (K <sup>42</sup> )	10
Praseodymium 143 (Pr <sup>143</sup> )	10
Promethium 147 (Pm <sup>147</sup> )	10
Radium 226 (Ra <sup>226</sup> )	0.1
Rhenium 186 (Re <sup>186</sup> )	10
Rhodium 105 (Rh <sup>105</sup> )	10
Rubidium 86 (Rb <sup>86</sup> )	10
Ruthenium-rhodium 106 (RuRh <sup>106</sup> )	1
Samarium 153 (Sm <sup>153</sup> )	10
Scandium 46 (Sc <sup>46</sup> )	1
Silver 105 (Ag <sup>105</sup> )	1
Silver 111 (Ag <sup>110</sup> )	10
Sodium 22 (Na <sup>22</sup> )	10
Sodium 24 (Na <sup>24</sup> )	10
Strontium 89 (Sr <sup>89</sup> )	1
Strontium-yttrium 90(SrY <sup>90</sup> )	0.1
Sulfur 35 (S <sup>35</sup> )	50

Tantalum 182 (Ta <sup>182</sup> )	10
Technetium 96 (Tc <sup>96</sup> )	1
Technetium 99 (Tc <sup>99</sup> )	1
Tellurium 127 (Te <sup>127</sup> )	10
Tellurium 129 (Te <sup>129</sup> )	1
Thallium 204 (Tl <sup>204</sup> )	50
Tin 113 (Sn <sup>113</sup> )	10
Tungsten 185 (W <sup>185</sup> )	10
Vanadium 48 (V <sup>48</sup> )	1
Yttrium 90 (Y <sup>90</sup> )	1
Yttrium 91 (Y <sup>91</sup> )	1
Zinc 65 (Zn <sup>65</sup> )	10
Beta and/or gamma emitting radioactive material not listed above	1

## 6.2. - I-2 General Industrial District.

6.2.1. *Description of district.* The I-2 General Industrial District is intended to provide lands for development by most types of industrial firms. District regulations are designed to permit operations in a clean and quiet manner and to protect adjacent district uses and industries within the district. Further development of residences is prohibited in this district to protect homes from any adverse effects of the industries and to conserve the supply of industrial land for industrial use.

6.2.2. *Use, lot and bulk regulations.* The applicable use, lot and bulk regulations are set forth in Sections 6.2.3 through 6.2.9.

6.2.3. *Permitted uses.* A permitted use of land or buildings shall be allowed in accordance with the provisions of this ordinance. Unless otherwise specifically set forth, wherever a permitted use is named as a major category, it shall be deemed to include only those enumerated uses. Unless otherwise specifically allowed by this ordinance, no building or zoning lot shall be devoted to any use other than a permitted use and no building or structure shall be erected, altered, enlarged or occupied, except as a permitted use.

Uses lawfully established on the effective date of this ordinance, and rendered nonconforming by it, shall be subject to Article 10.

The following uses are permitted in the I-2 District:

A. Industrial.

1. Assembly firms for assembly of completely fabricated parts.~~Any use permitted in Section 6.1.3(A).~~
2. Bakeries, production of goods.
3. Bottling works.
4. Contractor and construction offices, shops and yards, such as building, cement, electrical, heating, ventilating and air conditioning, masonry, painting, plumbing, refrigeration and roofing.
5. Dairy products manufacturing.
6. Dry cleaning and laundry establishments. Plants serving more than one retail outlet are permitted.
7. Industrial launderers.
8. Machine shops.
9. Manufacturing and industrial activities, including fabrication, processing, assembly, disassembly, repairing, cleaning, servicing, testing, packaging and storage of materials, and products and goods that can be conducted wholly within enclosed buildings. Uses must conform with the performance standards of this section and shall not be injurious to the occupants of adjacent premises.
10. Packing and crating services.
11. Pharmaceutical industries.
12. Printing, publishing or lithography establishments.
13. Stone companies.
14. Chemical processing and manufacturing.
15. Electroplating.
16. Paper products manufacturing.
17. Plastics manufacturing.
18. Woodworking and wood products manufacturing.

B. Wholesale and warehouse.

1. Automotive storage facilities for vehicles in operating condition.~~Any use permitted in Section 6.1.3(B).~~
2. Beverage distributors.~~Recreational cannabis dispensing organizations, as regulated by 410 ILCS 705/1 et seq.~~
3. Frozen food stores, including locker rental and food processing.
4. Greenhouses and nurseries, wholesale
5. Recreational cannabis dispensing organizations, as regulated by 410 ILCS 705/1 et seq.
6. Storage facilities, including self-storage and mini-warehouse facilities.
7. Wholesale establishments.

- C. Retail businesses.
1. Adult stores.
  2. Automobile accessory stores.
  3. Automobile vehicle sales, new and used.
  4. Bars, taverns and cocktail lounges. Live entertainment and dancing are permitted.
  5. Boat and marine sales.
  6. Bottled gas dealers.
  7. Building material supplies, sales and service.
  8. Camper and recreational vehicle sales.
  9. ~~Catalog stores.~~
  - 9~~10~~. Extermination and pest control shops.
  - 10~~11~~. Farm supply and feed stores.
  - 11~~12~~. Flea markets.
  - 12~~13~~. Fuel oil dealers.
  - 13~~14~~. Garden supply and seed stores.
  - 14~~15~~. Gravestone and monument sales.
  - 15~~16~~. Ice and milk machine sales.
  - 16~~17~~. Lumber companies and yards.
  - 17~~18~~. Machinery sales.
  19. ~~Mail order houses.~~
  - 18~~20~~. Mobile home sales.
  - 19~~21~~. Model home and garage displays and sales.
  - 20~~22~~. Motorcycle sales.
  - 21~~23~~. Plumbing and heating showrooms and sales.
  - 22~~24~~. Retail outlet stores, accessory to a manufacturing establishment.
  - 23~~25~~. Restaurants. Live entertainment, dancing and serving alcohol beverages are permitted.
  - 24~~26~~. Roofing sales and service.
  - 25~~27~~. Snowmobile sales and service.
  - 26~~28~~. Swimming pool sales and service.
  - 27~~29~~. Tire, battery and accessory sales.
  - 28~~30~~. Trailer sales and rentals.
  - 29~~31~~. Truck sales and service.

- D. Services.
1. Automobile diagnostic centers and clinics.

2. Automobile driving schools.
3. Automobile paint shops.
4. Automobile rentals.
5. Automobile repair shops.
6. Automobile gasoline and service stations, including minor accessories, supplies and services customarily incidental to gasoline and service stations, and electric vehicle charging stations. Oil and lubrication services are permitted only if enclosed in a building.
7. Automobile undercoating services.
8. Banks and savings and loan institutions.
9. Banks and savings and loans, including drive-thru facilities.
10. Car washes.
- ~~9. Blueprinting, photostating and copying establishments.~~
- ~~11~~40. Cartage and express facilities for trucks not over 1½-ton capacity.
- ~~12~~41. Credit unions.
- ~~13~~42. Crematories.
- ~~14~~43. Electrical shops.
15. Equipment rental and leasing.
- ~~16~~44. Furnace supplies and service.
- ~~17~~45. Furniture cleaning, repair and upholstering service shops.
- ~~18~~46. Glazing shops.
- ~~19~~47. Lawnmower sales and repair shops.
- ~~20~~48. Linen, towel, diaper and other similar supply services.
- ~~21~~49. Motorcycle, service and repair shops.
- ~~22~~20. Parcel delivery services.
- ~~23~~21. Parking lots and garages, other than accessory, subject to Article 11.
24. Photocopying establishments.
- ~~25~~22. Radio and television stations.
- ~~26~~23. Refrigeration shops.
- ~~27~~24. Sewer and septic tank cleaning and rodding services.
- ~~28~~25. Sheet metal shops.
- ~~29~~26. Sign contractors.
- ~~30~~27. Signs as regulated by Article 12.
- ~~31~~28. Tire retreading and repair shops.
- ~~32~~29. Towing services.
33. Truck dispatch.

34. Truck repair and maintenance.

350. Truck parking.

3630. Water softener services.

3734. Welding shops.

3832. Window cleaning services.

E. Offices.

1. Animal hospitals and veterinary clinics.

2. Labor unions and organizations.

F. Public and governmental land and buildings.

1. Forest preserves ~~Any use permitted in Section 6.1.3(G).~~

2. Historical buildings and landmarks preserved for the public.

3. Public office buildings.

G. Public Utilities and Services

1. ~~Any use permitted in Section 6.1.3(H).~~

H. Private and Public Solar Arrays

I. Recreation and Social Facilities.

1. Clubs.

2. Community center buildings, clubhouses, recreation buildings, for indoor pools and buildings for indoor pools, tennis courts and buildings for indoor tennis courts, noncommercial and not-for-profit.

3. Dance halls.

4. Gymnasiums.

5. Health and physical fitness clubs.

6. Lodges and fraternal organizations.

7. Theaters, indoor.

JH. Miscellaneous.

1. Adult booths.

2. Adult entertainment cabarets.

3. Adult mini motion picture theaters.

4. Adult motion picture theaters.

5. Animal pounds and shelters.

6. Kennels.

7. Massage parlors.

8. Massage schools.

9. Radar installations and towers.

10. Stadiums, auditoriums and arenas.

6.2.4. *Special uses.* A special use may be allowed subject to the issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses.

The following special uses may be permitted in the I-2 District:

- A. Industrial.
  - 1. Incinerators.
  - 2. Outdoor storage of uncontained bulk materials.
  - 3. Research and development laboratory facilities.
  - 4. Soap manufacturing.
  - 5. Storage, utilization or manufacture of materials or products which decompose by detonation as enumerated in this article.
  - 6. Medical cannabis cultivation center, as regulated by 410 ILCS 130/1, et seq.
- B. Retail businesses.
  - 1. Greenhouses and nurseries, retail.
- C. Services.
  - 1. Automobile testing grounds, excluding competitive racing.
  - ~~2. Banks and savings and loans, including drive in facilities.~~
  - ~~3. Car washes.~~
  - ~~4. Equipment rental and leasing.~~
  - 25. Salvage material yards.
  - 3. Cannabis transportation business.
- D. Residential.
  - 1. Residence of the proprietor.
- E. Recreation and social facilities.
  - 1. Racetracks.
  - 2. Theaters, drive-in.
- F. Public and governmental land and buildings.
  - ~~1. Any use permitted in Section 6.1.4(E).~~
  - 1. Parks and playgrounds.
  - 2. Penal and correctional institutions.
- G. Public utilities and services.
  - ~~1. Any use permitted in Section 6.1.4(F).~~
  - 1. Air, railroad and water freight terminals, railroad switching and classification yards, repair shops and roundhouses.
  - 2. Railroad rights-of-way.



- 3. Sewage treatment plants.
- 4. Wind turbines and wind turbine farms.
- H. Planned unit developments.
- I. Unique uses as regulated by this ordinance.
- J. Miscellaneous.
  - 1. Airports and heliports including aircraft landing fields, runways, flight strips and flying schools together with hangars, terminal buildings and other auxiliary facilities.
  - 2. Landfills, sanitary or solid waste.
  - 3. Mining and extraction of minerals, sand, gravel, topsoil or other aggregates, including equipment, buildings or structures for screening, crushing, mixing, washing or storage provided that the following criteria are met:
    - a. No open pit or shaft shall be less than 200 feet from any public road.
    - b. Buildings or structures shall be located not less than 200 feet from any property line.
    - c. Borders of the property shall be fenced with a solid fence or wall at least six feet in height when the property is adjacent to or across the street from any district other than an industrial district.
    - d. Plan of development for the reclamation of the land shall be provided as part of the application for special use. The plan of development shall be accompanied by a written agreement between the owner or his agent and the County, and a performance bond in an amount equal to the cost of the reclamation of the land as set forth in the Development Plan.
  - 4. Refuse reduction plants and incinerators.
  - 5. Rock crushing, washing and grading.
  - 6. Waste transfer facilities.
  - 7. Medical cannabis dispensing organization, as regulated by 410 ILCS 130/1 et seq.
- K. Uses similar and compatible to those allowed in this district.

6.2.5. *Temporary uses.* A temporary use may be allowed upon issuance of a permit by the Department of Building and Zoning.

- A. ~~Any use permitted in Section 6.1.5.~~
- A. Temporary buildings or yards. For construction materials and equipment, both incidental and necessary to construction in the zoning district. Permits shall specify the location of the building or yard and the area of permitted operation. Permits shall be valid for not more than six months and shall not be renewed for more than four successive periods. The building or yard shall not interfere with the use and enjoyment of neighboring property.
- B. Temporary sales offices. Permits shall specify the location of the office and the area of permitted operation. Permits shall be issued in six-month increments for a period of not more than two years, unless otherwise authorized by the Building Commissioner.
- C. Real estate signs. Temporary real estate signs as regulated by Article 12.
- D. Portable signs. Portable signs as regulated by Article 12.

E. *Portable storage containers.* Portable storage containers as regulated by Article 8.

6.2.6. *Accessory uses.* A use, building or structure customarily incidental to and commonly associated with a principal, permitted or special use may be allowed as an accessory use, provided it is operated and maintained under the same ownership and on the same lot as the permitted use. Accessory uses shall not include structures or features inconsistent with the permitted use or involve the conduct of any business, profession, trade or industry.

Accessory uses may include the following and similar uses:

- A. Fallout shelters as regulated by this ordinance.
- B. Garages, carports or other parking spaces. Truck parking shall be limited to vehicles not more than 1½-ton capacity when located within 150 feet of a residence district.
- C. Retail outlet stores, accessory to a manufacturing or wholesale establishment.
- D. Sewage disposal units and water systems as regulated by this ordinance.
- E. Signs as regulated by Article 12.
- F. Tool houses, sheds and other similar buildings. For storage of supplies and equipment.
- G. Vending machines.
- H. Water retention and detention areas.

6.2.7. *Prohibited uses.* All uses not expressly authorized in Sections 6.2.3 through 6.2.6 are prohibited.

6.2.8. *Site and structure provisions.* The uses in the I-2 General Industrial District shall conform to the following requirements:

- A. *Minimum lot area.* Minimum area of 10,000 square feet is required for each permitted or special use.
- B. *Minimum lot width.* Minimum lot width of 60 feet shall be provided for each lot used for a permitted or special use.
- C. *Front yard.* Buildings and structures shall be set back from the front lot line at least 30 feet.
- D. *Interior side yard (adjacent to a zoning lot).* Interior side yard is not required.
- E. *Corner side yard (adjacent to a street).* Buildings and structures shall be set back from the side lot line adjacent to the street right-of-way at least 30 feet.
- F. *Rear yard.* Buildings and structures shall be set back from the rear lot line at least ten feet.
- G. *Transitional yards.* Minimum transitional yard requirements for all buildings and structures shall be not less than those specified below.
  - 1. Side lot lines that abut a side or rear lot line in a commercial or residence district shall provide a yard along the side lot line. The yard shall be at least 30 feet in width.
  - 2. Rear lot lines that abut a side lot line in a commercial or residence district shall provide a yard along the rear lot line. The yard shall be at least 30 feet in depth.
  - 3. Rear lot lines that abut a rear lot line in a commercial or residence district shall provide a yard along the rear lot line. The yard shall be at least 30 feet in depth.
- H. *Floor area ratio.* Maximum floor area ratio shall be 1:2.

6.2.9. *Special provisions.* The uses in the I-2 General Industrial District shall conform to the following requirements:

- A. *Parking and loading.* Uses shall conform to Article 11.
- B. *Signs.* Uses shall conform to Article 12.
- C. *Sewer and water.* Uses requiring sanitary facilities shall be served by either a municipal or private community sewer and water system, or a private individual sewage disposal and water supply system. The system used must be approved by the Cook County Health Department.
- D. *Businesses.*
  - 1. *Enclosure of use.* Uses within 500 feet of a residence district, except off-street parking and loading or establishments having outdoor sales space, shall be conducted within enclosed buildings, unless otherwise provided.
  - 2. *Outdoor storage.* Outdoor storage of fuel, raw materials and products within 500 feet of a residence district shall be screened and enclosed by a fence, wall or plant materials adequate to conceal the storage from adjacent properties and the public rights-of-way. Outdoor storage of uncontained bulk material is prohibited, except as a special use.
  - 3. *Surfacing.* Outdoor sales space shall have a permanent, durable, dustless surface and shall be graded and drained as to dispose of all surface water.
  - 4. *Spacing.* Uses located across the street from a commercial or residence district having any point on the structure surface greater than 35 feet above curb level shall be located at least 1½ times its height above curb level from the commercial or residence district boundary line. However, stacks, tanks, bulkheads or ventilating equipment, including enclosing towers, shall be exempt from such limitation if not exceeding in the aggregate 25 feet in linear dimension parallel to the street for any 100 feet of street frontage. Parapets not exceeding three feet in height shall also be exempt from this spacing limitation.

Uses located adjacent to a side or rear property line in a commercial or residence district, having any point on the structure surface greater than 35 feet above curb level shall be located at least a distance equal to its height above curb level from the commercial or residence district lot line. However, stacks, tanks, bulkheads or ventilating equipment, including enclosing towers shall be exempt from this limitation if not exceeding in the aggregate 25 feet in linear dimension parallel to the commercial or residence district lot line for any 100 feet lot line. Parapets not exceeding three feet in height shall also be exempt from this spacing limitation.
- E. *Performance standards.*
  - 1. *Purpose.*
    - a. Permit industrial nuisances to be measured factually and objectively.
    - b. Ensure that all industries will provide methods to protect the community from hazards which can be prevented by processes of control and nuisance elimination.
    - c. Protect industries from arbitrary exclusion based upon past nuisance protection of a particular type of industry.
  - 2. *Application.*

- a. Any use established, any building or structure constructed or tract of land developed for any permitted, special or accessory use shall comply with all performance standards with the exception of airports, heliports and automobile or motorcycle race tracks for which compliance with noise performance standards may be waived by the Cook County Board of Commissioners.
- b. The performance standards shall apply to any existing use or structure that is extended, moved, enlarged, altered or reconstructed.

3. *Procedure.*

- a. *Initiation.* Where there may be substantial doubt as to whether an existing or proposed land use complies with the standards of this ordinance, a report shall be filed with the Cook County Department of Environment and Sustainability by an authorized enforcement officer of the State of Illinois, Cook County or any municipality within Cook County, stating that there may be noncompliance.
- b. *Investigation.* Subsequent to a study of an existing or proposed use, the Cook County Department of Environment and Sustainability, upon receipt of information concerning the use from the Cook County Department of Building and Zoning, may determine that there are reasonable grounds to believe that the use may violate the standards of this section and may initiate an investigation.
- c. *Required data.* Following the initiation of an investigation, the Cook County Department of Building and Zoning, upon request from the Cook County Department of Environment and Sustainability, may require the owner or operator of any existing or proposed use to submit data and evidence needed to make an objective determination. Evidence may include, but is not limited to, the following:
  - i. Plans of the existing or proposed construction and development.
  - ii. Description of the existing or proposed machinery, processes and products.
  - iii. Specifications for the mechanisms and techniques used or proposed in restricting the possible emission of dangerous or objectionable elements.
  - iv. Measurements of the amount or rate of emission of dangerous or objectionable elements.
- d. *Failure to submit data.* The failure to provide data requested by the Cook County Department of Building and Zoning shall constitute grounds for denying a permit. All data shall be submitted to the Cook County Department of Environment and Sustainability.
- e. *Consultant reports.* The Cook County Department of Building and Zoning and/or the Cook County Department of Environment and Sustainability may require any person, firm or corporation to retain expert consultants to study and report as to compliance with the performance standards. Consultants shall be qualified and mutually agreed upon by the Cook County Department of Building and Zoning, Cook County Department of Environment and Sustainability and the owner or operator of the use in question. In the event the parties are unable to select mutually agreeable consultants, the Cook County

Zoning Board of Appeals shall make the selection. The cost of consultant services shall be borne by the property owner or operator.

- f. *Cook County Department of Environment and Sustainability.* Within 30 days following the receipt of the required evidence, or receipt of the reports of expert consultants, the Cook County Department of Environment and Sustainability shall make a determination as to compliance with performance standards. If the Cook County Department of Environment and Sustainability determines the existing or proposed use is in compliance, it shall authorize the Cook County Department of Building and Zoning to issue any permits which may have been withheld pending the determination.
  - g. *Department of Building and Zoning Action.* Issuance or denial of permits. Within 15 days of receiving the Department of Environment and Sustainability's report summarizing its determination the Cook County Department of Building and Zoning shall issue or deny permits based on the report.
  - h. *Required alterations.* Upon request of the Cook County Department of Environment and Sustainability, the Cook County Department of Building and Zoning may require alterations of the existing or proposed construction or the operational procedures to ensure that compliance with performance standards will be maintained. The operator shall be given a reasonable length of time to implement changes prescribed by the Department of Building and Zoning for purposes of securing compliance with performance standards.
  - i. *Appeal.* Within 30 days following action by the Cook County Department of Building and Zoning with respect to the performance standards procedure, an appeal may be taken to the Cook County Zoning Board of Appeals. In the absence of an appeal, the Cook County Department of Building and Zoning's determination shall be final.
  - j. *Continued enforcement.* The Cook County Department of Environment and Sustainability shall investigate any purported violation of performance standards. The Cook County Department of Environment and Sustainability may employ qualified experts to investigate. The Cook County Department of Environment and Sustainability shall conduct a hearing, with notice to the owner or operator, on the alleged violation. If the Cook County Department of Environment and Sustainability finds that a violation occurred or exists, a copy of the Department's findings shall be forwarded to the owner or operator with instructions to correct the violation. Services of qualified experts, who are employed by the Cook County Department of Environment and Sustainability shall be paid by the violator if a violation is established. If no violation is established, Cook County shall be responsible for payment of expert fees.
  - k. *Cancellation of permits.* If the owner or operator fails to implement changes within the time allotted for compliance with performance standards, any permits previously issued shall be void and the operator shall cease operation until the violation is remedied.
4. *Industrial performance standards.* Uses shall comply with the following standards:
- a. *Noise.* For purposes of measuring the intensity and frequency of sound, the sound level meter, the octave band analyzer and the impact noise analyzer shall be employed. The flat network and the fast meter response of the sound level

meter shall be used. Sounds of short duration which cannot be measured accurately with the sound level meter shall be measured with the impact noise analyzer. Octave band analyzers calibrated in the preferred frequencies (using American Standards Association Preferred Frequencies for Acoustical Measurements) shall be used with the following tables. At no point along the boundary of a residential district or along an adjacent lot shall the sound pressure level of any operation or plant exceed the decibel limits in the octave bands designated below:

MAXIMUM (In Decibels)	PERMITTED	SOUND	LEVEL	TABLES
TABLE I				
DAYTIME HOURS - 7:00 a.m.—10:00 p.m. LOCAL TIME				

Octave Band (Hertz)	Preferred Center Frequency	Along Residence District Boundaries	Along Adjacent Lot Boundaries
31.5		79	86
63		74	81
125		68	75
250		60	67
500		54	60
1000		48	54
2000		43	49
4000		38	44
8000		36	41

TABLE II

NIGHTTIME HOURS - 10:00 p.m.—7:00 a.m. LOCAL TIME

<i>Octave Band Preferred Center Frequency</i>	<i>Along Residence District Boundaries</i>	<i>Along Adjacent Lot Boundaries</i>
31.5	75	82
63	70	77
125	64	71
250	56	63
500	50	56
1000	44	50
2000	39	45
4000	34	40
8000	32	37

TABLE III

Impact noises shall not exceed the following peak intensities:

	<i>Along Residence District Boundaries</i>	<i>Along Adjacent Lot Boundaries</i>
Overall Peak	84	90

The following uses and activities shall be exempt from the noise level regulations in the I-2 District:

- i. Noises not directly under the property user's control.
  - ii. Noises emanating from construction and maintenance activities between 7:00 a.m. and 10:00 p.m. Such activities are those which are nonroutine operations accessory to the primary activities and which are temporary in nature, or conducted infrequently.
  - iii. Noises of safety signals, warning devices and emergency pressure relief valves.
  - iv. Transient noises of moving sources such as automobiles, trucks, airplanes and railroads.
- b. *Vibration.* Any industrial operation or activity which causes earth borne vibrations at any point along the nearest adjacent lot line in excess of the limits set forth in Column I and Column II is prohibited. In addition, any industrial operation or activity which causes earth borne vibrations at any point along a residence district boundary line in excess of the limits set forth in Column III is prohibited. Vibrations shall be expressed as displacement in inches and shall be measured with a three-component measuring system approved by the Department of Building and Zoning.

	I*	II**	III*
Frequency (Cycles Per Second)	<i>Displacement (Inches)</i>	<i>Displacement (Inches)</i>	<i>Displacement (Inches)</i>
0 to 10	.0020	.0100	.0004
10 to 20	.0010	.0050	.0002
20 to 30	.0006	.0030	.0001
30 to 40	.0004	.0020	.0001
40 to 50	.0003	.0015	.0001
50 and over	.0002	.0010	.0001

\*Steady-state vibrations, for purposes of this ordinance, are vibrations which are continuous or vibrations in discrete impulses more frequent than 100 per minute. Discrete impulses which do not exceed 100 per



minute shall be considered impact vibrations and shall not cause in excess of twice the displacements stipulated.

Impacts no more often than eight times per 24-hour period and vibrations occurring in discrete pulses separated by an interval of at least one minute and numbering no more than eight in any 24-hour period.

The following uses and activities shall be exempt from the vibration level regulations:

- i. Vibrations not directly under the property user's control.
  - ii. Vibrations emanating from construction and maintenance activities between 7:00 a.m. and 9:00 p.m. Activities are those which are nonroutine operations accessory to the primary activities and which are temporary in nature, or conducted infrequently.
  - iii. Transient vibrations of moving sources such as automobiles, trucks, airplanes and railroads.
- c. *Smoke and particulate matter.*

Dust and other types of air pollution borne by the wind from such sources as storage areas, yards and roads shall be kept to a minimum by appropriate landscaping, paving, oiling or other acceptable means.

For the purpose of calculating the density equivalent capacity of smoke, the Ringlemann Chart, published by the United States Bureau of Mines, shall be employed.

The emission of more than 50 smoke units per hour per stack is prohibited, including smoke of a density in excess of Ringelmann No. 2. However, once during any three-hour period each stack may emit up to 62 smoke units, not to exceed Ringlemann No. 2, when blowing soot or cleaning fires. Only during fire cleaning periods, however, shall smoke of Ringelmann No. 3 be permitted, and then not for more than four minutes per period.

The rate of emission of particulate matter from all sources within the boundaries of any lot shall not exceed a net figure of three pounds per acre of lot area during any one hour, after deducting from the gross hourly emission per acre the correction factor set forth in the following table:

ALLOWANCE	FOR	HEIGHT	OF	EMISSION
(Interpolate for intermediate values not shown in table)				

Height Emission Above (Feet)	of Grade	Correction Pounds Per (Per Acre)	Hour
50		0.0	
100		0.5	
150		0.8	
200		1.2	
300		2.0	
400		4.0	

Determination of the total net rate of emission of particulate matter within the boundaries of any lot shall be made as follows:

- i. To obtain the gross hourly rate of emission in pounds per acre, determine the maximum emission in pounds per hour from each source of emission and divide by the number of acres of lot area.
  - ii. To obtain the net rate of emission in pounds per acre per hour from each source of emission, deduct the correction factor (interpolating as required) for height of emission set forth in the table from each gross hourly rate of emission derived in [Subsection i.] (i) above.
  - iii. To obtain the total net rate of emission from all sources of emission within the boundaries of the lot, add together the individual net rates of emission derived in [Subsection ii.] (ii) above. The total shall not exceed three pounds per acre of lot area during any one hour.
- d. *Toxic matter.* The measurement of toxic matter shall be made at ground level or habitable elevation and shall be the average of any 24-hour sampling period. The release of any airborne toxic matter shall not exceed the fractional quantities permitted of those toxic matters currently listed in the Threshold Limit Values adopted by the American Conference or Governmental Industrial Hygienists. If a toxic substance is not contained in this listing, the applicant shall satisfy Cook County that the proposed levels will be safe and not detrimental to the general population nor injurious to plant and animal life. In the I-2 District, the release of airborne toxic matter shall not exceed 1/30 of the threshold limit values across lot lines.

e. *Noxious and odorous matter.* In the I-2 District, no activity or operation shall cause the discharge of matter across lot lines in such concentration as to be noxious. The emission of matter in such quantities as to be readily detectable as an odor at any point along district boundary lines when diluted in ratio of one volume of odorous air to four volumes of clean air, is prohibited.

f. *Fire and explosive hazards.*

i. *Flammable solids.*

Storage, utilization or manufacture of solid materials or products ranging from incombustible to moderate burning are permitted.

Storage, utilization or manufacture of solid materials or products ranging from free or active burning to intense burning are permitted only within completely enclosed buildings having incombustible exterior walls and protected throughout by an automatic fire extinguishing system. Materials may be stored outdoors in conformance with the regulations of the State of Illinois, Department of Public Safety, and all storage shall have at least 50 feet clearance from property lines.

ii. *Flammable liquids and gases.* Storage, utilization or manufacture of flammable liquids or materials\* which produce flammable or explosive vapors or gases are permitted in accordance with the following table, except that storage of finished products in original sealed containers is unrestricted:

TOTAL CAPACITY OF FLAMMABLE MATERIALS PERMITTED (In Gallons)
---

<i>Industries Engaged In Storage Only</i>	<i>Above Ground</i>	<i>Under Ground</i>
Materials having a closed cup flash point over 187° F.	400,000	Unrestricted
From and including 105° F. to and including 87° F.	200,000	Unrestricted
Materials having a closed cup flash point of less than 105° F.*	100,000	Unrestricted

Industries Engaged In Utilization and Manufacture of Flammable Materials	Above Ground	Under Ground
Materials having a closed cup flash point over 187° F.	200,000	Unrestricted
From and including 105° F. to and including 187° F.	100,000	Unrestricted
Materials having a closed cup flash point of less than 105° F.*	50,000	Unrestricted
*When flammable gases are stored, utilized or manufactured and measured in cubic feet, the quantity in cubic feet (at S.T.P.) permitted shall not exceed 300 times the quantities as listed above.		

The manufacture of liquid or gaseous oxygen is prohibited. Liquid or gaseous oxygen may be stored or utilized in accordance with National Fire Protection Association Standard No. 566 in force and effect, adopted herein by reference, and the total quantity of gaseous or liquid oxygen stored shall not exceed 900,000 standard cubic feet.

- iii. Detonable materials. Activities involving the storage, utilization or manufacture of materials or products which decompose by detonation are allowed only as a special use.

Materials or products shall not be stored, utilized or manufactured within 200 feet of any lawful structure in a Residence, Commercial or I-1 District. This prohibition shall not apply to any structure which was constructed after the lawful commencement of storage, utilization or manufacture of materials or products. Detonable materials include, but are not limited to, all primary explosives such as lead azide, lead sytphnate, fulminates, and tetracene; all high explosives such as TNT, ROX, HMX, PETN, and picric acid; propellants and components thereof, such as nitrocellulose, black powder, boron hydries, hydrazine and its derivatives; pyrotechnics and fireworks such as magnesium power, potassium chlorate and potassium nitrate; blasting explosives such as dynamite and nitroglycerine; unstable organic compounds, such as acetylides, tetrazoles, and ozonides; unstable oxidizing agents such asperchloric acid, perchlorates, chlorates and hydrogen peroxide in concentrations greater than 35 percent; and nuclear fuels, fissionable materials and products and reactor elements such as Uranium 235 and Plutonium 239.

- g. *Glare and heat.*

Any operation or activity producing glare shall be conducted within a completely enclosed building so that direct and indirect illumination from the source of light does not cause illumination in excess of one-half footcandle

when measured at the lot line. Exposed sources of light shall be shielded and flickering or intense sources of light shall be controlled so as not to cause a nuisance across lot lines.

Any operation producing intense 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.

h. *Radiation hazards-release outside property lines.*

Release of radioactive materials or emission of ionizing radiation outside of property lines shall be in accordance with the rules and regulations of the State of Illinois.

Unsealed radioactive materials shall not be manufactured, utilized or stored (except when such materials are stored in a fireproof container at or below ground level) in excess of ten times the quantities of radioactive materials allowed in the I-1 District as set forth in Section 6.1.9(E)(4)(h).

### **6.3. - I-3 Intensive Industrial District.**

*6.3.1. Description of district.* The I-3 Intensive Industrial District is intended to provide land for use by heavy or intense industries. The district is designed primarily for manufacturing, assembling and fabricating activities including large scale or specialized operations which may have some detrimental effects on surrounding districts. Less restriction is placed upon outdoor use and storage, although such uses must conform to the performance standards of the district. Certain uses, with established functions in the economy but having a well-known nuisance potential, are permitted only in this district and generally only by special use permit.

*6.3.2. Use, lot and bulk regulations.* The applicable use, lot and bulk regulations are set forth in Sections 6.3.3 through 6.3.9.

*6.3.3. Permitted uses.* A permitted use of land or buildings shall be allowed in accordance with the provisions of this ordinance. Unless otherwise specifically set forth, wherever a permitted use is named as a major category, it shall be deemed to include only those enumerated uses. Unless otherwise specifically allowed by this ordinance, no building or zoning lot shall be devoted to any use other than a permitted use and no building or structure shall be erected, altered, enlarged or occupied, except as a permitted use. Uses lawfully established on the effective date of this ordinance, and rendered nonconforming by it, shall be subject to Article 10.

The following uses are permitted in the I-3 District:

A. Industrial.

1. Assembly firms for assembly of completely fabricated parts~~Any use permitted in Section 6.2.3(A).~~
2. Bakeries, production of goods.
3. Bottling works.
4. Contractor and construction offices, shops and yards, such as building, cement, electrical, heating, ventilating and air conditioning, masonry, painting, plumbing, refrigeration and roofing.
5. Dairy products manufacturing.

6. Dry cleaning and laundry establishments. Plants serving more than one retail outlet are permitted.
  7. Industrial launderers.
  8. Machine shops.
  9. Manufacturing and industrial activities, including fabrication, processing, assembly, disassembly, repairing, cleaning, servicing, testing, packaging and storage of materials, and products and goods that can be conducted wholly within enclosed buildings. Uses must conform with the performance standards of this section and shall not be injurious to the occupants of adjacent premises.
  10. Packing and crating services.
  11. Pharmaceutical industries.
  12. Printing, publishing or lithography establishments.
  13. Stone companies.
  14. Chemical processing and manufacturing.
  15. Electroplating.
  16. Paper products manufacturing.
  17. Plastics manufacturing.
  18. Woodworking and wood products manufacturing.
  - ~~19.2.~~ Asphalt products manufacturing.
  - ~~20.3.~~ Brick and clay products manufacturing.
  - ~~21.4.~~ Cement block manufacturing.
  - ~~22.5.~~ Concrete mixing plants.
  - ~~23.6.~~ Drop forging.
  - ~~24.7.~~ Foundries.
  - ~~24.8.~~ Heavy machinery production.
  - ~~25.9.~~ Industrial farms and/or feed yards.
  - ~~26.10.~~ Leather tanning or processing.
  - ~~27.11.~~ Meat packing, but not stockyards or slaughterhouses, except as a special use.
  - ~~28.12.~~ Paint products manufacturing.
  - ~~29.13.~~ Research and development laboratory facilities.
  - ~~30.14.~~ Rolling mills.
  - ~~31.15.~~ Rubber processing.
  - ~~32.16.~~ Soap manufacturing.
  - ~~33.17.~~ Stamping mills.
  - ~~34.18.~~ Steel production and fabrication.
- B. Wholesale and warehouse.

1. Automotive storage facilities for vehicles in operating condition.
2. Beverage distributors.
3. Concrete products storage.
4. Grain storage.
5. Storage facilities, including self-storage and mini-warehouse facilities.
6. Warehouses.
7. Wholesale establishments.

C. Retail businesses.

1. Adult stores.
2. Bars, taverns and cocktail lounges. Live entertainment and dancing are permitted.
3. Bottled gas dealers.
4. Coal sales.
5. Extermination and pest control shops.
6. Fuel oil dealers.
7. Fuel sales.
8. Lumber companies and/or yards.
9. Plumbing and heating showrooms and sales.
- ~~10. Retail outlet stores, accessory to a manufacturing or wholesale establishment.~~
- 10 11. Restaurants. Live entertainment, dancing and serving alcohol are permitted.

D. Services.

1. Automobile paint shops.
2. Automobile rentals.
3. Automobile repair shops.
4. Automobile gasoline and service stations, including minor accessories, supplies and services customarily incidental to gasoline and service stations, and electric vehicle charging stations. Oil and lubrication services are permitted only if enclosed in a building.
5. Automobile undercoating services.
6. Cartage and express facilities for trucks not over 1½-ton capacity.
7. Credit unions.
8. Crematories.
9. Electrical shops.
10. Glazing shops.
11. Parcel delivery services.
12. Parking lots and garages, other than accessory, subject to Article 11.
13. Radio and television stations.

14. Refrigeration shops.
  15. Sewer and septic tank cleaning and rodding services.
  16. Sheet metal shops.
  17. Sign contractors.
  18. Signs as regulated by Article 12.
  19. Truck dispatch.
  20. Truck repair and maintenance.
  21. Truck parking.
  - ~~22~~19. Water softener services.
  - ~~23~~20. Welding shops.
  - ~~24~~21. Window cleaning services.
  25. Cannabis transportation business.
- E. Offices.
1. Labor unions and organizations.
- F. Public and governmental land and buildings.
- ~~1. Any use permitted in Section 6.2.3(F).~~
  1. Clubs.
  2. Community center buildings, clubhouses, recreation buildings, for indoor pools and buildings for indoor pools, tennis courts and buildings for indoor tennis courts, noncommercial and not-for-profit.
  3. Dance halls.
  4. Gymnasiums.
  5. Health and physical fitness clubs.
  6. Lodges and fraternal organizations.
  7. Theaters, indoor.
- G. Public utilities and services.
- ~~1. Any use permitted in Section 6.2.3(G).~~
  1. Forest preserves.
  2. Historical buildings and landmarks preserved for the public.
  3. Public office buildings.
  - 4.2. Air, railroad and water freight terminals, railroad switching and classification yards, repair shops and round houses.
  - 5.3 Power plants.
  6. Public and Private solar arrays.
- H. Miscellaneous.
1. Adult booths.



2. Adult entertainment cabarets.
3. Adult mini motion picture theaters.
4. Adult motion picture theaters.
5. Animal pounds and shelters.
6. Kennels.
7. Massage parlors.
8. Massage schools.
9. Radar installations and towers.

6.3.4. *Special uses.* A special use may be allowed subject to the issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses.

The following special uses may be permitted in the I-3 District:

- A. Industrial.
  1. Automotive salvage yards, including wrecking and dismantling, provided that all operations are conducted within an area enclosed on all sides with a solid wall or fence not less than eight feet high so that such operation is not visible from the street. The operation shall be properly maintained and kept in acceptable appearance.
  2. Incinerators.
  3. Outdoor storage of uncontained bulk materials.
  4. Production, refining and storage of petroleum or flammable liquids.
  5. Sawmills.
  6. Stockyards or slaughterhouses.
  7. Storage of any material or product which produces flammable or explosive vapors or gases, as determined by a closed cup flash point of less than 105 degrees Fahrenheit.
  8. Storage, utilization or manufacture of materials or products which decompose by detonation as enumerated in Section 6.3.9(E)(4)(f)(iv).
- B. Services.
  1. Automobile testing grounds, excluding competitive racing.
  2. Car washes.
  3. Motor freight and truck terminals.
  4. Salvage material yards.
- C. Residential.
  1. Residence of the proprietor.
- D. Recreation and social facilities.
  1. Racetracks.
- E. Public and governmental land and buildings.

1. Parks and playgrounds.
- F. Public utilities and services.
  1. Railroad rights-of-way.
  2. Sewage treatment plants.
  3. Wind Turbines and Wind Turbine farms.
- G. Planned unit developments.
- H. Unique uses as regulated by this ordinance.
- I. Miscellaneous.
  1. Airports and heliports, including aircraft landing fields, runways, flight strips and flying schools together with hangars, terminal buildings and other auxiliary facilities.
  2. Landfills, sanitary or solid waste.
  3. Mining and extraction of minerals, sand, gravel, topsoil or other aggregates, including equipment, buildings or structures for screening, crushing, mixing, washing or storage provided that the following criteria are met:
    - a. No open pit or shaft shall be less than 200 feet from any public road.
    - b. Buildings or structures shall be located not less than 200 feet from any property line.
    - c. Borders of the property shall be fenced with a solid fence or wall at least six feet in height when the property is adjacent to or across the street from any district other than an industrial district.
    - d. Plan of development for the reclamation of the land shall be provided as part of the application for special use. The plan of development shall be accompanied by a written agreement between the owner or his agent and the County, and a performance bond in an amount equal to the cost of the reclamation of the land as set forth in the Development Plan.
  4. Refuse reduction plants and incinerators.
  5. Rock crushing, washing and grading.
  6. Waste transfer facilities.
- J. Uses similar and compatible to those allowed in this district.

6.3.5. *Temporary uses.* A temporary use may be allowed upon issuance of a permit by the Cook County Department of Building and Zoning.

~~A. Any use permitted in Section 6.2.5.~~

A. *Temporary buildings or yards.* For construction materials and equipment, both incidental and necessary to construction in the zoning district. Permits shall specify the location of the building or yard and the area of permitted operation. Permits shall be valid for not more than six months and shall not be renewed for more than four successive periods. The building or yard shall not interfere with the use and enjoyment of neighboring property.

B. *Temporary sales offices.* Permits shall specify the location of the office and the area of permitted operation. Permits shall be issued in six-month increments for a period of not more than two years, unless otherwise authorized by the Building Commissioner.

C. Real estate signs. Temporary real estate signs as regulated by Article 12.

D. Portable signs. Portable signs as regulated by Article 12.

E. Portable storage containers. Portable storage containers as regulated by Article 8.

6.3.6. *Accessory uses.* A use, building or structure customarily incidental to and commonly associated with a principal, permitted or special use may be allowed as an accessory use, provided it is operated and maintained under the same ownership and on the same lot as the permitted use. Accessory uses shall not include structures or features inconsistent with the permitted use or involve the conduct of any business, profession, trade or industry. Accessory uses may include the following and similar uses:

~~A. Any use permitted in Section 6.2.6.~~

A. Fallout shelters as regulated by this ordinance.

B. Garages, carports or other parking spaces. Truck parking shall be limited to vehicles not more than 1½-ton capacity when located within 150 feet of a residence district.

C. Retail outlet stores, accessory to a manufacturing or wholesale establishment.

D. Sewage disposal units and water systems as regulated by this ordinance.

E. Signs as regulated by Article 12.

F. Tool houses, sheds and other similar buildings. For storage of supplies and equipment.

G. Vending machines.

H. Water retention and detention areas.

6.3.7. *Prohibited uses.* All uses not expressly authorized in Sections 6.3.3 through 6.3.6 are prohibited.

6.3.8. *Site and structure provisions.* The uses in the I-3 Intensive District shall conform to the following requirements:

A. *Minimum lot area.* Minimum area of 20,000 square feet is required for each permitted or special use.

B. *Minimum lot width.* Minimum lot width of 100 feet shall be provided for each lot used for a permitted or special use.

C. *Front yard.* Buildings and structures shall be set back from the front lot line at least 30 feet.

D. *Interior side yard (adjacent to a zoning lot).* Interior side yard is not required.

E. *Corner side yard (adjacent to a street).* Buildings and structures shall be set back from the side lot line adjacent to the street right-of-way at least 30 feet.

F. *Rear yard.* Buildings and structures shall be set back from the rear lot line at least ten feet.

G. *Transitional yards.* No building, structure or portion thereof shall be located within 125 feet of the boundary of a residence district unless such building, structure or portion thereof is used for, or is accessory to, a use which is permitted in an I-1 or I-2 District, in which case the regulations for transitional yards in the I-1 District shall apply.

H. *Floor area ratio.* Maximum floor area ratio shall be 1.5.

6.3.9. *Special provisions.* The uses in the I-3 Intensive Industrial District shall conform to the following requirements:

A. *Parking and loading.* Uses shall conform to Article 11.

B. *Signs.* Uses shall conform to Article 12.

C. *Sewer and water.* Uses requiring sanitary facilities shall be served by either a municipal or private community sewer and water system, or a private individual sewage disposal and water supply system. The system used must be approved by the Cook County Health Department.

D. *Businesses.*

1. *Enclosure of use.* Uses within 500 feet of a residence district, except off-street parking and loading or establishments having outdoor sales space, shall be conducted within enclosed buildings, unless otherwise provided.

2. *Outdoor storage.* Outdoor storage of fuel, raw materials and products within 500 feet of a residence district shall be screened and enclosed by a fence, wall or plant materials adequate to conceal the storage from adjacent properties and the public right-of-way. Outdoor storage of uncontained bulk material is prohibited, except as a special use.

3. *Surfacing.* Outdoor sales space shall have a permanent, durable, dustless surface and shall be graded and drained as to dispose of all surface water.

4. *Spacing.*

Uses located across the street from a commercial or residence district having any point on the structure surface greater than 35 feet above curb level shall be located at least 1½ times its height above curb level from the commercial or residence district boundary line. However, stacks, tanks, bulkheads or ventilating equipment, including enclosing towers shall be exempt from such limitation if not exceeding in the aggregate 25 feet in linear dimension parallel to the street for any 100 feet of street frontage. Parapets not exceeding three feet in height shall also be exempt from this spacing limitation.

Uses located adjacent to a side or rear property line in a commercial or residence district, having any point on the structure surface greater than 35 feet above curb level shall be located at least a distance equal to its height above curb level from the commercial or residence district lot line. However, stacks, tanks, bulkheads or ventilating equipment, including enclosing towers shall be exempt from this limitation if not exceeding in the aggregate 25 feet in linear dimension parallel to the commercial or residence district lot line for any 100 feet lot line. Parapets not exceeding three feet in height shall also be exempt from this spacing limitation.

E. *Performance standards.*

1. *Purpose.*

a. Permit industrial nuisances to be measured factually and objectively.

b. Ensure that all industries will provide methods to protect the community from hazards which can be prevented by processes of control and nuisance elimination.

c. Protect industries from arbitrary exclusion based upon past nuisance protection of a particular type of industry.

2. *Application.*

a. Any use established, any building or structure constructed or tract of land developed for any permitted, special or accessory use shall comply with all

performance standards with the exception of airports, heliports and automobile or motorcycle race tracks for which compliance with noise performance standards may be waived by the Cook County Board of Commissioners.

- b. The performance standards shall apply to any existing use or structure that is extended, enlarged, moved, altered or reconstructed.

3. *Procedure.*

- a. *Initiation.* Where there may be substantial doubt as to whether an existing or proposed land use complies with the standards of this ordinance, a report shall be filed with the Cook County Department of Environment and Sustainability by an authorized enforcement officer of the State of Illinois, Cook County, or any municipality within Cook County stating that there may be noncompliance.
- b. *Investigation.* Subsequent to a study of an existing or proposed use, the Cook County Department of Environment and Sustainability, upon receipt of information concerning the use from the Cook County Department of Building and Zoning, may determine that there are reasonable grounds to believe that the use may violate the standards of this section and may initiate an investigation.
- c. *Required data.* Following the initiation of an investigation, the Cook County Department of Building and Zoning, upon request from the Cook County Department of Environment and Sustainability, may require the owner or operator of any existing or proposed use to submit data and evidence needed to make an objective determination. Evidence may include, but is not limited to, the following:
  - i. Plans of the existing or proposed construction and development.
  - ii. Description of the existing or proposed machinery, processes and products.
  - iii. Specifications for the mechanisms and techniques used or proposed in restricting the possible emission of dangerous or objectionable elements.
  - iv. Measurements of the amount or rate of emission of dangerous or objectionable elements.
- d. *Failure to submit data.* The failure to provide data requested by the Cook County Department of Building and Zoning shall constitute grounds for denying a permit. All data shall be submitted to the Cook County Department of Environment and Sustainability.
- e. *Consultant reports.* The Cook County Department of Building and Zoning and/or the Cook County Department of Environment and Sustainability may require any person, firm or corporation to retain expert consultants to study and report as to compliance with the performance standards. Consultants shall be qualified and mutually agreed upon by the Cook County Department of Building and Zoning, Cook County Department of Environment and Sustainability and the owner or operator of the use in question. In the event the parties are unable to select mutually agreeable consultants, the Cook County Zoning Board of Appeals shall make the selection. The cost of the consultant services shall be borne by the property owner or operator.

- f. *Cook County Department of Environment and Sustainability.* Within 30 days following the receipt of the required evidence, or receipt of the reports of expert consultants, the Cook County Department of Environment and Sustainability shall make a determination as to compliance with performance standards. If the Cook County Department of Environment and Sustainability determines the existing or proposed use is in compliance, it shall authorize the Cook County Department of Building and Zoning to issue any permits which may have been withheld pending the determination.
- g. *Issuance or denial of permits.* Within 15 days of receiving the Department of Environment and Sustainability's report summarizing its determination the Cook County Department of Building and Zoning shall issue or deny permits based on the report.
- h. *Required alterations.* Upon request of the Cook County Department of Environment and Sustainability, the Cook County Department of Building and Zoning may require alterations of the existing or proposed construction or the operational procedures to ensure that compliance with performance standards will be maintained. The operator shall be given a reasonable length of time to implement changes prescribed by the Department of Building and Zoning for purposes of securing compliance with performance standards.
- i. *Appeal.* Within 30 days following action by the Cook County Department of Building and Zoning with respect to the performance standards procedure, an appeal may be taken to the Cook County Zoning Board of Appeals. In the absence of an appeal, the Cook County Department of Building and Zoning's determination shall be final.
- j. *Continued enforcement.* The Cook County Department of Environment and Sustainability shall investigate any purported violation of performance standards. The Cook County Department of Environment and Sustainability may employ qualified experts to investigate. If the Department of Environmental control finds that a violation occurred or exists, a copy of the Department's findings shall be forwarded to the owner or operator with instructions to correct the violation. Services of qualified experts, who are employed by the Cook County Department of Environment and Sustainability shall be paid by the violator if a violation is established. If no violation is established, Cook County shall be responsible for payment of expert fees.
- k. *Cancellation of permits.* If the owner or operator fails to implement changes within the time allotted for compliance with performance standards, any permits previously issued shall be void and the operator shall cease operation until the violation is remedied.

4. *Industrial performance standards.* Uses shall comply with the following standards:

a. *Noise.*

For the purposes of measuring the intensity and frequency of sound, the sound level meter, the octave and analyzer and the impact noise analyzer shall be employed. The flat network and the fast meter response of the sound level meter shall be used. Sounds of short duration which cannot be measured accurately with the sound level meter shall be measured with the impact noise analyzer. Octave band analyzers calibrated in the preferred frequencies (using

American Standards Association Preferred Frequencies for Acoustical Measurements) shall be used with the following tables.

At no point along the boundary of a residential district or along an adjacent lot shall the sound pressure level of any operation or plant exceed the decibel limits in the octave bands designated below:

MAXIMUM (In Decibels)	PERMITTED	SOUND	LEVEL	TABLES
TABLE I				
DAYTIME HOURS - 7:00 A.M.—10:00 P.M. LOCAL TIME				

<i>Octave Center (Hertz)</i>	<i>Band</i>	<i>Preferred Frequency</i>	<i>Along District Boundaries</i>	<i>Residence</i>
31.5			81	
63			76	
125			70	
250			63	
500			57	
1000			51	
2000			46	
4000			42	
8000			40	

TABLE II

NIGHTTIME HOURS - 10:00 P.M.—7:00 A.M. LOCAL TIME

<i>Octave Center Frequency (Hertz)</i>	<i>Band</i>	<i>Preferred</i>	<i>Along District Boundaries</i>	<i>Residence</i>
31.5			77	
63			72	
125			66	
250			59	
500			53	
1000			47	
2000			42	
4000			38	
8000			36	

TABLE III

Impact Noises Shall Not Exceed The Following Peak Intensities:

	<i>Along Residence District Boundaries</i>
Overall Peak	84



The following uses and activities shall be exempt from the noise level regulations in the I-2 District:

- i. Noises not directly under the property user's control.
  - ii. Noises emanating from construction and maintenance activities between 7:00 a.m. and 10:00 p.m. Such activities are those which are nonroutine operations accessory to the primary activities and which are temporary in nature, or conducted infrequently.
  - iii. Noises of safety signals, warning devices and emergency pressure relief valves.
  - iv. Transient noises of moving sources such as automobiles, trucks, airplanes and railroads.
- b. *Vibration.* Any industrial operation or activity which causes earth borne vibrations at any point along the nearest adjacent lot line in excess of the limits set forth in Column I and Column II is prohibited. In addition, any industrial operation or activity which causes earth borne vibrations at any point along a residence district boundary line in excess of the limits set forth in Column III is prohibited. Vibrations shall be expressed as displacement in inches and shall be measured with a three-component measuring system approved by the Department of Building and Zoning.

	I*	II**	III*
Frequency (Cycles Per Second)	Displacement (Inches)	Displacement (Inches)	Displacement (Inches)
0 to 10	.0039	.0195	.0004
10 to 20	.0022	.0110	.0002
20 to 30	.0011	.0055	.0001
30 to 40	.0007	.0035	.0001
40 to 50	.0005	.0025	.0001
50 and over	.0004	.0020	.0001

\*Steady-state vibrations, for purposes of this ordinance, are vibrations which are continuous or vibrations in discrete impulses more frequent than 100 per minute. Discrete impulses which do not exceed 100 per minute shall be considered impact vibrations and shall not cause in excess of twice the displacements stipulated.

Impacts no more often than eight times per 24-hour period and vibrations occurring in discrete pulses separated by an interval of at least one minute and numbering no more than eight in any 24-hour period.

The following uses and activities shall be exempt from the vibration level regulations:

- i. Vibrations not directly under the property user's control.
  - ii. Vibrations emanating from construction and maintenance activities between 7:00 a.m. and 9:00 p.m. Such activities are those which are nonroutine operations accessory to the primary activities and which are temporary in nature, or conducted infrequently.
  - iii. Transient vibrations of moving sources such as automobiles, trucks, airplanes and railroads.
- c. *Smoke and particulate matter.*

Dust and other types of air pollution borne by the wind from such sources as storage areas, yards and roads shall be kept to a minimum by appropriate landscaping, paving, oiling or other acceptable means.

For the purpose of calculating the density equivalent opacity of smoke, the Ringelmann Chart, published by the United States Bureau of Mines, shall be employed.

The emission of more than 76 smoke units per hour per stack is prohibited, including smoke of a density in excess of Ringelmann No. 2. However, once during any two-hour period each stack may emit up to 92 smoke units, not to exceed Ringelmann No. 2, 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 six minutes per period.

The rate of emission of particulate matter from all sources within the boundaries of any lot shall not exceed a net figure of eight pounds per acre of lot area during any one hour, after deducting from the gross hourly emission per acre the correction factor set forth in the following table:

ALLOWANCE	FOR	HEIGHT	OF	EMISSION
(Interpolate for intermediate values not shown in table.)				

Height Emission Above (Feet)	of Grade	Correction Pounds Per (Per Acre)	Hour
50		0.0	
100		0.5	
150		1.5	
200		2.4	
300		4.0	
400		8.0	

Determination of the total net rate of emission of particulate matter within the boundaries of any lot shall be made as follows:

- i. To obtain the gross hourly rate of emission in pounds per acre, determine the maximum emission in pounds per hour from each source of emission and divide by the number of acres of lot area.
  - ii. To obtain the net rate of emission in pounds per acre per hour from each source of emission, deduct the correction factor (interpolating as required) for height of emission set forth in the table from each gross hourly rate of emission derived in [Subsection i.] (i) above.
  - iii. To obtain the total net rate of emission from all sources of emission within the boundaries of the lot, add together the individual net rates of emission derived in [Subsection ii.] (ii) above. The total shall not exceed eight pounds per acre of lot area during any one hour.
- d. *Toxic matter.* The measurement of toxic matter shall be made at ground level or habitable elevation and shall be the average of any 24-hour sampling period. The release of any airborne toxic matter shall not exceed the fractional quantities permitted of those toxic matters currently listed in the Threshold Limit Values adopted by the American Conference of Governmental Industrial Hygienists. If a toxic substance is not contained in this listing, the applicant shall satisfy Cook County that the proposed levels will be safe and not detrimental to the general population nor injurious to plant and animal life.

In the I-3 District, the release of airborne toxic matter shall not exceed 1/30 of the threshold limit values across lot lines.

- e. *Noxious and odorous matter.* In the I-3 District, no activity or operation shall cause the discharge of matter across lot lines in such concentration as to be noxious. The emission of matter in such quantities as to be readily detectable as an odor at any point along district boundary lines when diluted in ratio of one volume of odorous air to 20 volumes of clean air, is prohibited.
- f. *Fire and explosive hazards.*
  - i. *Flammable solids.* Storage, utilization or manufacture of solid materials or products ranging from incombustible to moderate burning are permitted, subject to the rules and regulations promulgated by the State of Illinois, Department of Fire Protection.
  - ii. *Flammable liquids and gases.* Storage, utilization or manufacture of flammable liquids or materials which produce flammable or explosive vapors or gases, are permitted in accordance with the following table, except that storage of finished products in original sealed containers, is unrestricted:

TOTAL (In Gallons)	CAPACITY	OF	FLAMMABLE	MATERIALS	PERMITTED
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Industries Engaged In Storage Only		Above Ground			Under Ground
Materials having a closed cup flash point over 187° F.		Unrestricted			Unrestricted
From and including 105° F. to and including 187° F.		Unrestricted			Unrestricted
Materials having a closed cup flash point of less than 105° F.		Unrestricted except that within 300 feet of an I-3 District Boundary, no more than 50,000 gallons* per linear 100 feet running along the district boundary shall be permitted.			Unrestricted
Materials having a closed cup flash point over 187° F.		200,000			Unrestricted

From and including 105° F. to and including 187° F.	100,000	Unrestricted
Materials having a closed cup flash point of less than 105° F.*	50,000	Unrestricted

When flammable gases are stored, utilized or manufactured and measured in cubic feet, the quantity in cubic feet (at S.T.P.) permitted shall not exceed 300 times the quantities as listed above.

<i>Industries Engaged In Utilization and Manufacture of Flammable Materials</i>	Above Ground	Under Ground
Materials having a closed cup flash point over 187° F.	Unrestricted	Unrestricted
From and including 105° F. to and including 187° F.	Unrestricted	Unrestricted materials having a closed cup flash point of less than 105° F.
	Unrestricted except that within 300 feet of an I-3 District Boundary, no more than 50,000 gallons* per linear 100 feet running along the district boundary shall be permitted.	Unrestricted

When flammable gases are stored, utilized or manufactured and measured in cubic feet, the quantity in cubic feet (at S.T.P.) permitted shall not exceed 300 times the quantities as listed above.

- 
- iii. The manufacture of liquid or gaseous oxygen is permitted only when specifically authorized by the Cook County Board of Commissioners. Storage and utilization of liquid or gaseous oxygen is permitted in

accordance with the standards of good practice of the National Fire Protection Association.

- iv. *Detonable materials.* ~~Detonable materials.~~ Activities involving the storage, utilization or manufacture of materials or products which decompose by detonation are allowed only as a special use. Materials or products shall not be stored, utilized or manufactured within 200 feet of any lawful structure in a Residence, Commercial or I-1 District. This prohibition shall not apply to any structure which was constructed after the lawful commencement of storage, utilization or manufacture of such materials or products. Detonable materials include, but are not be limited to, all primary explosives such as lead azide, lead sytphnate, fulminates, and tetracene; all high explosives such as TNT, ROX, HMX, PETN, and picric acid; propellants and components thereof, such as nitrocellulose, black powder, boron hydries, hydranzine and its derivatives; pyrotechnics and fireworks such as magnesium powder, potassium chlorate and potassium nitrate; blasting explosives such as dynamite and nitroglycerine; unstable organic compounds, such as acetylides, tetrazoles, and ozonides; unstable oxidizing agents such as perchloric acid, pechlorates, chlorates and hydrogen peroxide in concentrations greater than 35 percent; and nuclear fuels, fissionable materials and products and reactor elements such as Uranium 235 and Plutonium 239.

- g. *Glare and heat.*

Any operation or activity producing glare shall be conducted within a completely enclosed building so that direct and indirect illumination from the source of light does not cause illumination in excess of one-half footcandle when measured at the lot line. Exposed sources of light shall be shielded and flickering or intense sources of light shall be controlled so as not to cause a nuisance across lot lines.

Any operation producing intense 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.

- h. *Radiation hazards - release outside property lines.*

Release of radioactive materials or the emission of ionizing radiation outside of property lines shall be in accordance with the rules and regulations of the State of Illinois.

Unsealed radioactive materials shall not be manufactured, utilized or stored (except when such materials are stored in a fireproof container at or below ground level) in excess of ten times the quantities of radioactive materials allowed in the I-1 District as set forth in Section 6.1.9(E)(4)(h).

#### **6.4. - I-4 Motor Freight Terminal District.**

*6.4.1.; Description of district.* The I-4 Motor Freight Terminal District is intended to control the location, intensity and method of development of property for motor freight terminals and other associated trucking and automotive-oriented uses. This district is intended to be located along major thoroughfares that have convenient access to expressway systems.

6.4.2. *Use, lot and bulk regulations.* The applicable use, lot and bulk regulations are set forth in Sections 6.4.3 through 6.4.9.

6.4.3. *Permitted uses.* A permitted use of land or buildings shall be allowed in accordance with the provisions of this ordinance. Unless otherwise specifically set forth, wherever a permitted use is named as a major category, it shall be deemed to include only those enumerated uses. Unless otherwise specifically allowed by this ordinance, no building or zoning lot shall be devoted to any use other than a permitted use and no building or structure shall be erected, altered, enlarged or occupied, except as a permitted use. Uses lawfully established on the effective date of this ordinance, and rendered nonconforming by it, shall be subject to Article 10.

The following uses are permitted in the I-4 District:

- A. Industrial.
  - 1. Bottling works.
  - 2. Contractor and construction offices, shops and yards, such as building, cement, electrical, heating, ventilating and air conditioning, masonry, painting, plumbing, refrigeration and roofing.
  - 3. Stone companies.
- B. Wholesale and warehouse.
  - 1. Automotive storage facilities for vehicles in operating condition.
  - 2. Beverage distributors.
  - 3. Concrete products storage.
  - 4. Fuels, solid-for storage and wholesale distribution.
  - 5. Grain storage.
  - 6. Storage facilities, including self-storage and mini-warehouse facilities.
  - 7. Warehouses.
- C. Retail businesses.
  - 1. Adult stores.
  - 2. Fuel oil dealers.
  - 3. Restaurants. Live entertainment, dancing and serving alcohol are permitted.
- D. Services.
  - 1. Air, railroad and water freight terminals.
  - 2. Automobile paint shops.
  - 3. Automobile rentals.
  - 4. Automobile repair shops.
  - 5. Automobile gasoline and service stations, including minor accessories, supplies and services customarily incidental to gasoline and service stations, and electric vehicle charging stations. Oil, lubrication and car wash facilities shall be limited to not more than two vehicles and enclosed in a building.
  - 6. Automobile undercoating services.

7. Cartage and express facilities.
8. Credit unions.
9. Motor freight terminals.
10. Packing and crating services.
11. Parcel delivery services.
12. Parking lots and garages, other than accessory, subject to Article 11.
13. Signs as regulated by Article 12.
14. Truck ~~dispatch~~terminals.
15. Truck repair and maintenance.
16. Truck parking.

E. Offices.

1. Labor unions and organizations.

F. Public and governmental land and buildings.

- ~~1. Any use permitted in Section 6.3.3(F).~~

1. Clubs.

2. Community center buildings, clubhouses, recreation buildings, for indoor pools and buildings for indoor pools, tennis courts and buildings for indoor tennis courts, noncommercial and not-for-profit.

3. Dance halls.

4. Gymnasiums.

5. Health and physical fitness clubs.

6. Lodges and fraternal organizations.

7. Theaters, indoor.

G. Public utilities and services.

1. Bus, terminals, turn-arounds and lots.
2. Electric substations, gas regulator stations, telephone exchanges and other essential public utilities and services.
3. Fire stations.
4. Highway maintenance shops and yards.
5. Parking lots and garages.
6. Police stations.
7. Railroad passenger stations.
8. Railroad switching and classification yards, repair and roundhouses.
9. Waterworks, reservoirs, pumping stations, wells and filtration plants.
10. Weigh stations operated by the State of Illinois.

H. Miscellaneous.



~~1. Any use permitted in Section 6.3.3(H).~~

1. Adult booths.
2. Adult entertainment cabarets.
3. Adult mini motion picture theaters.
4. Adult motion picture theaters.
5. Animal pounds and shelters.
6. Kennels.
7. Massage parlors.
8. Massage schools.
9. Radar installations and towers.

6.4.4. *Special uses.* A special use may be allowed subject to the issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses.

The following special uses may be permitted in the I-4 District:

- A. Similar and compatible uses to those allowed in Section 6.4.3.
  1. Automotive salvage yards, including wrecking and dismantling, provided that all operations are conducted within an area enclosed on all sides with a solid wall or fence not less than eight feet high so that such operation is not visible from the street. The operation shall be properly maintained and kept in acceptable appearance.
  2. Incinerators.
  3. Outdoor storage of uncontained bulk materials.
  4. Production, refining and storage of petroleum or flammable liquids.
  5. Sawmills.
  6. Stockyards or slaughterhouses.
  7. Storage of any material or product which produces flammable or explosive vapors or gases, as determined by a closed cup flash point of less than 105 degrees Fahrenheit.
  8. Storage, utilization or manufacture of materials or products which decompose by detonation as enumerated in Section 6.3.9(E)(4)(f)(iv).
- B. Industrial.
  1. Outdoor storage of uncontained bulk materials.
  2. Storage, utilization or manufacture of materials or products which decompose by detention as enumerated in Section 6.4.9(E)(4)(f)(iii).
  3. Wholesale distribution and storage of petroleum, flammable liquids, fats or oils.
- C. Services.
  1. Car washes.
  2. Restaurants, drive-in.

- D. Residential.
  - 1. Residence of proprietor.
- E. Recreation and social facilities.
  - 1. Theaters, drive-thru.
- F. Public and governmental land and buildings.
  - 1. ~~Any use permitted in [Section] 6.3.3(F).~~
    - 1. Parks and playgrounds.
    - 2. Penal and correctional institutions.
- G. Public utilities and services.
  - 1. Railroad rights-of-way.
  - 2. Sewage treatment plants.
- H. Planned unit developments.
- I. Unique uses as regulated by this ordinance.
- J. Miscellaneous.
  - 1. Airports and heliports including aircraft landing fields, runways, flight strips and flying schools together with hangars, terminal buildings and other auxiliary facilities.
  - 2. Landfills, sanitary.
  - 3. Rock crushing, washing and grading.
  - 4. Waste transfer facilities.
- K. Uses similar and compatible to those allowed in this district.

6.4.5. *Temporary uses.* A temporary use may be allowed upon issuance of a permit by the Cook County Department of Building and Zoning.

- A. ~~Any use permitted in Section 6.3.5.~~
- A. Temporary buildings or yards. For construction materials and equipment, both incidental and necessary to construction in the zoning district. Permits shall specify the location of the building or yard and the area of permitted operation. Permits shall be valid for not more than six months and shall not be renewed for more than four successive periods. The building or yard shall not interfere with the use and enjoyment of neighboring property.
- B. Temporary sales offices. Permits shall specify the location of the office and the area of permitted operation. Permits shall be issued in six-month increments for a period of not more than two years, unless otherwise authorized by the Building Commissioner.
- C. Real estate signs. Temporary real estate signs as regulated by Article 12.
- D. Portable signs. Portable signs as regulated by Article 12.
- E. Portable storage containers. Portable storage containers as regulated by Article 8.

6.4.6. *Accessory uses.* A use, building or structure customarily incidental to and commonly associated with a principal, permitted or special use may be allowed as an accessory use, provided it is operated and maintained under the same ownership and on the same lot as the permitted use. Accessory uses shall not

include structures or features inconsistent with the permitted use or involve the conduct of any business, profession, trade or industry.

Accessory uses may include the following and similar uses:

- A. Fallout shelters as regulated by this ordinance.
- B. Garages, carports or other parking spaces. Truck parking shall be limited to vehicles not more than 1½-ton capacity when located within 150 feet of a residence district.
- C. Sewage disposal units and water systems as regulated by this ordinance.
- D. Signs as regulated by Article 12.
- E. Tool houses, sheds and other similar buildings. For storage of supplies and equipment.
- F. Vending machines.
- G. Water retention and detention areas.

6.4.7. *Prohibited uses.* All uses not expressly authorized in Sections 6.4.3 through 6.4.6 are prohibited.

6.4.8. *Site and structure provisions.* The uses in the I-4 Motor Freight Terminal District shall conform to the following requirements:

- A. *Minimum lot area.* Minimum area of 20,000 square feet is required for each permitted or special use.
- B. *Minimum lot width.* Minimum lot width of 100 feet shall be provided for each lot used for a permitted or special use.
- C. *Front yard.* Buildings and structures shall be set back from the front lot line at least 30 feet.
- D. *Interior side yard (adjacent to a zoning lot).* Interior side yard is not required.
- E. *Corner side yard (adjacent to a street).* Buildings and structures shall be set back from the side lot line adjacent to the street right-of-way at least 30 feet.
- F. *Rear yard.* Buildings and structures shall be set back from the rear lot line at least ten feet.
- G. *Transitional yards.* Minimum transitional yard requirements for all structures shall be not less than those specified below:
  - 1. Side lot lines that abut a side or rear lot line in a Commercial, Residence or Industrial I-1 District, shall provide a yard along the side lot line. The yard shall be at least 100 feet in width when abutting a residence district. The yard shall be at least 50 feet in width when abutting a permitted or a special use which is not a motor freight, railroad or water freight terminal, in which case the transitional yard requirements in the I-1 District shall apply. No off-street loading or unloading is permitted within space provided for yards.
  - 2. Rear lot lines that abut a side lot line in an adjacent Commercial, Residence or Industrial I-1 District shall provide a yard along the rear lot line. The yard shall be at least 100 feet in depth when abutting a residence district. The yard shall be at least 50 feet in depth when abutting a Commercial or I-1 District, unless the structure or use is a permitted or special use which is not a motor freight, railroad or water freight terminal, in which case the transitional yard requirements in the I-1 District shall apply. No off-street loading or unloading is permitted within space provided for yards.

3. Rear lots that abut a rear lot line in an adjacent Commercial, Residence or I-1 District shall provide a yard along the rear lot line. The yard shall be at least 100 feet in depth when abutting a residence district. The yard shall be at least 50 feet in depth when adjacent to a Commercial or I-1 District, unless the structure or use is a permitted or special use which is not a motor freight, railroad or water freight terminal, in which case the transitional yard requirements in the I-1 District shall apply. No off-street loading or unloading is permitted within space provided for yards.

H. *Floor area ratio.* Maximum floor area ratio shall be 1.0.

6.4.9. *Special provisions.* The uses in the I-4 Motor Freight Terminal District shall conform to the following requirements:

A. *Parking and loading.* Uses shall conform to Article 11.

B. *Signs.* Uses shall conform to Article 12.

C. *Sewer and water.* All uses requiring sanitary facilities shall be served by either a municipal or private community sewer and water system, or a private individual sewage disposal and water supply system. The system used must be approved by the Cook County Health Department.

D. *Businesses.*

1. *Enclosure of use.* Uses within 500 feet of a residence district, except off-street parking and loading or establishments having outdoor sales space, shall be conducted within enclosed buildings, unless otherwise provided.

2. *Outdoor storage.* Outdoor storage of fuel, raw materials and products within 500 feet of a residence district shall be screened and enclosed by a fence, wall or plant materials adequate to conceal the storage from adjacent properties and the public rights-of-way. Outdoor storage of uncontained bulk material is prohibited, except as a special use.

3. *Surfacing.* Outdoor sales space shall have a permanent, durable, dustless surface and shall be graded and drained to dispose of all surface water.

4. *Spacing.*

Uses located across the street from a commercial or residence district having any point on the structure surface greater than 35 feet above curb level shall be located at least 1½ times its height above curb level from the commercial or residence district boundary line. However, stacks, tanks, bulkheads or ventilating equipment, including enclosing towers shall be exempt from such limitation if not exceeding in the aggregate 25 feet in linear dimension parallel to the street for any 100 feet of street frontage. Parapets not exceeding three feet in height shall also be exempt from this spacing limitation.

Uses located adjacent to a side or rear property line in a commercial or residence district, having any point on the structure surface greater than 35 feet above curb level shall be located at least a distance equal to its height above curb level from the commercial or residence district lot line. However, stacks, tanks, bulkheads or ventilating equipment, including enclosing towers shall be exempt from this limitation if not exceeding in the aggregate 25 feet in linear dimension parallel to the commercial or residence district lot line for any 100 feet lot line. Parapets not exceeding three feet in height shall also be exempt from this spacing limitation.

E. *Performance standards.*

1. *Purpose.*

- a. Permit industrial nuisances to be measured factually and objectively.
- b. Ensure that all industries will provide methods to protect the community from hazards which can be prevented by processes of control and nuisance elimination.
- c. Protect industries from arbitrary exclusion or persecution based upon past nuisance protection of a particular type of industry.

2. *Application.*

- a. Any use established, any building or structure constructed or tract of land developed for any permitted, special or accessory use shall comply with all performance standards with the exception of airports and heliports for which compliance with noise performance standards may be waived by the Cook County Board of Commissioners.
- b. The performance standards shall apply to any existing use or structure that is extended, enlarged, moved, altered or reconstructed.

3. *Procedure.*

- a. *Initiation.* Where there may be substantial doubt as to whether an existing or proposed land use complies with the standards of this ordinance, a report shall be filed with the Cook County Department of Environment and Sustainability by an authorized enforcement officer of the State of Illinois, Cook County or any municipality within Cook County, stating that there may be noncompliance.
- b. *Investigation.* Subsequent to a study of an existing or proposed use, the Cook County Department of Environment and Sustainability, upon receipt of information concerning the use from the Cook County Department of Building and Zoning, may determine that there are reasonable grounds to believe that the use may violate the standards of this section and may initiate an investigation.
- c. *Required data.* Following the initiation of an investigation, the Cook County Department of Building and Zoning, upon request from the Cook County Department of Environment and Sustainability, may require the owner or operator of any existing or proposed use to submit data and evidence needed to make an objective determination. Evidence may include, but is not limited to, the following:
  - i. Plans of the existing or proposed construction and development.
  - ii. Description of the existing or proposed machinery, processes and products.
  - iii. Specifications for the mechanisms and techniques used or proposed in restricting the possible emission of dangerous or objectionable elements.
  - iv. Measurements of the amounts or rates of emission of dangerous or objectionable elements.

- d. *Failure to submit data.* The failure to provide data requested by the Cook County Department of Building and Zoning shall constitute grounds for denying a permit. All data shall be submitted to the Cook County Department of Environment and Sustainability.
- e. *Consultant reports.* The Cook County Department of Building and Zoning and/or the Cook County Department of Environment and Sustainability may require any person, firm or corporation to retain expert consultants to study and report as to compliance with the performance standards. Consultants shall be qualified and mutually agreed upon by the Cook County Department of Building and Zoning, Cook County Department of Environment and Sustainability and the owner or operator of the use in question. In the event the parties are unable to select mutually agreeable consultants, the Cook County Zoning Board of Appeals shall make the selection. The cost of the consultant services shall be borne by the property owner or operator.
- f. *Cook County Department of Environment and Sustainability.* Within 30 days following the receipt of the required evidence, or receipt of the reports of expert consultants, the Cook County Department of Environment and Sustainability shall make a determination as to compliance with performance standards. If the Cook County Department of Environment and Sustainability determines the existing or proposed use is in compliance, it shall authorize the Cook County Department of Building and Zoning to issue any permits which may have been withheld pending the determination.
- g. *Issuance or denial of permits.* Within 15 days of receiving the Department of Environment and Sustainability's report summarizing its determination the Cook County Department of Building and Zoning shall issue or deny permits based on the report.
- h. *Required alterations.* Upon request of the Cook County Department of Environment and Sustainability, the Cook County Department of Building and Zoning may require alterations of the existing or proposed construction or the operational procedures to ensure that compliance with performance standards will be maintained. The operator shall be given a reasonable length of time to implement changes prescribed by the Department of Building and Zoning for purposes of securing compliance with performance standards.
- i. *Appeal.* Within days following action by the Cook County Department of Building and Zoning with respect to the performance standards procedure, an appeal may be taken to the Cook County Zoning Board of Appeals. In the absence of an appeal, the Cook County Department of Building and Zoning's determination shall be final.
- j. *Continued enforcement.* The Cook County Department of Environment and Sustainability shall investigate any purported violation of performance standards. The Cook County Department of Environment and Sustainability may employ qualified experts to investigate. The Cook County Department of Environment and Sustainability shall conduct a hearing, with notice to the owner or operator, on the alleged violation. If the Department of Environmental Control finds that a violation occurred or exists, a copy of the Department's findings shall be forwarded to the owner or operator with instructions to correct the violation. Services of qualified experts, who are employed by the Cook County Department of Environment and Sustainability

shall be paid by the violator if a violation is established. If no violation is established, Cook County shall be responsible for payment of expert fees.

- k. *Cancellation of permits.* If the owner or operator fails to implement changes within the time allotted for compliance with performance standards, any permits previously issued shall be void and the operator shall cease operation until the violation is remedied.

4. *Industrial performance standards.* Uses shall comply with the following standards:

- a. *Noise.* For purposes of measuring the intensity and frequency of sound, the sound level meter, the octave band analyzer and the impact noise analyzer shall be employed. The flat network and the fast meter response of the sound level meter shall be used. Sounds of short duration, which cannot be measured accurately with the sound level meter, shall be measured with the impact noise analyzer. Octave band analyzers calibrated in the preferred frequencies (using American Standards Association Preferred Frequencies for Acoustical Measurements) shall be used with the following tables.
- b. *[Decibel limits.]* At no point along the boundary of a residential district or along an adjacent lot shall the sound pressure level of any operation or plant exceed the decibel limits in the octave bands designated below:

MAXIMUM (In Decibels)	PERMITTED	SOUND	LEVEL	TABLES
TABLE I				
DAYTIME HOURS - 7:00 A.M.—10:00 P.M. LOCAL TIME				

Octave Band Preferred Center Frequency (Hertz)	<i>Along Residence District Boundaries</i>	<i>Along Adjacent Lot Boundaries</i>
31.5	79	86
63	74	81
125	68	75
250	60	67
500	54	60

1000	48	54
2000	43	49
4000	38	44
8000	36	41

TABLE II  
NIGHTTIME HOURS - 10:00 P.M.—7:00 A.M. LOCAL TIME

Octave Band Preferred Center Frequency (Hertz)	<i>Along Residence District Boundaries</i>	<i>Along Adjacent Lot Boundaries</i>
31.5	75	82
63	70	77
125	64	71
250	56	63
500	50	56
1000	44	50
2000	39	45
4000	34	40
8000	32	37



TABLE III

Impact noises shall not exceed the following peak intensities:

	<i>Along District Boundaries</i>	<i>Residence Along Adjacent Lot Boundaries</i>
Overall Peak	84	90

The following uses and activities shall be exempt from the noise level regulations in the I-4 District:

- i. Noises not directly under the property user's control.
  - ii. Noises emanating from construction and maintenance activities between 7:00 a.m. and 10:00 p.m. Activities are those which are nonroutine operations accessory to primary activities and which are temporary in nature or conducted infrequently.
  - iii. Noises of safety signals, warning devices and emergency pressure relief valves.
  - iv. Transient noises of moving sources such as automobiles, trucks, airplanes and railroads.
- c. *Vibration.*

Any industrial operation or activity which causes earth borne vibrations at any point along the nearest adjacent lot line in excess of the limits set forth in Column I and Column II is prohibited.

In addition, any industrial operation or activity which causes earth borne vibrations at any point along a residence district boundary line in excess of the limits set forth in Column III is prohibited. Vibrations shall be expressed as displacement in inches and shall be measured with a three-component measuring system approved by the Cook County Department of Building and Zoning.

	I*	II*	III*
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<i>Frequency</i> (Cycles Per Second)	Displacement (Inches)	Displacement (Inches)	Displacement (Inches)
0 to 10	.0020	.0100	.0004
10 to 20	.0010	.0050	.0002
20 to 30	.0006	.0030	.0001
30 to 40	.0004	.0020	.0001
40 to 50	.0003	.0015	.0001
50 and over	.0002	.0010	.0001

\*Steady-state vibrations, for purposes of this ordinance, are vibrations which are continuous or vibrations in discrete impulses more frequent than 100 per minute. Discrete impulses which do not exceed 100 per minute shall be considered impact vibrations and shall not cause in excess of twice the displacements stipulated.

Impacts no more often than eight times per 24-hour period and vibrations occurring in discrete pulses separated by an interval of at least one minute and numbering no more than eight in any 24-hour period.

The following uses and activities shall be exempt from the vibration level regulations:

- i. Vibrations not directly under the property user's control.
  - ii. Vibrations emanating from construction and maintenance activities between 7:00 a.m. and 9:00 p.m. Activities are those which are nonroutine operations accessory to primary activities and which are temporary in nature or conducted infrequently.
  - iii. Transient vibrations of moving sources such as automobiles, trucks, airplanes and railroads.
- d. *Smoke and particulate matter.*

Dust and other types of air pollution borne by the wind from such sources as storage areas, yards and roads shall be kept to a minimum by appropriate landscaping, paving, oiling or other acceptable means.

For the purpose of calculating the density equivalent opacity of smoke, the Ringelmann Chart, published by the United States Bureau of Mines, shall be employed.

The emission of more than 50 smoke units per hour per stack is prohibited, including smoke of a density in excess of Ringelmann No. 2. However, once during any three-hour period each stack may emit up to 62 smoke units, not to exceed Ringelmann No. 2, 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 four minutes per period.

The rate of emission of particulate matter from all sources within the boundaries of any lot shall not exceed a net figure of three pounds per acre of lot area during any one hour, after deducting from the gross hourly emission per acre the correction factor set forth in the following table:

ALLOWANCE (Interpolate intermediate values not shown in table.)	FOR	HEIGHT	OF	EMISSION for
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Height Emission Above (Feet)	of Grade	Correction Pounds Per (Per Acre)	Hour
50		0.0	
100		0.5	
150		0.8	
200		1.2	
300		2.0	
400		4.0	

Determination of the total net rate of emission of particulate matter within the boundaries of any lot shall be made as follows:

- i. To obtain the gross hourly rate of emission in pounds per acre, determine the maximum emission in pounds per hour from each source of emission and divide by the number of acres of lot area.

- ii. To obtain the net rate of emission in pounds per hour from each source of emission, deduct the correction factor (interpolating as required) for height of emission set forth in the table from each gross hourly rate of emission derived in [Subsection i.] (i) above.
- iii. To obtain the total net rate of emission from all sources of emission within the boundaries of the lot, add together the individual net rates of emission derived in [Subsection ii.] (ii) above. The total shall not exceed three pounds per acre of lot area during any one hour.

e. *Toxic matter.*

The measurement of toxic matter shall be made at ground level or habitable elevation and shall be the average of any 24-hour sampling period. The release of any airborne toxic matter shall not exceed the fractional quantities permitted of those toxic matters currently listed in the Threshold Limit Values adopted by the American Conference of Governmental Industrial Hygienists. If a toxic substance is not contained in this listing, the applicant shall satisfy Cook County that the proposed levels will be safe and not detrimental to the general population nor injurious to plant or animal life.

In the I-4 District, the release of airborne toxic matter shall not exceed 1/30 of the threshold limit values across lot lines.

- f. *Noxious and odorous matter.* In the I-4 District, no activity or operation shall cause the discharge of matter across lot lines in such concentration as to be noxious. The emission of matter in such quantities as to be readily detectable as an odor at any point along district boundary lines when diluted in ratio of one volume of odorous air to four volumes of clean air, is prohibited.

g. *Fire and explosive hazards.*

i. *Flammable solids.*

Storage, utilization or manufacture of solid materials or products ranging from incombustible to moderate burning is permitted.

Storage, utilization or manufacture of solid materials or products ranging from free or active burning to intense burning are permitted only within completely enclosed buildings having incombustible exterior walls and protected throughout by an automatic fire extinguishing system. Materials may be stored outdoors in conformance with the regulations of the State of Illinois, Department of Public Safety, and all storage shall have at least 50 feet clearance from property lines.

- ii. *Flammable liquids and gases.* Storage, utilization or manufacture of flammable liquids or materials\* which produce flammable or explosive vapors or gases are permitted in accordance with the following table, except that storage of finished products in original sealed containers is unrestricted:

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TOTAL CAPACITY OF FLAMMABLE MATERIALS PERMITTED (In Gallons)
---

<i>Industries Engaged In Storage Only</i>	<i>Above Ground</i>	<i>Under Ground</i>
Materials having a closed cup flash point over 187° F.	400,000	Unrestricted
From and including 105° F. to and including 187° F.	200,000	Unrestricted
Materials having a closed cup flash point of less than 105° F.*	100,000	Unrestricted

<i>Industries Engaged In Utilization and Manufacturing of Flammable Materials</i>		
Materials having a closed cup flash point over 187° F.	200,000	Unrestricted
From and including 105° F. to and including 187° F.	100,000	Unrestricted
Materials having a closed cup flash point of less than 105° F.*	50,000	Unrestricted

When flammable gases are stored, utilized or manufactured and measured in cubic feet, the quantity in cubic feet (at S.T.P.) permitted shall not exceed 300 times the quantities as listed above.

The manufacture of liquid or gaseous oxygen is prohibited. Liquid or gaseous oxygen may be stored or utilized in accordance with National Fire Protection Association Standard No. 566 in force and effect, adopted herein by reference, and the total quantity of gaseous or liquid oxygen stored shall not exceed 900,000 standard cubic feet.

- iii. *Detonable materials.* Activities involving the storage, utilization or manufacture of materials or products which decompose by detonation are allowed only as a special use.

Materials or products shall not be stored, utilized or manufactured within 200 feet of any lawful structure in a Residence, Commercial or I-1 District. This prohibition shall not apply to any structure which was

constructed after the lawful commencement of storage, utilization or manufacture of materials or products. Detonable materials include, but are not limited to, all primary explosives such as lead aside, lead sytphnate, fulminates, and tetracene; all high explosives such as TNT, ROX, HMX, PETN, and picric acid; propellants and components thereof, such as nitrocellulose, black powder, boron hydries, hydrazine and its derivatives; pyrotechnics and fireworks such as magnesium power, potassium chlorate and potassium nitrate; blasting explosives such as dynamite and nitroglycerine; unstable organic compounds, such as acetylides, tetrazoles, and ozonides; unstable oxidizing agents such as perchloric acid, perchlorates, chlorates and hydrogen peroxide in concentrations greater than 35 percent; and nuclear fuels, fissionable materials and products and reactor elements such as Uranium 235 and Plutonium 239.

h. *Glare and heat.*

Any operation or activity producing glare shall be conducted within a completely enclosed building so that direct and indirect illumination from the source of light does not cause illumination in excess of one-half footcandle when measured at the lot line. Exposed sources of light shall be shielded and flickering or intense sources of light shall be controlled so as not to cause a nuisance across lot lines.

Any operation producing intense 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.

i. *Radiation hazards release outside property lines.* ~~Radiation hazards release outside property lines.~~

Release of radioactive materials or emission of ionizing radiation outside of property lines shall be in accordance with the rules and regulations of the State of Illinois.

Unsealed radioactive materials shall not be manufactured, utilized or stored (except when such materials are stored in a fireproof container at or below ground level) in excess of ten times the quantities of radioactive materials allowed in the I-1 District as set forth in Section 6.1.9(E)(4)(h).

## **ARTICLE 7. - PUBLIC AND OPEN LAND DISTRICTS**

### **7.0. - Purpose.**

The Public and Open Land District regulations are intended to govern location, intensity and method of development for publicly owned land and open and undeveloped land. Public and open land uses are contained in the following two classifications:

P-1 Public Land District

P-2 Open Land District

### **7.1. - P-1 Public Land District.**

*7.1.1. Description of district.* The P-1 Public Land District is intended to provide for publicly owned land. Some public land, however, may not be zoned P-1 depending on the use. No privately owned property or structures are allowed in the P-1 Public Land District.

*7.1.2. Use, lot and bulk regulations.* The applicable use, lot and bulk regulations are set forth in Sections 7.1.3 through 7.1.9.

*7.1.3. Permitted uses.* A permitted use of land or buildings shall be allowed in accordance with the provisions of this Ordinance. Unless otherwise specifically set forth, wherever a permitted use is named as a major category, it shall be deemed to include only those enumerated uses. Unless otherwise specifically allowed by this ordinance, no building or zoning lot shall be devoted to any use other than a permitted use, and no structure shall be erected, altered, enlarged or occupied, except as a permitted use. Uses lawfully established on the effective date of this ordinance, and rendered nonconforming by it, shall be subject to Article 10. The following uses are permitted in the P-1 District:

A. *Educational institutions.*

1. Public colleges and universities, boarding and nonboarding.
2. Public elementary schools, boarding and nonboarding.
3. Public high schools, boarding and nonboarding.

B. *Recreation and social facilities.*

1. Public conservatories and greenhouses.
2. Public golf courses.
3. Public park, and playgrounds.
4. Public community center buildings, clubhouses, recreation buildings, swimming pools and buildings for indoor pools, for indoor pools, tennis courts and buildings for indoor tennis courts, noncommercial and not-for-profit.

C. *Public and governmental land and buildings.*

1. Aquariums.
2. Art galleries.
3. Fire stations.
4. Forest Preserves.
5. Historical buildings and landmarks preserved for the public.
6. Police stations.
7. Post offices.
8. Public libraries.
9. Public museums.
10. Public office buildings.

*7.1.4. Special uses.* A special use may be allowed subject to issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses. The following special uses may be permitted in the P-1 District:

A. *Recreation and social facilities.*

1. Public athletic fields and stadiums.
- B. *Public and governmental land and buildings.*
1. Airports and heliports.
  2. Animal shelters and pounds.
  3. Convention halls and centers.
  4. Hospitals.
  5. Institutions for the care or treatment of mental illness, drug or alcohol addiction.
  6. Landfills, sanitary or solid waste.
  7. Highway maintenance facilities or storage yards.
  8. Prisons and correctional facilities.
  9. Radar installations and towers.
  10. Waste transfer facilities.
  11. Transitional residences.
  12. Sewage treatment plants.
  13. Water towers.
  14. Camps.
  15. Zoos.
- C. *Miscellaneous.*
1. Publicly owned property and structures used for public purposes.

*7.1.5. Temporary uses.* The P-1 Public Land District does not allow temporary uses.

*7.1.6. Accessory uses.* A use, building or other structure customarily incidental to and commonly associated with a principal, permitted or special use may be allowed as an accessory use provided it is operated and maintained under the same ownership or an agent thereof and on the same lot as the permitted use. Accessory uses shall not include structures or features inconsistent with the permitted use or involve the conduct of any business, profession, trade or industry except as authorized as a special use in section 7.1.4. Accessory uses may include the following and similar uses:

- A. Athletic fields and stadiums accessory to educational institutions.
- B. Commercial sale of food, supplies or nonalcohol beverages incidental to public structures or facilities or rental of equipment incidental to such structures or facilities.
- C. Fallout shelters as regulated by this ordinance.
- D. Gardens.
- E. Public garages and parking lots.
- F. Signs as regulated by Article 12.
- G. Vending machines.
- H. Water retention and detention areas.

*7.1.7. Prohibited uses.* All uses not expressly authorized in Sections 7.1.3 through 7.1.6 are prohibited.



7.1.8. *Site and structure provisions.* The uses in the P-1 Public Land District shall conform to the following requirements:

- A. *Minimum lot area.* Minimum lot area is not required, except that each residential use accessory to an educational institution shall have a lot area of not less than 500 square feet for each room used as living or sleeping quarters.
- B. *Minimum lot width.* Minimum lot width is not required.
- C. *Front yard.* Buildings and structures shall be set back from the front lot line at least the required front yard setback of the adjacent zoning district. If a property classified as P-1 is adjacent to more than one zoning district, all structures shall be set back from the front lot line at least the required front yard setback of the adjacent zoning district requiring the greatest setback.
- D. *Interior side yard (adjacent to a zoning lot).* Interior side yard is not required.
- E. *Corner side yard (adjacent to a street).* Buildings and structures shall be set back in from the side lot line adjacent to a street right-of-way at least 25 feet.
- F. *Rear yard.* Rear yard is not required, except for structures containing residential uses incidental to an educational institution. A rear yard shall be at least 25 feet in depth.
- G. *Transitional yard.* Minimum transitional yard requirements for all structures shall be at least those specified below:
  - 1. Side lot lines that abut a side or rear lot line in a residence district shall provide a yard along the side lot line. The yard shall be at least the minimum side yard required under this ordinance for a residential use on the adjacent residential lot.
  - 2. Rear lot lines that abut a side lot line in a residence district shall provide a yard along the rear lot line. The yard shall be at least the minimum side yard required under this ordinance for a residential use on the adjacent residential lot.
  - 3. Rear lot lines that abut a rear lot line in a residence district shall provide a yard along the rear lot line. The yard shall be at least 20 feet in depth.
  - 4. Front or side lot lines across a street, alley or other right-of-way from the front lot line of a lot located in a residence district shall provide a yard at least the minimum front yard required by this ordinance on the adjacent residential lot along the front or side lot line.
- H. *Floor area ratio.* Maximum floor area ratio shall be 1:2. Floor area ratio of accessory buildings shall be included in the total allowable floor area permitted on the zoning lot. Floor area devoted to off-street parking or loading facilities shall not be counted in the floor areas used to determine floor area ratio.

7.1.9. *Special provisions.* The uses in the P-1 Public Land District shall conform to the following requirements:

- A. *Parking and loading.* Uses shall conform to the applicable requirements for off-street parking and loading set forth in Article 11.
- B. *Signs.* Uses shall conform to Article 12.

- C. *Trucks.* Parking of trucks as an accessory use, when used in the conduct of a permitted use located within 150 feet of a residence district boundary line, shall be limited to vehicles of less than three-ton capacity.
- D. *Sewer and water.* Dwellings and uses requiring sanitary facilities shall be served by a municipal sewer and water system, a private community sewer and water system, or a private individual sewage disposal and water supply system. Systems shall be approved by the Cook County Health Department.

## **7.2. - P-2 Open Land District.**

*7.2.1. Description of district.* The P-2 Open Land District is intended to provide for privately owned undeveloped or open land which is anticipated to remain undeveloped for at least five years. The P-2 Open Land District is used principally on request of the property owner, and then only if the Cook County Board of Commissioners determines that the land is of value to the general public. This value may be in the form of providing scenic vistas and views to the public; play, recreation, or open amusement space; agricultural lands for development of crops or livestock; and voluntarily delaying development of land because it is out of the general pattern of Cook County development or cannot be economically served by appropriate urban systems until a later date. This district is characterized by open uses of land, such as golf courses or agricultural uses. Only structures and improvements which supplement and are incidental to the principal open use are permitted, such as residences incidental and accessory to farms. Land classified P-2 must contain at least ten acres, exclusive of any land devoted to accessory or incidental structures. The P-2 zoning district restricts potential development for five years.

*7.2.2. Use, lot and bulk regulations.* The applicable use, lot and bulk regulations are set forth in Sections 7.2.3 through 7.2.9.

*7.2.3. Permitted uses.* A permitted use of land or buildings shall be allowed in accordance with the provisions of this ordinance. Unless otherwise specifically set forth, wherever a permitted use is named as a major category, it shall be deemed to include only those enumerated uses. Unless otherwise specifically allowed by this ordinance, no building or zoning lot shall be devoted to any use other than a permitted use, and no structure shall be erected, altered, enlarged or occupied, except as a permitted use. Uses lawfully established on the effective date of this ordinance, and rendered nonconforming by it, shall be subject to the regulations of Article 10.

The following uses are permitted in the P-2 District:

- A. Agricultural land and buildings.
  - 1. Agricultural uses, excluding any structures which are not incidental to the operation of the principal agricultural use.
  - 2. Botanical and flower gardens.
  - 3. Orchards.
- B. Recreation and social facilities.
  - 1. Public or private campgrounds.
  - 2. Public or private country clubs.
  - 3. Public or private golf courses.
  - 4. Wildlife and game preserves.
  - 5. Zoos.
- C. Public and governmental land and buildings.

1. Forest preserves.
2. Historical buildings and landmarks preserved for the public.

D. Miscellaneous

1. Cemeteries.

7.2.4. *Special uses.* A special use may be allowed subject to the issuance of a special use permit in accordance with the provisions of Article 13. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those enumerated uses.

The following special uses may be permitted in the P-2 District:

A. Miscellaneous.

1. Artificial lakes.
2. Landfills, sanitary or solid waste. As a condition of granting a special use for a landfill, the landowner shall stipulate that when the site is filled, an open space use will remain on the property for at least ten years.
3. Pet cemeteries.

7.2.5. *Temporary uses.* The P-2 Open Land District does not allow temporary uses.

7.2.6. *Accessory uses.* A use, building or other structure customarily incidental to and commonly associated with a principal, permitted or special use may be allowed as an accessory use provided it is operated and maintained under the same ownership and on the same lot as the permitted use. Accessory uses shall not include structures or features inconsistent with the permitted use, or involve the conduct of any business, profession, trade or industry.

Accessory uses may include the following and similar uses:

- A. Agricultural structures incidental to a principal agricultural use.
- B. Commercial sale of food and beverages incidental to a country club.
- C. Fallout shelters as regulated by this ordinance.
- D. Mausoleums, crematories and columbaria in cemeteries.
- E. Roadside stands, for the display and sale of agricultural products on lots where the principal use is agriculture.
- F. Sewage disposal units and water systems, individual, as regulated by this ordinance.
- G. Stables, private.
- H. Tool houses, sheds and other similar buildings. For the storage of supplies and equipment.
- I. Water retention and detention areas.

7.2.7. *Prohibited uses.* All uses not expressly authorized in Sections 7.2.3 through 7.2.6 are prohibited.

7.2.8. *Site and structure provisions.* The uses in the P-2 Open Land District shall conform to the following requirements:

- A. *Minimum lot area.* Minimum lot area of ten acres shall [be] provided for each permitted or special use.
- B. *Minimum lot width.* Minimum lot width is not required.

- C. *Front yard.* Buildings and structures shall be set back from the front lot line at least the required front yard setback of the adjacent zoning district. If a property classified as P-2 is adjacent to more than one zoning district, all structures shall be set back from the front lot line at least the required front yard setback of the adjacent zoning district requiring the greatest setback.
- D. *Interior side yard (adjacent to a zoning lot).* Buildings and structures shall be set back from the side lot line at least 30 feet.
- E. *Corner side yard (adjacent to a street).* Buildings and structures shall be set back from the side lot line adjacent to a street right-of-way at least 50 feet.
- F. *Rear yard.* Buildings and structures shall be set back from the rear lot line at least the required rear yard setback of the adjacent zoning district. If a property classified as P-2 is adjacent to more than one zoning district, all structures shall be set back from the rear lot line at least the required rear yard setback of the adjacent zoning district requiring the greatest setback.
- G. *Transitional yard.* Minimum transitional yard requirements for all structures shall be at least those specified below:
  - 1. Side lot lines that abut a side or rear lot line in a residence district shall provide a yard along the side lot line. The yard shall be at least the minimum side yard required under this ordinance for a residential use on the adjacent residential lot.
  - 2. Rear lot lines that abut a side lot line in a residence district shall provide a yard along the rear lot line. The yard shall be at least the minimum side yard required under this ordinance for a residential use on the adjacent residential lot.
  - 3. Rear lot lines that abut a rear lot line in a residence district shall provide a yard along the rear lot line. The yard shall be at least 20 feet in depth.
  - 4. Front or side lot lines across a street, alley or other right-of-way from the front lot line of a lot located in a residence district shall provide a yard at least the minimum front yard required by this ordinance on the adjacent residential lot along the front or side lot line.
- H. *Floor area ratio.* Maximum floor area ratio shall be 0:01. Floor area ratio of accessory buildings shall be included in the total allowable floor area ratio permitted on the zoning lot. Floor area devoted to off-street parking or loading facilities shall not be counted in the floor area used to determine floor area ratio.

7.2.9. *Special provisions.* The uses in the P-2 Open Land District shall conform to the following requirements:

- A. *Parking and loading.* Uses shall conform to requirements for off-street parking and loading set forth in Article 11.
- B. *Signs.* Uses shall conform to Article 12.
- C. *Trucks.* Parking of trucks as an accessory use, when used in the conduct of a permitted use located within 150 feet of a residence district boundary line, shall be limited to vehicles of less than three-ton capacity.
- D. *Sewer and water.*  
Dwellings and uses requiring sanitary facilities shall be served by a municipal sewer and water system, a private community sewer and water system or a private individual sewage disposal and water supply system.

Systems shall be approved by the Cook County Health Department.

## **ARTICLE 8. - GENERAL PROVISIONS**

### **8.1. - Interpretation.**

*8.1.1. Minimum requirements.* The provisions of this ordinance establish minimum requirements intended to promote the public health, safety, morals and welfare.

*8.1.2. Conflicting Laws and existing agreements.* The most restrictive regulation shall govern when a requirement imposed by this ordinance conflicts with other sections of this ordinance or with any law, ordinance, resolution, rule or other governmental regulation, or with any easement, covenant or private agreement.

*8.1.3. Ordinance contents not a permit.* The contents of this ordinance shall not be deemed a permit to use any property or to locate, construct or maintain any building, structure or facility or to carry on any trade, industry, occupation or activity.

*8.1.4. Cumulative regulations.* The provisions of this ordinance are cumulative with other laws and ordinances applying to the same subject matters.

*8.1.5. Index.* The index appended to this ordinance is solely a reference guide, and shall not be construed as part of this ordinance.

### **8.2. - Severability.**

The provisions of this ordinance are severable as set forth below:

*8.2.1. Judicial determinations.* A judicial determination that any provision of this ordinance is invalid shall not affect any other provision of this ordinance not specifically included in the judicial determination.

*8.2.2. Declaration of invalidity.* A judicial determination that any provision of this ordinance is declared invalid as applied to a particular property, use or structure shall not affect the application of the same provision to any other property, use or structure not specifically included in the judicial determination.

### **8.3. - Scope of regulations.**

The provisions of this ordinance shall apply to all uses and structures as set forth below:

*8.3.1.; New uses.* A new structure or use shall not be constructed nor shall land be used, designed or occupied, and no excavating or grading shall be conducted except as permitted by this ordinance.

*8.3.2. Existing uses.* A structural alteration or relocation of an existing structure or an increase to an existing use shall be subject to the regulations of this ordinance.

*8.3.3. Building permits.* A building permit issued prior to the effective date of this ordinance shall remain valid provided that construction has begun within 12 months from the date the construction is completed in a timely fashion. Upon completion, the structure may be occupied under a certificate of occupancy for the use designated in the permit and in accordance with Article 10. This section shall also control building permits lawfully issued prior to future amendments to this ordinance.

*8.3.4. Special uses.*

A lawful structure or use existing on the effective date of this ordinance which is classified as a special use shall be considered a lawful special use. A special use permit shall be required only for expansion or major alteration of an existing lawful special use.

A use which is not allowed as a special or permitted use in the district in which it is zoned, but exists as a special use under the provisions of a prior ordinance, shall be considered a nonconforming use subject to Article 10.

A special use which ceases for a period of more than one year shall be void.

A special use permit may authorize one or more special uses in accordance with the terms of the special use permit.

*8.3.5. Number of buildings on a zoning lot.*

A zoning lot shall not have more than one principal detached residential building. A principal attached single-family residential building shall not be located on the same zoning lot with another principal building, except in planned unit developments and other special uses.

More than one principal detached building, other than residential buildings, may be located on a zoning lot provided the ordinance requirements are met separately for each individual use. Lot area and other criteria used to satisfy one use cannot be used to satisfy a separate use, except in planned unit developments.

*8.3.6. Open use on vacant lots.* Side and front yard setbacks are required on vacant lots used for a permitted use, unless otherwise provided in this ordinance. Side yards are not required on vacant lots used for gardening nor on lots used for public recreation areas.

*8.3.7. Access across residential property.* A property located in a residence district shall not be used for driveway, walkway or access purposes to property located in a commercial or industrial district, or used for any nonpermitted purpose except in planned unit developments.

**8.4. - Bulk regulations.**

*8.4.1. Continued conformity with bulk regulations.* The maintenance provisions for yards, open space, minimum lot area and buildings shall be the continuing obligation of the owner for as long as the building exists. A required yard, open space or minimum lot area allocated to any building shall not, by virtue of change of ownership or for any other reason, be used to satisfy yard, open space or minimum lot area requirements for any other building.

*8.4.2. Two uses on a lot.* When the use of two or more permitted or special uses, each requiring a minimum lot area, are provided in the same building or on the same lot, the required lot area shall be the sum of the areas required for each use individually.

*8.4.3. Division of zoning lots.*

An improved zoning lot shall not be divided into two or more zoning lots unless all improved zoning lots resulting from the division conform with the applicable bulk regulations of the zoning district in which the property is located.

A lot shall not be divided unless each lot resulting from the division is platted as a lot of record and conforms to this ordinance and the Cook County subdivision regulations.

*8.4.4. Location of required yards.* The required yard and open space shall be located on the same zoning lot as the building.

*8.4.5. Required yards.*

A. *Front yards.*

Front yards shall be unobstructed from ground level to the sky, except as allowed in Section 8.4.6.

An accessory building attached to a principal building, such as an attached garage, shall comply with the yard requirements of the principal building.

- B. *Interior side yards.* Interior side yards shall be unobstructed from ground level to the sky, except as allowed in Section 8.4.6. An accessory building attached to a principal building, such as an attached garage, shall comply with the yard requirements of the principal building.
- C. *Corner side yards.* Corner side yards shall be unobstructed from the ground level to the sky, except as allowed in Section 8.4.6. An accessory building attached to a principal building, such as an attached garage, shall comply with the yard requirements of the principal building.
- D. *Rear yards.* Rear yards shall be unobstructed from the ground level to the sky, except as allowed in Section 8.4.6. An accessory building attached to a principal building, such as an attached garage, shall comply with the yard requirements of the principal building.
- E. *Street widening.*
  - 1. *Existing lots.* Yards adjoining a street may be reduced below the required minimum on existing lots occupied by a building to provide right-of-way for street widening.
  - 2. *Setbacks for street widening.* Buildings and structures shall not be erected, constructed, altered or enlarged closer to the centerline of an existing or proposed street than provided for by the minimum setback plus one-half the established right-of-way width designated by the Official Map or Comprehensive Plan of Cook County. Minimum setbacks on lots abutting a street or thoroughfare shall be the distance required for a front or side yard adjoining a street measured from the existing right-of-way line of the street or thoroughfare, or from the proposed right-of-way line as established by other ordinances, Cook County or State highway authorities. The greatest right-of-way width requirement from these sources shall control.
- F. *Exceptions.*
  - 1. Whenever more than 30 percent of frontage on one side of a recorded subdivided block is occupied by residences on the effective date of this ordinance, the average setback from the front lot line of the existing residences shall be maintained for all new or relocated structures. The setback from the front lot line, however, shall not be less than 20 feet.
  - 2. Whenever more than 49 percent of the frontage on one side of a street between two intersecting streets is developed with buildings that have maintained (within a variation of ten feet or less) a front yard greater in depth than required, new buildings shall not be erected closer to the street than the average front yard established by the existing buildings.
  - 3. Whenever more than 49 percent of the frontage on one side of a street between two intersecting streets is developed with buildings that have been legally constructed and have not maintained the required front yard, the following shall apply:
    - a. Interior lots.
      - i. Minimum front yard for lots within 100 feet of buildings on both sides of the lot shall be a line drawn between the closest front corners of the two existing buildings.

- ii. Minimum front yard for lots within 100 feet of a building on one side only shall be the distance the closest building is to the street.
- b. Corner lots. Depth of the setback shall be as required in the district where the lot is located.

G. *Sight vision clearance on corner lots.*

Structures or plant materials on corner lots shall not obstruct a clear path of motorist sight vision within a triangular area determined by a diagonal line connecting two points measured 35 feet equidistant from the street corner of the two intersecting street lines.

Distance in commercial districts may be reduced to ten feet and shall only apply to the first floor of a building.

- H. *Structures on lots of record.* Existing structures, buildings and uses that conform to 1940, 1960 and 1976 Cook County zoning ordinances may be expanded, altered, or improved provided that all additions, improvements and uses conform to the district requirements of this ordinance.

8.4.6. *Permitted obstructions in required yards.* The following structures are permitted obstructions when located in required yards:

A. *All yards.*

1. Open terraces not over four feet above average grade level of adjoining properties, but not including permanently roofed terraces or porches. Railing and guardrails necessary for safety are excluded.
2. Awnings and canopies.
3. Above grade steps not exceeding four feet in height which are necessary for access to a permitted building or to a zoning lot from a street or alley.
4. Chimneys projecting no more than 18 inches into the yard.
5. Recreational and laundry poles.
6. Arbors and trellises.
7. Flag poles.
8. Fences and walls no more than six feet in height above natural grade level.
9. Open fences exceeding six feet in height, provided that visibility at right angles to any surface of the fence is not reduced by more than 50 percent, and subject to applicable height restrictions and zoning districts in this ordinance.

B. *Front yards.*

1. One-story bay windows projecting no more than three feet into the yard.
2. Overhanging eaves and gutters projecting no more than three feet into the yard.
3. Fuel pumps and air and water service provided they are set back at least 15 feet from the front lot line.

C. *Rear yards.*

1. Enclosed, open, attached or detached off-street parking spaces.



2. Accessory sheds, tool rooms and similar structures for domestic or agricultural storage.
3. Fallout shelters.
4. Balconies.
5. Breezeways and open porches.
6. One-story bay windows projecting no more than three feet into the yard.
7. Overhanging eaves and gutters projecting no more than three feet into the yard.
8. HVAC, pool and generator equipment, at least 5' from the rear lot line.

D. *Side yards.*

1. Overhanging eaves and gutters projecting no more than 18 inches into the yard.
2. Fuel pumps and air and water service provided they are set back at least 15 feet from the side lot line.
3. HVAC, pool and generator equipment, at least 5' from the side lot line.

8.4.7. *Front lot lines.*

- A. *Corner lots.* Front lot lines on a corner lot shall be the lot line having the shortest dimension along the street line.
- B. *Through lots.* Front lot lines on vacant through lots shall be along the street designated by the Department of Building and Zoning. Permitted obstructions in front yards shall be located in that part of a rear yard adjoining a street that is equivalent in depth to a required front yard, except lots backing to thoroughfares in subdivisions where no access has been provided on the recorded plats.

8.4.8. *Right-of-way dedication.* The land area that was voluntarily dedicated for a right-of-way without compensation can be used for computing allowable density. This provision shall not apply to land dedicated in a plat of subdivision.

**8.5. - Accessory building and structure regulations.**

8.5.1. *Location.* An accessory building shall not be located closer than three feet to a required side lot line. An accessory building shall not be located closer than three feet to a required rear lot line or to a side lot line abutting the required rear yard. A detached accessory building in a residential district shall not be closer than ten feet to the principal building. This distance shall be increased by an additional one foot for every foot over 20 feet in length that the wall of an accessory building parallels the principal building.

8.5.2. *Construction of an accessory building.* An accessory building shall not be constructed on any lot prior to construction of the principal building.

8.5.3. *Percentage of required yard occupied.* A detached accessory building shall not occupy more than 50 percent of a required yard area.

8.5.4. *Height in required rear yard.* A detached accessory building located in a required rear yard shall not exceed the height of the principal building or 15 feet, whichever is less.

8.5.5. *Reversed corner lot.* An accessory building shall not be located on a residential reversed corner lot within 15 feet of a rear lot line unless it is set back from the side lot line abutting the street at least two-thirds of the front yard setback of the rear property. An accessory building shall not be located within three feet of a rear lot line which abuts the side lot line of residential property. An accessory building shall not

encroach upon a required side yard of a corner lot which is adjacent to the street, nor upon a required side yard of a reversed corner lot which is adjacent to the street.

## **8.6. - Structure height.**

The following requirements qualify or supplement district regulations in this ordinance:

*8.6.1 District height regulations.* Except as otherwise provided by Cook County ordinance, the following height regulations shall apply:

- A. *R-1 to R-5 Residential District.* Structures located in the R-1, R-2, R-3, R-4 and R-5 zoning districts shall conform to the following height restrictions:
  - 1. Detached single-family residential dwelling units shall not exceed 2½ stories and a height of 35 feet.
  - 2. Nonresidential structures shall not exceed a height of 40 feet.
  - 3. Accessory structures shall not exceed a height of 15 feet or exceed the height of the principal structure, whichever is less.
- B. *R-5A to R-8 Residential District.* Structures located in the R-5A, R-6, R-7, and R-8 zoning districts shall conform to the following height restrictions:
  - 1. Detached Single-family residential dwelling units shall not exceed 2½ stories and a height of 35 feet.
  - 2. Townhomes shall not exceed 2½ stories and a height of 35 feet.
  - 3. Multifamily residential dwelling units shall not exceed a height of 45 feet.
  - 4. Nonresidential structures shall not exceed three stories and a height of 45 feet.
  - 5. Accessory structures shall not exceed a height of 15 feet.
- C. *C-1 and C-2 Commercial Districts.* Structures located in the C-1 and C-2 zoning districts shall conform to the following height restrictions:
  - 1. Nonresidential structures shall not exceed three stories and a height of 45 feet.
  - 2. Accessory structures shall not exceed a height of 20 feet.
- D. *C-3 to ~~C-5~~ ~~C-6~~ Commercial Districts.* Building and structures located in the C-3, C-4, and C-5, ~~and C-6~~ zoning districts shall conform to the following height restrictions:
  - 1. Nonresidential structures shall not exceed five stories and a height of 60 feet, provided the structure is set back from the front, rear and side lot lines at a ratio of three feet for every five feet of structure height greater than 45 feet. This height requirement shall apply in addition to rear and side yard requirements set forth in this ordinance.
  - 2. Accessory structures shall not exceed a height of 20 feet.
- E. *C-6 to ~~C-7~~ C-8 Commercial Districts.* Structures located in the C-6, C-7, and C-8 zoning districts shall conform to the following height restrictions:
  - 1. Nonresidential structures shall not exceed a height of 100 feet, provided the structure is set back from the front, rear and side lot lines at a ratio of three feet for every five feet of structure height greater than 60 feet. This height requirement shall apply in addition to rear and side yard requirements set forth in this ordinance.
  - 2. Accessory structures shall not exceed a height of 20 feet.

- F. *I-1 to I-4 Industrial Districts.* Structures located in the I-1, I-2, I-3, and I-4 zoning districts shall conform to the following height restrictions:
1. Nonresidential structures shall not exceed a height of 75 feet, provided the structure is set back from the front, rear and side lot lines at a ratio of three feet for every five feet of structure height greater than 50 feet. This height requirement shall apply in addition to rear and side yard requirements set forth in this ordinance.
  2. Accessory structures shall not exceed a height of 20 feet.
- G. *Planned Unit Developments.* The structures in a planned unit development may exceed the height limits established for the district in which the structures are located in accordance with an approved planned unit development.
- H. *Miscellaneous.*
1. Plans to construct a structure exceeding 160 feet in height shall be forwarded to the Federal Aviation Administration for review and comment.

*8.6.2. Public buildings.* A public hospital or institution, a public or parochial school and a public utility or public service building shall not exceed a height of 60 feet, provided the building is set back from the front, rear and side lot lines a ratio of two feet for every ten feet of building height greater than 40 feet. This height requirement shall apply in addition to rear and side yard requirements set forth in this ordinance.

*8.6.3. Building appurtenances.* Appurtenances shall not extend more than 15 feet above the height of the principal structure, except that towers or steeples of a religious institutional use may be constructed to a height of no more than 75 feet when measured from grade.

*8.6.4. Airports.* Structures subject to notice under Federal Aviation Regulations shall not be constructed until it is determined by the Federal Aviation Administration that a structure will not be a hazard to aerial navigation. Applications for zoning amendments, special uses, unique uses, variances or planned unit developments which involve property located within two miles of an airport shall be forwarded by the Department of Building and Zoning to the Federal Aviation Administration for review and comment.

## **8.7. - Regulations for specific uses.**

### *8.7.1. Fences, walls, hedges and shrubbery.*

- A. Fences, walls, hedges and shrubbery may be erected, placed, maintained or grown within ten feet of a lot line on property abutting or located in a residential district unless otherwise provided in Section 8.4. The height of a fence, wall, hedge or shrubbery shall not exceed six feet above ground level and, if located in a required front or corner side yard, shall not exceed a height of three feet.
- B. Fences, walls, hedges and shrubbery shall not be erected, placed, maintained or grown within five feet of a lot line on any nonresidential zoned property in excess of ten feet in height.
- C. Fences, walls, hedges and shrubbery shall not be erected, constructed, maintained or grown to a height exceeding three feet above the street grade when located within 35 feet of the right-of-way line.
- D. Fences shall be constructed so that the poles, support[s] and braces are on the side of the fence of the owner of the property placing the fence so that the side of the fence without poles, support[s] and braces is facing neighboring property (unless otherwise approved by the Building Commissioner).

- E. Fence(s) shall not be erected using barbed wire, razor wire, iron spike or other sharp-pointed materials provided, however, this section shall not prohibit the use of such materials when used entirely on private property and when:
1. Located in a commercial or industrial zoning district, or used for governmental/quasigovernmental use, or used to secure hazardous equipment or installations, such as, but not limited to, high voltage equipment, electrical transformers, cellular towers, etc., subject to the approval of the Building Commissioner;
  2. Securely attached along the top of a soundly constructed fence or structural barrier starting at a height of not less than six feet, extending no more than two feet and angled inward as to not extend beyond the property line; and
  3. Setback not less than three feet from the side and rear lot lines when abutting a residential zoning lot, provided that landscaping shall be used within the required three-foot setback and shall include a minimum of a three-foot high barrier using shrubbery or trees distributed across the entire perimeter of the fence or structure, excluding driveways.
- Barbed wire, razor wire, iron spike or other sharp-pointed materials may also be used for the security of hazardous equipment or installations, such as but not limited to, high voltage equipment, electrical transformers, cellular towers, etc., regardless of the zoning district, subject to the approval of the Building Commissioner or their authorized designee.

8.7.2. *Mobile homes.* The following regulations shall apply to mobile homes:

- A. *Accessory building.* Mobile homes or trailers shall not be permissible as an accessory building.
- B. *Mobile home or trailer park.* Mobile homes shall be regulated as set forth in the Cook County Mobile Home Park Ordinance [Chapter 110, Article II of the Code].
- C. *Temporary residence.* Mobile homes trailer may be used as a temporary residence during construction of a residence located on the same zoning lot for a period not to exceed one year.

8.7.3. *Tents.*

- A. Tents shall not be erected, used or maintained for living quarters.
- B. Tent permits shall not exceed ten days and uses shall not be detrimental to public health, safety, morals, comfort, convenience or general welfare.
- C. Tents and tent operations shall conform with all other ordinances and codes of Cook County and the State of Illinois.

8.7.4. *Fallout shelters.*

- A. *Fallout shelters shall be used for the purpose defined in Article 14.*
- B. *Fallout shelters may be constructed only in the following locations:*
  1. *Inside any new or existing principal structure.*
  2. *Attached to any new or existing principal structure with direct access from the structure.*
  3. *Wholly underground.*

8.7.5. *Inoperable vehicles.* An inoperable vehicle shall be kept in a fully enclosed structure unless the vehicle is actively being repaired or is in an automobile salvage yard. Repairs to inoperable vehicles must be completed within six months.

8.7.6. *Temporary highway contractor's yards.* A highway contractor may be permitted to operate from a temporary contractor's yard in any zoning district during highway construction. The yard shall be located at least 800 feet from any residence, excluding the residence on the subject property, and 400 feet from any commercial, I-1 or I-2 District. The site shall be returned to its original condition before the yard was constructed. Application for a temporary contractor's yard shall be filed with and authorized by the Department of Building and Zoning.

8.7.7. *Animals.* In addition to the regulations below, the keeping of animals is subject to all applicable provisions of the Cook County Code of Ordinances, including, but not limited to, those contained within Chapter 10, Animals, and Chapter 38, Health and Human Services. For purposes of this ordinance, an animal shall be considered an adult when it reaches four months of age.

- A. *Pets.* Pets may be kept on any lot of residential use, provided that no more than three adult pets shall be kept at any one residential unit and when kept outdoors, pets shall be housed in an adequate enclosure suitable for the confinement of such animals.
- B. *Livestock.* The keeping of livestock shall be limited to a minimum lot area of five acres; livestock shall be kept in an adequate enclosure suitable for the confinement of such animals. For the purposes of this section, fowls shall not be considered livestock.
- C. *Horses.* Horses shall be kept in an adequate enclosure suitable for the confinement of such animals.
- D. *Fowl.* Fowls shall be kept in an adequate enclosure suitable for the confinement of such animals.
- E. *Beekeeping.* Bee colonies may be kept on residential and commercial zoning lots, provided they comply with the following regulations:
  - 1. Colonies must be registered with the Illinois Department of Agriculture.
  - 2. An adequate water source shall be provided between March and November.
  - 3. Apiaries shall be located in the rear of a zoning lot.
  - 4. Apiaries shall be setback no less than ten feet from an abutting lot line.
  - 5. Apiaries shall be elevated a minimum of one foot above grade.
  - 6. When kept on zoning lots of less than ½ acre apiaries shall be enclosed by a barrier of a minimum of six feet in height.
  - 7. When located on zoning lots of less than ½ acre the keeping of bees shall be limited to a maximum of four bee colonies.
- F. *Animal enclosures.* Enclosures must meet the following requirements:
  - 1. Enclosures shall comply with the setback requirements of the zoning district in which it is located.
  - 2. Enclosures shall be structurally sound and kept in a state of good repair.
- G. *Exemptions.* This section shall not apply to farms, veterinary clinics, animal hospitals, kennels, zoos, or animal shelters.

8.7.8. *Portable storage containers.* The purpose of this section is to provide standards to ensure that portable storage containers, as defined herein, are used for the short-term, temporary storage and transport

of personal property; are not used as an accessory building; and do not impede vehicle access, traffic flow, pedestrian or bicycle traffic or circulation or create public safety hazards.

- A. Portable storage containers may be located on privately owned property, provided the portable storage container shall be placed only on a paved or gravel surface in a driveway or parking space. At no time will the placement of any portable storage container be permitted on a public way.
- B. No portable storage container shall have storage capacity greater than 900 cubic feet. The Building Commissioner may make exceptions to storage capacity requirements when deemed necessary.
- C. A portable storage container shall have no signage except for the name, address and telephone number of the person or firm engaged in the business of renting or otherwise placing the portable storage container at the location and the signage must be permanently adhered to, or painted on, the portable storage container.
- D. The exterior of the portable storage container shall be constructed of weatherproof material and, at all times while the portable storage container is located at the site, be maintained in good condition, free from evidence of deterioration, weathering, discoloration, graffiti, rust, ripping, tearing or other holes or breaks. When not in immediate use all portable storage containers shall be locked. It is the responsibility of the owner and renter to provide for the maintenance of the portable storage container.
- E. No portable storage container shall be used to store solid waste, construction debris, demolition debris, recyclable materials, goods or property other than that of the property where the portable storage container is located or any other illegal or hazardous material. Upon reasonable notice to the renter and upon reasonable cause to believe the portable storage container is being used in violation of the provisions of this section, the Building Commissioner, or his designee, may inspect the contents of any portable storage container at any reasonable time.
- F. A portable storage container may remain at the location for a period not to exceed 30 consecutive days, unless otherwise authorized by the Building Commissioner, upon a showing of good cause.
- G. A portable storage container may be removed at the direction of the Building Commissioner or his designee, by the company that owns or provides that portable storage container or any other authoritative body.
- H. The use of a portable storage container shall not require a permit.

*8.7.9. Medical cannabis dispensing organization.* The operation of Medical Cannabis Dispensing Organizations shall comply with all regulations provided in the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.), as enacted by the State of Illinois, effective January 1, 2014, as may be amended from time to time and subject to any conditions or restrictions imposed by the Cook County Board of Commissioners.

*8.7.10. Medical cannabis cultivation centers.* The operation of Medical Cannabis Cultivation Centers shall comply with all regulations provided in the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 et seq.), as enacted by the State of Illinois, effective January 1, 2014, as may be amended from time to time and subject to any conditions or restrictions imposed by the Cook County Board of Commissioners.

8.7.11. Short-Term Rentals.

A. Length of Stay. The length of stay for a Short-term Rental Guest shall be at least twenty-four (24) hours but shall not exceed 30 consecutive calendar days.

B. Short-term Rental Types.

a. Supervised. A dwelling unit that is used as a Short-term Rental where the host is present during a Short-term Rental Guest's length of stay.

i. Business Occupancy. Supervised Short-term Rentals shall obtain and conform to all other regulations for a home-based business occupancy. A special use will not be required unless the use exceeds the definition of a Supervised Short-term Rental.

ii. Parking. No additional parking is required unless the existing parking ancillary to the dwelling is non-conforming. In this case, the parking shall be improved to comply with the zoning ordinance.

iii. Guest Capacity.

1. A Supervised Short-term Rental shall not utilize more than twenty-five (25) percent of the total floor area of any one story within a dwelling unit to house Guests.

2. One (1) bathroom shall be available within the dwelling unit for each bedroom intended to house Guests.

3. A maximum of two (2) Guests are allowed per bedroom.

iv. Meals and Food. Meals shall not be provided or sold to Short-term Rental Guests. Only prepackaged foods, not subject to health inspections, are permitted to be provided to Guests. Use of kitchen facilities for the cooking of food by Guests is permitted.

b. Non-Supervised. A dwelling unit that is used as a Short-term Rental where the host is not present during a Short-term Rental Guest's length of stay.

i. Non-Supervised Short-term Rentals shall obtain a special use in accordance with the Codes of Ordinances of Cook County, Illinois, in addition to a business occupancy.

ii. Parking. No additional parking is required unless the existing parking ancillary to the dwelling is non-conforming. In this case, the parking shall be improved to comply with the zoning ordinance. Additional parking improvements may be required as a condition of special use approval on a case by case basis.

iii. Guest Capacity.

1. A Non-Supervised Short-term Rental shall not utilize more than six (6) bedrooms within a dwelling unit to house Guests.

2. One (1) bathroom shall be available within the dwelling unit for each bedroom intended to house Guests.

3. A maximum of two (2) Guests are allowed per bedroom.

iv. Meals and Food. A Non-Supervised Short-term Rental may prepare and sell food as part of its operation in accordance to the required business occupancy procedures and approvals, including, but not limited to,

approvals and inspections from the Cook County Public Health Department.

- v. Private Events. The intended use of a Non-Supervised Short-term rental is for temporary lodging and not a venue for events or assembly. However, private events may take place at Non-Owner Supervised Short-term Rentals and shall adhere to the following conditions:
  - 1. Events are prohibited to occur outside the hours of 11:00 PM and 8:00 AM.
  - 2. Event attendees to Short-term Rental Guest ratio shall not exceed 2:1. No more than twenty-four (24) event attendees are permitted, not including Short-term Rental Guest.
  - 3. The Short-term Rental shall not host more than four private events per calendar year. Each event shall not exceed a 48-hour period.
  - 4. The Short-term Rental shall be serviced by a public sewer connection to provide capacity for assembly-type uses.
- vi. Ownership Change. In the event a Special Use is issued for a Non-Supervised Short-term Rental and the dwelling unit's ownership changes by ten percent (10%) or greater, the granted Special Use will be void and a new Special Use must be reissued to continue operation of the Non-Supervised Short-term Rental.

- C. Signs: Signs advertising the Short-term Rental shall be prohibited. Please see Article 12. – Signs.
- D. Simultaneous Reservations: A short-term rental shall not host more than one (1) reservation simultaneously.

#### 8.7.12. Solar, photovoltaic (PV) systems.

- A. Solar collectors shall be installed to avoid solar glare directed to adjacent properties or roadways. Solar collectors must be made of a non-reflective surface. If the solar PV installation creates an adverse impact to the public or neighboring properties, the property owner will be required to take measures to mitigate the impact. Such measures may include screening provisions such as vegetation, or to remove the solar collectors entirely.
- B. A solar PV system shall not be used to display any advertising or signage, including streamers, pennants, spinners, flags, reflectors, ribbons, balloons, banners, or other similar materials.
- C. All solar PV systems shall be installed using an engineered mounting structure whether ground or roof mounted. No solar PV system shall be installed to a building façade, mechanical appurtenances, smokestacks or chimneys, or fences with the exception of BIPV systems where components are integrated within architectural materials that provide roof covering, screening or enclosure as part of the building envelope.
- D. Where feasible, solar collector units shall be consolidated into array groupings, while allowing suitable access for maintenance or life safety and firefighting access.
- E. Residential Districts: No part of the solar PV system may extend beyond the exterior perimeter of the principal or accessory structure.



- F. Commercial, Industrial, Forest Preserve and Public Land Districts: Solar PV systems shall conform to district setback requirements if a ground installation. And may not extend beyond the exterior perimeter of the principal or accessory structure if a roof installation.
- G. Height above ground or above the roof surface shall comply to the following requirements:
1. Flat Roof collectors shall not exceed 9 feet in overall height or extend more than 5 feet above the building parapet, whichever results in less height.
  2. Sloped Roof Installations. Solar PV collectors shall not extend above the ridge of the roof section that are installed on.

## **8.8. - Exemptions.**

*8.8.1. Public utilities.* The following public utility equipment is permitted in any district subject to the provisions of this ordinance: poles, towers, wires, cables, conduits, vaults, pipelines, laterals or any other similar distributing equipment of a public utility.

*8.8.2. Underground installations.* A pipeline or other similar underground installation which is completely buried beneath the ground surface is exempt from the requirements of this ordinance. However, the pipeline installation, maintenance and operation shall comply with all applicable state and federal regulations. A structure or equipment associated or used in connection with pipelines or other underground installations which protrudes or extends above the ground surface, excluding markers indicating the location of underground pipelines, shall be subject to the provisions of this ordinance.

## **8.9. - Miscellaneous.**

*8.9.1. Zoning of disconnected and unclassified land.* An addition to unincorporated Cook County resulting from disconnection by a municipality or dissolution of a municipality shall be automatically classified as a R-1 Single-Family Residence District. Any unincorporated land which is not classified on the official zoning maps of Cook County shall be classified as a R-1 Single-Family Residence District.

*8.9.2. Municipal boundary lines.* The boundary lines of incorporated villages, cities and municipalities shall be the lines determined by due process of law and made a matter of record in the office of the Cook County Recorder.

*8.9.3. Sewage disposal and water supply.* The ground area for every use of land shall provide for an approved sewage disposal and water supply system. Sewage disposal and water supply systems shall conform to the standards and requirements of the Cook County Plumbing Code, as amended, the Cook County Health Department, the Metropolitan Water Reclamation District of Greater Chicago and the Health Department of the State of Illinois. Site development plans, signed and sealed by an Illinois licensed professional engineer, accompanying building permit applications shall clearly show the proposed sewage disposal system and any well location. This provision is required regardless of any other provision of this ordinance.

*8.9.4. Stormwater detention.* The storm water detention procedures adopted, and as amended, by the Metropolitan Water Reclamation District of Greater Chicago are hereby adopted as part of this ordinance except to the extent that such procedures involve administrative responsibilities or duties not within the authority of the Department of Building and Zoning or the Zoning Board of Appeals.

*8.9.5. Sediment and erosion control.* An applicant for a zoning amendment, variation, special use, planned unit development or unique use shall submit a sediment and erosion control plan to the Department of Building and Zoning for approval when the proposed development involves tilling, clearing, filling or grading of land. Engineering criteria for areas involving wetlands, floodways and floodplains shall be reviewed and approved by the Cook County Highway Department.

*8.9.6. Compensatory development rights.*

- A. *Purpose.* Compensatory development rights are intended to encourage preservation of lands and amenities that benefit the general public, while not destroying or diminishing the rights of the private property owner. This is accomplished by providing for the transfer of the development rights from one property to one or more other properties. An owner of two or more properties in unincorporated Cook County may request to transfer development rights from one property to another, provided there is a resulting benefit to the general public in the use and enjoyment of the property from which development rights are to be transferred. This purpose shall be accomplished without harming public health, safety or general welfare.

Compensatory development rights used for the purpose of preserving land for the public benefit may include the following situations:

1. Property from which development rights are to be transferred containing a structure which has been cited as a national, state or local historic or architectural landmark.
2. Property from which development rights are to be transferred containing recreation or open space assets, especially in areas deficient in recreational land.
3. Property from which development rights are to be transferred containing natural features which warrant leaving the property undeveloped.
4. Property from which development rights are to be transferred are adaptable to public use.

- B. *Procedure.* Compensatory development rights shall be processed as follows:

1. A person owning or having an interest in property may file an application for compensatory development rights.
2. Applications for compensatory development rights shall be filed with the Department of Building and Zoning on a form prescribed by the Department. Applications shall contain plans and supporting documents prescribed by the Department of Building and Zoning, and shall include a statement in writing and supporting evidence that the proposed compensatory development rights will conform to the standards set forth in this section.
3. Hearing on application. Applications and supporting documents shall be forwarded by the Department of Building and Zoning to the Zoning Board of Appeals. Upon receipt of an application, the Zoning Board of Appeals shall hold at least one public hearing in the township in which the subject property is located. At least 15 days in advance of each hearing, notice of the time and place of the hearing shall be published in a newspaper of general circulation in Cook County, shall be posted on the street frontage of the subject property and shall be mailed to each municipality within 1½ miles of the property. In addition, notice of all hearings shall be sent to each civic or property owners' organization requesting notices of such hearings. Failure to notify a civic or property owners' organization, however, shall not invalidate the hearing.
4. Authorization. Findings and recommendations from the Zoning Board of Appeals shall be presented to the Cook County Board of Commissioners on every application for a compensatory development right. Findings and recommendations shall contain a statement regarding each standard established in this section. The Cook County Board of Commissioners may grant or deny an application for a compensatory development right. If a written protest against a proposed compensatory development right has been received in accordance with Article 13, an application

shall not be granted except by a favorable vote of three-fourths of all the members of the Cook County Board of Commissioners.

- C. *Standards.* Compensatory development rights applications shall conform to the following standards:
1. Property from which development rights are to be transferred shall be publicly dedicated. In lieu of direct dedication to a public body, the Cook County Board of Commissioners may hold title to property from which development rights are to be transferred for future allocation to an appropriate public agency or to hold in a public trust. The Cook County Board of Commissioners shall decide which public agency is to receive title to property from which development rights are to be transferred. A public dedication or development agreement shall be irrevocable for the property from which development rights are to be transferred.
  2. Property included in the development rights transfer application must be located in unincorporated Cook County.
  3. Property involved in the compensatory development rights application shall all be located within the same township.
  4. Property involved in the compensatory development rights application must be owned by the applicant.
  5. Property from which development rights are to be transferred must possess unique characteristics or desirable attributes that render it important to retain for the public benefit.
  6. Property receiving compensatory development rights shall not create conditions that are detrimental to the character of a community or neighborhood.
  7. Establishment of compensatory development rights shall not impede the normal and orderly development of surrounding property for uses permitted in the district.
  8. Utilities, access roads, ingress and egress, drainage and other necessary facilities shall be provided and approved by the Cook County Highway Department.
  9. Compensatory development rights shall in all other respects conform to the regulations of this ordinance and other applicable County regulations, except as such regulations may be modified by the Cook County Board of Commissioners.
- D. *Conditions and guarantees.* The Zoning Board of Appeals may recommend, and the Cook County Board of Commissioners may adopt, conditions and restrictions on compensatory development rights to assure compliance with the standards and requirements of this ordinance. The Cook County Board of Commissioners may require evidence and guarantees to ensure that the applicant complies with the conditions of the compensatory developments rights. Failure of the applicant to comply with conditions or restrictions shall constitute a violation of this ordinance.

#### 8.9.7. *Clustering of residences.*

- A. *Purpose.* Clustering of residences is allowed as a special use on property less than 20 acres in size. The purpose of clustering residential structures in residential zoning districts is to preserve existing site amenities such as lakes, natural vegetation, rolling terrain and scenic vistas. Innovative design of residential properties is encouraged using this method of development.

- B. *Procedure.* Clustering of residences are designated as a special use within each residential district, and are subject to compliance with all special use provisions, standards and procedures of this ordinance. In addition to the special use standards, the Cook County Board of Commissioners may vary normal setback, yard, lot area and lot width requirements for a cluster residential development, provided that the maximum net density allowed within the zoning district is not exceeded.
- C. *General requirements.* Property required for a cluster residential development shall not be less than three nor more than 20 acres in size. Any portion of the development not occupied by cluster residences and required facilities must be utilized as open or recreation space.

#### 8.9.8. *Unique uses.*

- A. *Purpose.* Applications for a unique use of property may be granted in accordance with this section for a use which is not expressly enumerated as a permitted, special, temporary or accessory use or not provided for, considered or contemplated at the adoption of this ordinance.
- B. *Procedure.* Applicants may request a unique use subject to the following:
  - 1. Proof of conformance with each special use standard as specified in Article 13.
  - 2. Proof of a special and extraordinary need for the unique use including proof of unique characteristics of the subject property, proposed use and surrounding neighborhood.
  - 3. Proof that the unique use will be an affirmative benefit to the surrounding properties and neighborhood from a land use and economic standpoint.
- C. *Evidence.* Applicants shall have the burden of presenting clear and convincing evidence that the unique use satisfies the standards and criteria enumerated in this section. The special use procedure of this ordinance shall be employed in applying for and granting or denying a unique use.

8.9.9. *Right-of-way acquisitions.* Cook County may require an applicant for zoning relief to dedicate land where a development creates a need for off-site improvements such as roadways, utilities and bike paths.

8.9.10. *Siting Approval of a New Pollution Control Facility.* Approval of a "new pollution control facility", as defined in Chapter 30, Article VII, Division 6 of this Code, or expansion of an existing pollution control facility in unincorporated Cook County shall be subject to the requirements of Chapter 30, Article VII, Division 6 of this Code, and zoning requirements found in Part II, Land Development Ordinance, Appendix A, Article 13 of this Code, and shall be conditional pending approval by the State of Illinois.

8.9.11. *Scavenger operations.* The actual contact hours involved in the pickup of refuse and all other solid waste, and all related commercial and municipal scavenger operations in unincorporated Cook County shall be from 7:00 a.m. to 8:00 p.m. These hours are not intended to include or confine such functions as start up and shut down operations at the central operating point (transfer station, sanitary landfill, incinerator, etc.), or the transit time of the first trip to and the last trip from the defined collection areas. A variance may be requested from the Department of Building and Zoning when it can be shown to the satisfaction of the Commissioner that scavenger operations outside these hours is in the overall public interest or operationally essential, and for a limited time period.

8.9.12. *Approval of New Utility-Scale Wind Turbine(s), Farm(s), or Energy Project(s).* Approval of a new "utility-scale wind turbine", as defined by the United States Department of Energy, in unincorporated Cook County shall be subject to the building and zoning requirements found in this Part II, Land Development Ordinance, Appendix A, Article 13 of this Code.

## **8.10. - Environmentally Sensitive Areas.**

*8.10.1. Environmentally sensitive.* An Environmental Mitigation Plan is required for any development proposed on residential zoning lots of less than 20,000 square feet which contains environmentally sensitive areas, floodways, floodplain or wetlands as depicted in official maps adopted by Cook County and FEMA Flood Insurance Rate Map (FIRM).

## **ARTICLE 9. - PLANNED UNIT DEVELOPMENT**

### **9.0. - Purpose.**

The primary purpose of a planned unit development is to insure that developments are consistent with the intent and purpose and policies of the Cook County Comprehensive Land Use and Policies Plan. It is intended that the PUD will encourage innovative land planning, architecture, landscape architecture and site amenities beyond that which would be possible through strict application of the Cook County Zoning Ordinance of 2001. The PUD shall work in conjunction with the Cook County Building and Environmental Ordinance (Chapter 30 of the code), the Cook County Subdivision Manual the Cook County Flood Prevention Ordinance and the Cook County Comprehensive Land Use and Policies Plan.

The PUD shall provide for preservation of natural site amenities such as vegetation, of which 75 percent or more shall to [be] comprised of native plants, topography and other unique physical site characteristics, the creation of urban amenities, the creation of additional open space and generally the design and development of unique, high quality projects.

The PUD provides for projects with either a single type of land use or a variety of land uses development as a unified project.

### **9.1. - Objectives.**

*9.1.1. PUD objectives.* The flexibility available in a PUD is intended to achieve the following objectives:

- A. Insure development consistent with the intent, purpose and policies of the Cook County Land Use and Policies Plan.
- B. Encourage innovation and creativity in land use planning and development.
- C. Promote and enhance housing for the public.
- D. Encourage the availability of open space and promote the development of recreational land uses.
- E. Provide and promote coordinated, flexible and comprehensive planning and development of land for the benefit of property owners and to serve the public interest.
- F. Preserve natural vegetation, topographic and geological features and environmentally sensitive areas.
- G. Prevent and control soil erosion and surface flooding.
- H. Create a method of preservation of common open space for the continued use and enjoyment of residents within the development.
- I. Promote efficient use of land resulting in an economic network of utilities, streets and other improvements.
- J. Provide for efficient location of schools and other necessary facilities.

## **9.2. - Location.**

A PUD may be approved as a special use in each zoning district in Cook County in accordance with the procedures of this ordinance.

## **9.3. - General requirements.**

*9.3.1. Ownership.* The site of a proposed PUD must be under single ownership or unified control at the time of the application.

*9.3.2. Map amendment in conjunction with PUD.* The density of a proposed PUD shall correspond to the density regulations imposed by the underlying zoning district. If the density of a proposed PUD exceeds the density permitted in the underlying zoning district, the applicant shall also apply for a map amendment in conjunction with the PUD. The map amendment application shall be processed in accordance with Article 13. Map amendment and PUD applications shall be consolidated for purposes of review and hearing.

*9.3.3. Access.* The proposed PUD shall be designed with ingress and egress to minimize traffic congestion. The Cook County Board of Commissioners may require public dedication of any street located in the PUD.

*9.3.4. Utilities.* The applicant shall submit a resolution or ordinance from the local municipality authorizing sewer and water extensions, connections and service when a PUD is intended to use municipal utilities.

*9.3.5. Maintenance.* The applicant shall provide for a Property Owners' Association or some other vehicle for funding the perpetual maintenance, operation, improvements and repair of PUD common areas, streets, parking areas and other common facilities.

*9.3.6. Required PUDs.* The PUD regulations contained in this article shall be applicable to any proposed development, in excess of 20 acres in size, to any proposed development which contains environmentally sensitive areas or wetlands as depicted on the official maps adopted by Cook County, and to any proposed development located within a floodplain as depicted in a FEMA Flood Insurance Rate Map (FIRM). This provision shall not apply to residential zoning lots with a lot area of 20,000 square feet or less, except where water and sewage is provided by well and septic.

## **9.4. - Procedures.**

The process for obtaining approval of a proposed PUD shall be subject to the following procedures:

## **9.5. - Application for preliminary plan approval.**

*9.5.1. Notice of application.* An applicant shall, not less than 15 days nor more than 30 days before filing an application, serve written notice of intent to apply for a PUD by certified mail with return receipt requested, to property owners within 250 feet of the lot lines of the proposed PUD. The property owners receiving notice shall be those persons or entities whose names appear on the Cook County tax records. For condominium developments that are located within 250 feet of the lot lines of the proposed PUD, only the condominium association shall be served with notice. The number of feet occupied by public roads, streets, alleys and other public ways shall be excluded in computing the 250 feet requirement. Notice need not be sent to owners more than 400 feet from the subject property when public streets, alleys and other public ways are included in the computation. In addition, the applicant shall serve notice to the clerk of each municipality within 1½ miles of the subject property, the superintendent of each local school district serving the PUD, the fire chief of each local fire protection district serving the PUD, the township clerk and the township highway commissioner for the district serving the PUD. Notice shall contain the address of the subject property, a brief statement of the nature of the application, the name and address of the applicant and a statement of the approximate date when the applicant intends to apply. If the property owner on which

notice is served cannot be found or the mailed notice is returned, the notice requirements of this provision shall be deemed satisfied provided the applicant made a bona fide effort to determine the owner's address.

*9.5.2. Application and supporting documents.*

- A. An application for a PUD shall be submitted to the Department of Building and Zoning in such form and accompanied by such information as required by the Department of Building and Zoning. The applicant shall file one original and one electronic copy of the application and all supporting documents. The applicant shall disclose, and the Department of Building and Zoning shall independently verify, whether a judicial proceeding for a violation of any Cook County ordinance is pending pertaining to the subject property.
- B. Applicants shall file with the Department of Building and Zoning a sworn affidavit containing a complete list of the names and last known addresses of the persons served with notice pursuant to Section 9.5.1.
- C. Applications shall be accompanied by the following documentation:
  - 1. Statement describing the character of the PUD and the manner in which it has been designed to take advantage of the flexibility of PUD regulations and the benefits that will accrue to the public as a result of the PUD.
  - 2. Statement of planning objectives to be achieved by the PUD.
  - 3. Statement of present and proposed ownership of all land within the proposed PUD, with supporting documentation, and an affidavit certifying that there are no delinquent taxes on the whole or any part of the property.
  - 4. Development schedule indicating stages in which the proposed PUD will be built and approximate dates for beginning and completion of each construction stage.
  - 5. Proposed agreements, provisions or covenants which will govern the use, maintenance, operation and improvement of the proposed PUD and any of its common open space.
  - 6. Statement indicating the density of uses including total number of dwelling units per acre, number of units by type, number of buildings by type and number of bedrooms in each building and dwelling unit type.
  - 7. Statement detailing the type and amount of nonresidential uses including the total amount of common open space and net amount (open space which is not located in required yards or stormwater management areas) of open space.
  - 8. Statement identifying the type and location of service facilities and off-street parking facilities, including total number of parking spaces and parking spaces per sub-area.
  - 9. Architectural plans for all primary buildings which reveal the style of the development and the building design, floor area of building types and total ground coverage of buildings.
  - 10. Landscape plan prepared by a registered landscape architect depicting trees, plant materials, grading, excavating, berming and aesthetic features.
  - 11. School impact study estimating the number of additional students and the financial burden the proposed PUD will have on local school districts.
  - 12. Appraisal report prepared by an MAI appraiser demonstrating the value of the property as zoned and the value as zoned with the proposed PUD.

13. Tax impact study estimating the tax revenue to be generated by the proposed PUD and the estimated cost to various taxing bodies of providing necessary services to the PUD.
14. Traffic analysis demonstrating the adequacy of the local transportation system to handle anticipated traffic volumes generated by the proposed PUD and an analysis of the adequacy of the PUD's internal vehicular circulation system.
15. Economic feasibility study of the proposed PUD showing the need and feasibility of the proposed development.
16. Sediment and erosion control plan.
17. Report indicating the subsurface conditions on the proposed PUD land, including location and result of tests made to ascertain subsurface soil, rock and ground water conditions, depth to ground water and location and results of soil percolation tests if individual sewage disposal systems are proposed.
18. Schedule for phased development of the proposed PUD if the PUD is not intended to be established within one year. Upon approval, the development plan or schedule shall be considered as a limitation and condition on the PUD.
19. Preliminary lighting plan.
20. Survey prepared by a registered landscape architect or arborist of all trees over six inches in diameter, as measured six inches above the established grade, indicating location, species and quality.
21. Report indicating the existing and proposed pedestrian circulation system, including bicycle paths.
22. Site plan to scale depicting the following information:
  - a. Boundary lines of adjoining property within 1,000 feet of the subject property identifying parcels by PIN number, existing land use, existing zoning classification and comprehensive plan recommendation.
  - b. Location, width and purpose of easements.
  - c. Streets on and adjacent to the proposed PUD including street names, right-of-way widths, parking areas, existing or proposed centerline elevations, pavement types, sidewalks, curbs, gutters, culverts, paths and bike trails.
  - d. Utilities on and adjacent to the proposed PUD including location, size and invert elevation of sanitary, storm and combined sewers, location and size of water mains and location of gas lines, fire hydrants, electric and telephone lines and streetlights.
  - e. Ground elevations on the proposed PUD at one-foot contours with spot elevations at all breaks in grades, along all drainage channels or swales and at points of special significance.
  - f. Water courses, floodplains, floodways, wetlands, marshes, rock outcrops, wooded areas, trees six inches or more in diameter, houses, accessory buildings and other significant features.
  - g. Direction and gradient of ground slope of land within 1,000 feet of the proposed PUD including embankments or retaining walls, character and location of major buildings, railroads, power lines, towers, and other



nonresidential land uses or adverse influences, platted lands with percentage of buildup, lot sizes and dwelling types.

- h. Proposed public improvements within 1,000 feet of the proposed PUD including highways and other major improvements planned by public authorities for future construction on or near the tract.
  - i. Open space and recreational areas and facilities for public use or reserved for the use of all property owners.
  - j. Location, purpose and height of all buildings and structures.
  - k. Name of development, site planner, north point, scale, acreage of site and date of preparation.
  - l. Additional information as may be required by Cook County.
- D. Applications shall be accompanied by proposed findings of fact addressing each of the standards in Section 9.5.10(A).
- E. Applications which fail to comply with this section shall be returned by the Zoning Administrator to applicant, and the accompanying application fee will be reimbursed. The Zoning Administrator may retain one copy of the application and supporting documents.

9.5.3. *Fee.* The application shall be accompanied by a fee as established by the Cook County Board of Commissioners in order to be deemed complete.

9.5.4. *Verification.* The Department of Building and Zoning shall verify that the application for preliminary plan approval is complete and that all required documentation has been submitted prior to forwarding the application to the Zoning Board of Appeals, County Commissioner in whose district the property is located, and reviewing departments.

9.5.5. *Disclosure.* Applicants shall make the following disclosures by sworn affidavit, filed at the time of the application.

A. *Property.*

- 1. Applicants of property held in a land trust shall disclose the identity of each beneficiary of the trust including the name, address and percentage of interest of each beneficiary.
- 2. Applicants of property owned by a partnership or association of two or more persons holding a common interest, shall disclose the name and address of each partner or associate.
- 3. Applicants property owned by a corporation, shall disclose the name, address and percentage of ownership interest of shareholders owning five percent or more of the corporation.

B. *Applicant.*

- 1. Applicants acting as agents or nominees shall disclose their agency relationship and the name and address of the principals, and their interest in the subject property. If the principals are not individuals, the identity of the principals shall be disclosed in accordance with paragraph 2 below.
- 2. Applicants who are a partnership or association of two or more persons holding a common interest shall disclose the name, address and percentage of ownership interest of each partner or associate having more than a five-percent interest shall be disclosed.

3. Applicants who are corporations shall disclose the name, address and percentage of ownership interest of shareholders owning five percent or more of the corporation.

9.5.6. *Setting hearing date.* The Department of Building and Zoning shall forward the complete application and supporting documentation to the Zoning Board of Appeals which shall thereafter set a date for public hearing. The date for public hearing shall be set to permit sufficient time for review required in Section 9.5.7.

9.5.7. *Processing applications.* Upon receipt of a complete application for preliminary plan approval, and at least 15 days before a scheduled hearing date, the Department of Building and Zoning shall forward a copy of the application, including the applicant's proposed findings of fact and all supporting documentation, to the Cook County Commissioner in whose district the property is located, and shall notify the Cook County Department of Planning and Development, the Cook County Department of Transportation and Highways, the Cook County Forest Preserve, the Cook County Department of Public Health and the Cook County Department of Environment and Sustainability that a complete application, including the applicant's proposed findings of fact and all supporting documentation has been submitted and is ready for review. Each reviewing department shall submit recommendations and comments at least seven days before the scheduled hearing date.

Each reviewing department shall examine the application and supporting documentation based upon the following, as well as similar criteria:

- A. *Department of Planning and Development.*
  1. Economic impact.
  2. Community need.
  3. Trend of development.
  4. Demographics.
  5. Property values.
  6. Landscape plan.
- B. *Department of Building and Zoning.*
  1. Site plan review.
  2. Land use and permit review of properties in the vicinity of the proposed use.
  3. Lot size.
  4. Subdivision regulations.
- C. *Department of Transportation and Highways.*
  1. Wetland mitigation and compensation.
  2. Floodway and floodplain capacity and storage.
  3. Drainage and detention requirements.
  4. Roads, bridges, culverts, driveways, sidewalks, ingress, egress and access control.
  5. Subdivision regulations.
  6. Drainage, utilities, road easements and dedications.
  7. Criteria from other regulatory agencies such as the Metropolitan Water Reclamation District, Illinois Department of Transportation, Illinois Department of Natural

Resources, United States Army Corps of Engineers, local fire protection agencies, and townships.

8. Erosion and sediment control requirements.

D. *Forest Preserve District.*

1. Compatibility of the proposed use with Forest Preserve holdings.
2. Impact on value of Forest Preserve holdings.
3. Future Forest Preserve acquisitions.

E. *Department of Public Health.*

1. Lot sizes for private septic systems and wells.
2. Subdivision regulations.
3. Swimming pools.
4. Public or community well and septic or sewage systems.
5. Health and safety concerns.

F. *Department of Environment and Sustainability.*

1. Noise and odor regulations.
2. Soil geology and composition.
3. Wetland mitigation and compensation.
4. Discharges of effluent and particulate into the air, land and water.
5. Criteria from other regulatory agencies such as the Metropolitan Water Reclamation District, Illinois Environmental Protection Agency, Illinois Department of Natural Resources, United States Army Corps of Engineers and United States Environmental Protection Agency.

The Cook County Departments' recommendations and comments shall be available to the applicant or its representative, upon request, for review and/or reproduction prior to the hearing date.

9.5.8. *Notice of public hearing.*

- A. Time and place of a public hearing shall be published in a newspaper of general circulation in Cook County not less than 15 days before the hearing. In addition, at least 15 days before the hearing, notice of the hearing shall be posted on the property for which an application for preliminary plan approval has been filed in such a way as to be plainly visible from the street or right-of-way passing the frontage of the property. Notice posted on the property shall be maintained until the date of hearing on a weatherproof sign that is at least three feet by four feet in size. The sign shall have a white background and contain the word "NOTICE" in red capital letters at least six inches high. The remaining lettering shall be in black capital letters a minimum of three inches in height. Notice shall contain at least the following language: "This property is the subject of a special use hearing for a PUD before the Cook County Zoning Board of Appeals on (date) at (time) at (location)."
- B. Written notice shall be served by regular mail and also by certified mail with return receipt requested, at least 15 days before the hearing, by the applicant to the clerk of each municipality within 1½ miles of the property for which the PUD application has been filed

to the clerk of the township, the superintendent of each school district, the township highway commissioner, and the fire chief of the local fire protection district in which the property is located. The applicant shall also serve written notice, by certified mail with return receipt requested, to property owners within 250 feet of the lot lines of the proposed PUD, whose names appear on the Cook County tax records, as to the date, time and location of the public hearing. For condominium developments that are located within 250 feet of the lot lines of the proposed PUD, only the condominium association shall be served with notice. The notices shall contain the same information as the posted notice and shall also contain the legal description of the property, the common address of the property, the name of the applicant, the applicant's representative and a brief description of the requested PUD. Applicant shall submit proof of mailing for all required notices.

- C. The applicant shall be responsible for the preparation of both posted and mailed notices and shall be solely responsible for adequacy and accuracy of the information. The applicant shall also be responsible for placing and maintaining posted notice and for mailing and maintaining records of written notices. The Secretary of the Zoning Board of Appeals shall be responsible for assuring that notice by newspaper publication is given. Supplemental or additional notices shall be published or distributed as prescribed by Zoning Board of Appeals' rules. Applicants shall also file a sworn affidavit with the Department of Building and Zoning certifying compliance with the notice requirements of this section. All required notices shall be provided at the expense of the applicant.

*9.5.9. Hearing.* The Zoning Board of Appeals shall hold a public hearing for a proposed PUD. The hearing shall be conducted in accordance with Article 13 of this ordinance and the Zoning Board of Appeals' rules. An authorized representative of any Cook County department that provided comments on the application shall testify at the hearing if requested by the Zoning Board of Appeals. The hearing shall take place at the Cook County Administration Building unless the Secretary of the Zoning Board of Appeals determines that the County Building has more adequate facilities for such hearing. A record of proceedings, examinations, and other official actions shall be preserved in the manner prescribed by Zoning Board of Appeals' rules. If there is a judicial proceeding for a violation of any Cook County ordinance involving the subject property, the applicant shall not be entitled to seek, and the Zoning Board of Appeals shall not grant, more than one continuance. Unless the Zoning Board of Appeals provides otherwise, the hearing shall be transcribed by a court reporter. The court reporter shall be of the applicant's choosing. Failure of the applicant to provide a transcript of the hearing(s) within 30 days following the hearing shall void the application. The deadline to submit a transcript may be extended by the Zoning Board of Appeals once, for a maximum of 30 additional days.

*9.5.10. Standards and findings of fact and recommendation of the Zoning Board of Appeals.*

- A. Applicants for PUD approval shall satisfy the following standards:
1. PUD conforms with the planning objectives, policies and maps of the County as specified in the Cook County Comprehensive Land Use and Policies Plan.
  2. PUD is of a type and character and contains uses that are needed in the area.
  3. PUD is designed and laid out to preserve environmentally sensitive areas, natural resources, habitat and topographic features to the fullest extent possible.
  4. PUD is designed in conformity with the provisions of the Cook County Subdivision Manual or any successor subdivision document.
  5. PUD is designed to provide horizontal spacing between buildings which takes into consideration the purpose and objectives of this article.

6. PUD complies with the industrial performance standards enumerated in Article 6 of this ordinance if the PUD contains industrial uses.
  7. PUD complies with the parking requirements enumerated in Article 11 of this ordinance.
  8. PUD provides appropriate yards, setbacks and buffers between the PUD and adjacent zoning lots. The applicant shall specifically request, in writing, any variance from the required setbacks.
  9. PUD has adequate utilities, access roads, drainage and other necessary facilities.
  10. PUD has ingress and egress designed to minimize traffic congestion in public streets.
  11. PUD and its maintenance and operation will not be detrimental to or endanger public health, safety or general welfare.
  12. PUD and its maintenance and operation will not be injurious to the use and enjoyment of other property in the immediate vicinity for the uses already permitted, nor diminish and impair property values within the surrounding area.
  13. PUD and its maintenance and operation will not impede the normal and orderly development and improvement of surrounding property.
  14. PUD shall provide more open space than would be required in a standard subdivision.
  15. PUD shall be designed to connect to existing or planned pedestrian and bicycle systems in the vicinity.
- B. Written findings of fact and recommendations to approve or deny the application shall be made by the Zoning Board of Appeals within 60 days after the hearing and shall be submitted to the Cook County Board of Commissioners. Recommendations and comments of the Cook County Department of Planning and Development, the Cook County Department of Building and Zoning, the Cook County Department of Transportation and Highways, Cook County Forest Preserve District, the Cook County Health Department, the Cook County Department of Environment and Sustainability, municipalities located within 1½ miles of the subject property and local school and fire protection districts shall be considered and addressed in writing by the Zoning Board of Appeals in its findings and recommendations. The findings and recommendations shall include a statement indicating the extent to which the proposed PUD departs from zoning, subdivision and other regulations applicable to the property and the reasons why a departure is or is not in the public interest. The 60-day period may be extended by the Zoning Board of Appeals once, for a maximum of 30 additional days if the Zoning Board of Appeals granted an extension pursuant to this article.
- C. Recommendation for approval of the preliminary PUD plan shall not be made by the Zoning Board of Appeals unless it makes written findings of fact that the proposed use satisfies each of the PUD standards and is in the best interest of the public.
- D. The Zoning Board of Appeals may recommend the imposition of conditions and restrictions upon preliminary plan approval; departure from the general provisions, regulations and standards of this article; and/or departure from any of the applicable district regulations when it deems a departure is in the public interest. In all cases, the Zoning Board of Appeals' recommendations to the Cook County Board of Commissioners are advisory only.

*9.5.11. Action by the Cook County Board of Commissioners.*

- A. The Cook County Board of Commissioners may approve or deny, by motion, an application for preliminary plan approval. The Cook County Board of Commissioners shall take action within 60 days of receiving the Zoning Board of Appeals' findings and recommendations.
- B. The Cook County Board of Commissioners has the authority to impose conditions and restrictions upon preliminary plan approval; depart from the general provisions, regulations and standards of this article; and/or depart from any of the applicable district regulations when it deems a departure is in the public interest.
- C. Applications for preliminary plan approval shall be approved by a favorable vote of three-quarters of all members of the Cook County Board of Commissioners in cases where the Zoning Board of Appeals has not recommended adoption at a proposed PUD or when a written protest against the proposed PUD has been received in accordance with Article 13.
- D. Approval of the preliminary plan and satisfaction of any conditions and restrictions imposed by the Cook County Board of Commissioners shall be conditions precedent to submission of an application for PUD ordinance.

## **9.6. - Final Plan Approval.**

*9.6.1. Application and supporting documents.* The applicant shall, within one year from the date of preliminary plan approval, submit an application for PUD ordinance to the Department of Building and Zoning. The applicant shall submit one original application and the following supporting documents:

- A. Final PUD plat, suitable for recording with the Cook County Recorder of Deeds, which includes the following information:
  - 1. Designation of lots and the division of all other property, including common open areas and building sites. If property within a final plat is to be subdivided, a subdivision plat is also required.
  - 2. Final site plans including legal description of all lots and each separate, unsubdivided area, including common open space, within the PUD.
  - 3. Exact location of all buildings, structures, streets, drives, parking lots, sidewalks, drainage and utility easements, detention easements and conservation easements, landscaping and other proposed site improvements.
  - 4. Final architectural plans setting forth the type and style of construction and materials to be used in proposed buildings, including the height and area of each building.
  - 5. Certificates, seals and signatures necessary for dedicating property and recording the final plat.
  - 6. Tabulation of separate unsubdivided use area, land area, number of buildings, number of dwelling units and dwelling units per acre.
  - 7. Final landscape architectural plans and specifications.
  - 8. Final lighting plans and specifications.
  - 9. Signage plans.
- B. Common open space documents which verify that common open space will be permanently preserved and streets, walkways and common spaces will be maintained and repaired in perpetuity. Common open space shall be either conveyed to a municipal or public corporation, to a not-for-profit corporation or entity established for the purpose of benefiting the owners and residents or retained by the applicant with legally binding

guarantees providing for perpetual maintenance, operation, improvements and repairs. All property conveyed to a not-for-profit corporation, or like entity, shall be subject to the right of the corporation or entity to impose a legally enforceable lien on all property within the PUD for maintenance and improvement of the common open space.

- C. Final construction engineering plans, signed and sealed by an Illinois licensed professional engineer, for public facilities and improvements approved by the Cook County Highway Department. Public facilities and improvements shall be constructed upon approval of the PUD ordinance and a construction performance bond shall be posted to guarantee construction of required infrastructure. The performance bond shall be payable to Cook County and be sufficient to cover the full cost of the facilities and improvements plus 15 percent.
- D. Detailed plans signed and sealed by an Illinois licensed professional engineer for the construction and installation of site amenities, including buildings, lakes and other site improvements.
- E. Final construction schedule which shall include the projected completion date of the entire project and completion dates of any intermediate phases of the development.
- F. Statement indicating current ownership of the property and information regarding intent to sell all or portions of the development.
- G. Detailed plans depicting the size and location of dedicated parkland and school sites or the amount of any cash contribution to the local park and school district.
- H. Proof from the Cook County Clerk's Office in the [event] that no delinquent taxes exist on any portion of the property.
- I. Final agreements, provisions or covenants which will govern the perpetual maintenance, operation and improvements of the PUD. These documents shall be recorded at the same time as the final PUD plat.

9.6.2. *Fee.* An application for PUD ordinance shall be accompanied by a fee established by the Cook County Board of Commissioners.

9.6.3. *Department reviews.* The Zoning Board of Appeals shall forward one copy of the application for PUD ordinance, plat and supporting documents to the Cook County Commissioner in whose district the property is located, the Cook County Department of Planning and Development, the Cook County Zoning Board of Appeals, the Cook County Department of Transportation and Highways, the Forest Preserve District, the Cook County Department of Public Health, the Cook County Department of Environment and Sustainability and the Cook County Plat Officer for certification that the PUD, plat and supporting documents are in substantial conformance with the approved preliminary plan and other sections of this ordinance. The departments shall have seven days from receipt of the application for PUD ordinance to furnish the Zoning Board of Appeals with their comments. Upon receipt of the comments from the departments, the Bureau of Zoning Board of Appeals shall make them available to the applicant or its representative upon request, and allow the applicant or its representative to submit a response within 15 days. The Zoning Board of Appeals shall certify whether the application for final plan approval and supporting documents are in substantial compliance with the approved preliminary plans and shall provide a recommendation to approve or deny the application to the Zoning Committee of the Cook County Board of Commissioners within 30 days after receiving the comments from the departments.

9.6.4. *Preparation of ordinance.* The Zoning Board of Appeals shall, when all conditions and procedures have been satisfied, prepare the PUD ordinance which shall address the standards of this article and any conditions imposed on the PUD. If a map amendment is recommended in connection with the PUD, the Zoning Board of Appeals shall include a separate section in the PUD ordinance which shall address the

map amendment standards contained in Article 13 and any conditions to be imposed on the map amendment. The Zoning Board of Appeals shall forward the proposed PUD ordinance to the Zoning Committee of the Cook County Board of Commissioners.

*9.6.5. Action by the Cook County Board of Commissioners.* The Cook County Board of Commissioners may approve or deny the proposed PUD ordinance. The Cook County Board shall take action within 60 days of receiving the proposed ordinance from the Zoning Board of Appeals. A favorable vote of three-quarters of all members of the Cook County Board of Commissioners shall be required when a written protest to the application for preliminary plan was filed pursuant to Article 13.

*9.6.6. Conditions and restrictions.* The Cook County Board of Commissioners may, by ordinance, impose conditions and restrictions on a PUD to assure compliance with the standards and requirements of this ordinance. In addition, the Cook County Board may require evidence and guarantees to ensure that the applicant complies with the conditions of the PUD. Failure of the applicant to comply with conditions or restrictions shall constitute a violation of this ordinance.

*9.6.7. Recordation.* The applicant, upon adoption of a PUD ordinance, shall record the PUD plat, common open space documents, dedications, agreements, provisions or covenants with the Cook County Recorder of Deeds. Recording the PUD plat and supporting documents shall constitute notice of the restrictions placed upon the property and act as a zoning control device.

*9.6.8. Building permits.* The Department of Building and Zoning may not issue building permits until the PUD plat and supporting documents have been recorded with the County Recorder of Deeds. The applicant shall present proof of recording to the Cook County Department of Building and Zoning. Construction authorized by a building permit shall be in full conformance with the recorded PUD plat. Failure of the applicant to develop and construct the PUD according to the PUD ordinance shall constitute a violation of the zoning ordinance.

## **9.7. - Changes in an approved PUD.**

A change to an approved PUD shall be made as follows:

### *9.7.1. Major and minor changes.*

- A. Changes to the PUD which alter the concept, intent, standards or conditions of the PUD established by the preliminary plan, and/or the PUD ordinance, shall be construed by the Zoning Board of Appeals as a major modification necessitating reconsideration of the PUD. Where a major modification is sought, the applicant shall make application to the Department of Building and Zoning for an amendment to the preliminary plan and/or PUD ordinance. The application shall be processed in accordance with the procedures established for review and approval of the preliminary plan. The documentation required to be submitted by the applicant shall be sufficient to provide for review of the proposed amendment. The Department of Building and Zoning shall be authorized to determine the sufficiency of the documentation submitted in support of the proposed amendment and to require such additional documentation deemed necessary to review the application for amendment. The amendment to the preliminary plan and/or PUD ordinance shall otherwise be processed as an original application subject to all notices, reviews, hearings and approvals required by this article.

1. A major change to an approved PUD is a change to the approved site plan and supporting maps and materials that results in any of the following:
  - a. An increase in density for any phase of the development or for the entire development;
  - b. An increase in the approved floor area ratio;



- c. A reduction in the approved landscape material in quantity or in size of material;
    - d. An increase in building height;
    - e. A change in the type of dwelling unit;
    - f. A reduction in the amount of open space or a change in the location of the open space; or
    - g. Any change in the approved site plan which results in moving a building more than 20 feet.
  - 2. All other changes shall be construed as minor changes and shall be reviewed and approved by the Department of Building and Zoning.
- B. The Zoning Board of Appeals shall make a recommendation to the Zoning and Building Committee of the County Board regarding whether a plan with a major change shall be approved or denied, with final approval by the Board of Commissioners.
- C. Changes to the approved phasing schedule:
  - 1. In the event the petitioner/developer anticipates a time delay in meeting the completion date for any or all of the phases of the planned unit development, the applicant may file a written request to the Chairman of the Committee on Zoning and Building of the Cook County Board of Commissioners at least 20 days prior to the expiration of said completion date.
  - 2. The Zoning and Building Committee will review and may recommend to the President and Board of Commissioners an extension of said completion date for any length of time as deemed justifiable by the President and Board of Commissioners.
  - 3. Should an approved PUD fail to meet any portion of its improvement/phasing schedule, the Department of Building and Zoning shall review the circumstances and recommend one of the following actions to the Committee on Zoning and Building of the Cook County Board of Commissioners, with final approval by the Board of Commissioners:
    - a. That the use for the entire area be continued with a revised time schedule;
    - b. That the PUD be revoked and the property be appropriately rezoned; or
    - c. That a new public hearing by the Zoning Board of Appeals be scheduled on the PUD in accordance with the procedures for preliminary PUD approval.

## **9.8. - Reversion and extension.**

*9.8.1. Reversion.* For purposes of this section, issuance of a building permit for any phase of development shall establish the PUD. The applicant's failure to apply for a building permit within one year of adoption of the PUD ordinance shall, without further action, cause the PUD ordinance to be null and void. With respect to a map amendment approved in conjunction with a PUD ordinance, the applicant's failure to apply for a building permit within one year of adoption of the PUD ordinance shall, without further action, cause the the map amendment to be null and void and the property to revert to its zoning classification immediately prior to the PUD application.

*9.8.2. Extension.* The applicant may apply for an extension of the one-year application period prescribed in Sections 9.6.1 and 9.8.1. The applicant is limited to one 12-month extension under each section. An application for extension shall be filed with the Department of Building and Zoning before the expiration of the applicable time period and shall be accompanied by a fee established by the Cook County Board of

Commissioners. The Department of Building and Zoning may recommend, and the Cook County Board of Commissioners may approve, the application for an extension for good cause shown. Failure to apply for an extension in the time prescribed shall render the application null and void.

## **ARTICLE 10. - NONCONFORMING STRUCTURES, LOTS AND USES**

### **10.0. - Purpose.**

The purpose of this article is to provide circumstances and conditions under which nonconforming structures, lots and uses shall be permitted to continue. Unless otherwise provided in this ordinance, the requirements of this article shall apply to all legal nonconforming uses.

### **10.1. - Nonconforming structure occupied by a conforming use.**

A structure which existed lawfully prior to the adoption of the Cook County Zoning Ordinance of 2001 and which has become a nonconforming structure occupied, in whole or in part, by a conforming use may be continued only in accordance with the regulations which follow:

*10.1.1. Repairs and alterations.* The ordinary repair to a nonconforming structure may be made provided that no structural alteration shall be made in or to the nonconforming structure, except those required by law, unless such alteration would make the structure conform to all the regulations of the district in which it is located.

*10.1.2. Additions and enlargements.* A nonconforming structure shall not be added to or enlarged in any manner unless the nonconforming structure, including all additions and enlargements, is made to conform to all the regulations of the district in which it is located.

*10.1.3. Restoration of damaged structure.* A nonconforming structure which is destroyed or damaged by fire or other casualty or act of God by more than 50 percent shall not be restored, repaired or rebuilt, except as required by law, unless the structure and use are made to conform to all the regulations of the district in which it is located. If damage or destruction to a structure is less than 50 percent, no repairs or reconstruction shall be made unless such restoration is started within six months from the date of the partial destruction and is diligently completed.

*10.1.4. Discontinuance of use of nonconforming structure.* A nonconforming structure which has been vacant, unoccupied and not used for a continuous period of six months prior to the effective date of the Cook County Zoning Ordinance of 2001, or thereafter becomes vacant and remains unoccupied or is not used for a continuous period of six months, shall not thereafter be occupied or used unless the nonconforming structure is made to conform to all the regulations of the district in which it is located.

### **10.2. - Nonconforming structures occupied by a nonconforming use.**

A structure and a use which existed lawfully prior to the time of the adoption of the Cook County Zoning Ordinance of 2001 and which has become a nonconforming structure occupied by a nonconforming use, may be continued only in accordance with the regulations which follow:

*10.2.1. Repairs and alterations.* The ordinary repair to a nonconforming structure may be made provided that no structural alteration shall be made in or to the nonconforming structure, except those required by law, unless such alteration would make the structure conform to all the regulations of the district in which the structure is located.

*10.2.2. Additions and enlargements.* A nonconforming structure shall not be added to or enlarged in any manner unless the nonconforming structure, including all additions and enlargements, and the use, are made to conform to all the regulations of the district in which the structure is located.

*10.2.3. Restoration of damaged structure.* A nonconforming structure which is destroyed or damaged by fire or other casualty or act of God by more than 50 percent shall not be restored, repaired or rebuilt, except as required by law, unless the structure and the use are made to conform to all the regulations of the district in which the structure is located. If the damage or destruction is less than 50 percent, no repairs or reconstruction shall be made unless such restoration is started within six months from the date of the partial destruction and is diligently completed.

*10.2.4. Discontinuance of use of nonconforming structure.* A nonconforming structure which has been vacant, unoccupied and not used for a continuous period of six months prior to the effective date of the Cook County Zoning Ordinance of 2001, or thereafter becomes vacant and remains unoccupied or is not used for a continuous period of six months, shall not thereafter be occupied or used unless the nonconforming structure is made to conform to all the regulations of the district in which the structure is located.

*10.2.5. Expansion of use in nonconforming structure.* A nonconforming use in a nonconforming structure may not be expanded.

*10.2.6. Change of a nonconforming use in nonconforming structure.* A nonconforming use which occupies a nonconforming structure may be changed to any permitted use in the district. Whenever all or any part of a nonconforming structure occupied by a nonconforming use is converted in whole or in part to a conforming use, that portion of the structure shall not thereafter be used for any nonconforming use.

### **10.3. - Conforming structures occupied by a nonconforming use.**

A conforming structure occupied in whole or in part by a nonconforming use which existed lawfully prior to the time of the adoption of the Cook County Zoning Ordinance of 2001 and which has become a nonconforming use in a zoning district, may be continued subject to the following provisions:

*10.3.1. Repair and alterations.* The ordinary repair to a conforming structure occupied by a nonconforming use may be made provided the repairs are not to accommodate the expansion of the nonconforming use.

*10.3.2. Additions and enlargements.* A conforming structure occupied by a nonconforming use shall not be added to or enlarged in any manner unless the use is made to conform to all the regulations of the district in which the structure is located.

*10.3.3. Restoration of damaged structure.* A conforming structure, which is occupied in whole or in part by a nonconforming use which is destroyed or damaged by fire or other casualty or act of God by more than 50 percent, may be restored, repaired or rebuilt provided that the use shall conform to all the regulations of the district in which it is located. If the damage or destruction is less than 50 percent, no repairs or reconstruction shall be made unless the repair or reconstruction is started within six months from the date of the partial destruction and is diligently completed.

*10.3.4. Discontinuance of nonconforming use.* A nonconforming use of a conforming structure which has been vacant, unoccupied or not used for a continuous period of six months shall not thereafter be reestablished and any subsequent use of the structure shall conform to all the use regulations of the district in which the structure is located.

*10.3.5. Expansion of nonconforming use.* A nonconforming use of the whole or a part of a conforming structure shall not be expanded or extended into any other portion of a conforming structure.

*10.3.6. Change of a nonconforming use.* A nonconforming use shall not be changed to another nonconforming use.

*10.3.7. Change to a conforming use.* A structure which is occupied in whole or in part by a nonconforming use and is subsequently changed to or replaced by a use conforming to all the provisions of this ordinance shall not thereafter be used or occupied by a nonconforming use.

#### **10.4. - Nonconforming use of land.**

A nonconforming use of land not involving a structure, or a no nonconforming use in connection with a structure which is incidental or accessory to the principal use of the land, may be continued subject to the following provisions:

*10.4.1. Discontinuance of a nonconforming use.* A nonconforming use of land which is discontinued for a continuous period of six months shall not thereafter be reestablished and any subsequent use of the land shall conform to all the use regulations of the district in which the land is located.

*10.4.2. Expansion of a nonconforming use.* A nonconforming use of land shall not be expanded.

*10.4.3. Changes of a nonconforming use.* A nonconforming use of land shall not be changed to another nonconforming use.

*10.4.4. Change to a conforming use.* A nonconforming use of land which is subsequently changed to or replaced by a use conforming to all the provisions of this ordinance shall not thereafter be used or occupied by a nonconforming use.

#### **10.5. - Nonconforming lot.**

*10.5.1. Vacant nonconforming lot.* A vacant lot existing and platted at the time of the adoption of the Cook County Zoning Ordinance of 2001, including a lot of record recorded before August 20, 1940, may not be utilized or developed unless it is made to conform to all the regulations of the district in which the lot is located.

*10.5.2. Developed nonconforming lot.* A nonconforming lot which is developed or has a conforming structure occupied by a conforming use may be used for any permitted, special, temporary or accessory use allowed in the district in which the lot is located.

*10.5.3. Contiguous nonconforming lot.*

A group of two or more contiguous nonconforming lots under single ownership at the time of the passage of the Cook County Zoning Ordinance of 2001 may be subdivided, resubdivided or otherwise combined into a new lot or lots which conform to all the regulations of the district in which the lots are located. Subdivision, resubdivision or combination of lots shall not cause, create or result in the existence of any nonconforming lot or lots.

This conversion may occur only when it is shown that the nonconforming building, structure, or use is providing a particular service to the residents of Cook County, and that the use is not detrimental to the County as a whole or to adjacent properties.

### **ARTICLE 11. - OFF-STREET PARKING AND LOADING SPACE**

#### **11.1. - General requirements.**

*11.1.1. Authority.* The Cook County Department of Building and Zoning, the Cook County Zoning Board of Appeals and the Cook County Department of Highways shall have the authority to independently evaluate and determine the following:

- A. Amount of off-street parking and loading space requirements for uses not otherwise provided for in this ordinance.
- B. Modification, reduction or waiver of off-street parking and loading requirements.
- C. Location of off-street loading spaces on front or side yards adjacent to streets.

- D. Screening requirements for off-street parking and loading spaces. If the Department of Building and Zoning, the Zoning Board of Appeals and the Department of Highways differ in their determinations, the greatest number of spaces or the most stringent requirements shall control. This section supersedes other provisions of this ordinance.

11.1.2. *Definitions.* The following definitions shall apply to Article 11:

- A. *Floor area.* Floor area of offices, merchandising or service type of uses shall mean the gross floor area used, or intended to be used by tenants, owners, customers, clients or patients. Floor area includes areas occupied by fixtures and equipment used for display or sale of merchandise. Floor area shall not include areas used principally for storage, incidental repair, processing, packaging, storage of merchandise, show windows, offices incidental to the management or maintenance of stores or buildings, rest rooms, utilities, dressing, fitting and alteration rooms.
- B. *Dwelling unit.* Dwelling unit shall mean one room or a suite of two or more rooms designed for or used by one family for living and sleeping purposes with only one kitchen or kitchenette.
- C. *Seat or bench.* Seat or bench shall mean space intended for use by one individual. In places where patrons or spectators occupy benches, pews or other similar seating, every 20 inches of seating space shall be counted as one seat.
- D. *Employee.*
  - 1. Employee shall mean a person employed to work on the premises.
  - 2. Parking space required for employees shall be based on the maximum number of employees on the premises at any given time.
- E. *Fraction.* Calculations which result in a fractional parking space shall require a full parking space.

## 11.2. - Off-Street Parking Space.

11.2.1. *Scope.* The provisions of Article 11 shall apply in all zoning districts.

11.2.2. *General requirements.*

- A. Buildings and structures shall provide and maintain off-street parking space.
- B. Provision and maintenance of off-street parking space shall be the responsibility of the owner of the land and the operator of the use.
- C. Land, structures or uses lawfully established or operated on the effective date of this ordinance may continue to provide off-street parking as required by previous ordinance regulations. If existing land, structures or uses are enlarged, modified or changed after the effective date of this ordinance, off-street parking space shall be in accordance with the provisions in this ordinance.
- D. Land, structures or uses established after the effective date of this ordinance shall provide off-street parking in accordance with the provisions of this ordinance.
- E. Off-street parking space, whether provided in accordance with the provisions of this ordinance or any former ordinance, shall be maintained as set forth in this ordinance.

11.2.3. *Location.* Off-street parking shall be located on the same lot where use is conducted, unless otherwise provided.

- A. *Requirements.*

1. Residential district parking space shall be located on the same lot or lots as the use served.
2. Commercial district parking space shall be located within 300 feet of the use served.
3. Industrial district off-street parking space shall be located within 600 feet of the use served.
4. Uses which share off-street parking space shall not use the same off-street parking space at the same time of day.
5. Enclosed buildings and carports containing off-street parking shall be subject to applicable setback requirements.
6. Vehicles shall not be parked in the front yard of a residential or industrial district except upon a permitted driveway. Parking lots may be allowed in the front yard of a commercial district when authorized by the Department of Building and Zoning, provided that district regulations do not require a front yard to be landscaped or devoted to any other use and if parking is allowed in accordance with all other provisions of this ordinance.
7. Off-street parking space may be located in a required side or rear yard setback if an unobstructed space of at least three feet remains along the lot line. If specific district regulations are more permissive, the more permissive requirements shall apply. When a rear yard setback abuts a residential district, no off-street parking shall be permitted within 20 feet of the residential district.
8. Off-street parking is not permitted in the right-of-way or along main circulation aisles.

B. *Special location plan.*

1. Special location plans shall be provided for off-street parking on a different lot than the use.
2. Applications for approval of a special location plan shall be filed in triplicate with the Department of Building and Zoning by the owners of the land and structures and all others holding a legal interest in the land included in the special location plan. Applications shall contain sufficient legal evidence to establish the interests of the applicants as well as plans showing the following details:
  - a. Location of uses or structures for which off-street parking space is required.
  - b. Location of existing and proposed off-street parking spaces.
3. Applications shall be reviewed and approved by the Department of Building and Zoning, which may impose conditions and limitations on the special location plan.
4. Approved special location plans shall be recorded by the applicants with the Cook County Recorder of Deeds.
5. Recorded special location plans shall be binding upon the applicants and their successors and assigns. Special location plans shall limit the issuance and validity of new and existing zoning permits and zoning certificates.
6. Special location plans may be amended using the same procedures and subject to the same limitations and requirements by which the plans were initially approved.
7. Special location plans may be withdrawn, either partially or completely, upon application to the Department of Building and Zoning. Remaining land, structures

and uses shall comply with all regulations established by this ordinance as if unrelated to any special location plan.

*11.2.4. Separate or combined space.* The off-street parking space required by two or more uses located on the same lot may be combined and used jointly provided the following conditions are met:

- A. Off-street parking space which is combined and used jointly by two or more uses on the same lot having different standards for determining the amount of parking space required shall be adequate in area to provide the sum total of off-street parking required for all uses.
- B. Off-street parking space which is combined and used jointly by two or more uses on the same lot having the same standards for determining the amount of required parking space shall be considered as a single unit for purposes of calculating the amount of required off-street parking. The gross floor area or number of employees of all uses in all structures on the same lot, as set forth in the applicable standard, shall be combined and taken as a single total for purposes of determining the amount of required off-street parking.

*11.2.5. Design, development and maintenance.* The arrangement, character, extent, width and grade of all off-street parking areas shall be considered in relation to: existing and planned streets; traffic circulation within and adjacent to parking areas; topographical conditions; storm water runoff; public convenience and safety; and the proposed uses to be served. All traffic intersections and confluences must encourage safe and efficient traffic flow. The plans and land area used for public, private and commercial off-street parking space, including commercial parking lots and automobile and mobile home sales lots, shall be designed, developed and maintained as follows:

- A. Off-street parking space shall not be used for the sale, repair, dismantling or servicing of any vehicles or equipment, or for storage of materials or supplies.
- B. Off-street parking space shall be graded for proper drainage and have an all-weather surface maintained in such a manner as to be free of dust and debris.
- C. Off-street parking space for more than four vehicles that adjoins property zoned residential, or is across the street from property zoned residential, shall have a dense evergreen planting, fence, masonry wall or such other screening as may be determined by the Zoning Board of Appeals and the Department of Highways.
- D. Off-street parking space shall be provided with wheel or bumper guards located so that no part of parked vehicles extended beyond a parking space.
- E. Off-street parking space shall be adequately lighted. The Department of Building and Zoning may require lighting to maximize public safety and security. Lighting facilities shall be located and operated so that they do not unreasonably disturb occupants of adjacent properties nor interfere with traffic.
- F. Off-street parking space may have one attendant's structure which conforms to all setback requirements for structures in the district.
- G. Off-street parking space which provides 100 or more outdoor automobile parking spaces shall be referred to the Cook County Highway Department for approval of grading plans and drainage structures related to storm water run-off. No permits shall issue until the Department of Highways has approved the grading and drainage plans.
- H. Off-street parking shall be designed according to the following requirements and approved by the Cook County Highway Department:
  - 1. Each off-street parking space shall have direct and unrestricted access to an aisle or driveway of such width and design as approved by the Department of Highways.

2. Off-street parking circulation aisles shall align with one another.
  3. Off-street parking aisles shall not exceed 650 feet.
  4. Off-street parking shall provide shared interconnects and driveways to adjoining properties wherever feasible.
  5. Off-street parking space shall provide an appropriate means of access to a street or alley so as to minimize interference with traffic movement.
  6. Off-street parking space shall provide entrances and exits at least 12 feet wide.
  7. Off-street parking lots and spaces shall have a minimum vertical clearance of seven feet, six inches. Where handicapped parking spaces are provided, an eight-foot vertical clearance must be provided for 50 percent of the total number of handicapped parking spaces.
  8. Off-street parking shall be at least 8½ feet wide and at least 19 feet deep.
  9. Off-street parking space shall specifically designate at least two percent of all required parking spaces for the handicapped. In no case shall less than one parking space for the handicapped be provided. If a fraction of a parking space results from the two percent calculation, the required number of handicapped spaces shall be the next highest whole parking space. All handicapped parking spaces shall be at least 16 feet wide including a designated access aisle at least eight feet wide located on the right side of every parking space.
  10. Off-street parking spaces shall be striped with a four-inch wide parallel line, painted yellow or white, running the length of the space. Handicapped spaces shall be striped in yellow. Thermoplastic pavement markings may be substituted for painted lines.
  11. Off-street parking shall contain a concrete curb and gutter or a concrete barrier curb around the perimeter of all parking lots greater than four spaces and around all islands. Where alternatives to concrete curb and gutter are demonstrated to be more appropriate, alternatives may be approved by the Department of Highways.
  12. Off-street parking lots shall be landscaped in conformity with all applicable requirements of this ordinance and all other applicable Cook County ordinances.
  13. Off-street parking shall contain segregated drop-off/pick-up areas for uses as determined by the Cook County Highway Department.
- I. Off-street parking lots shall be properly maintained by the owner to repair pot holes, broken curbing and other irregularities.

11.2.6. *Space requirements.* All off-street parking space shall meet the following minimum requirements:

A. *Residential uses.*

1. *One-family dwellings and two-family dwellings.* Two off-street parking spaces shall be provided for every dwelling unit.
2. *Multiple-family dwellings.* One and one-half off-street parking spaces shall be provided for every efficiency or studio dwelling unit and two off-street parking spaces shall be provided for every dwelling unit with one or more bedrooms.
3. *Hotels, motels, inns, and apartment hotels.* One parking space shall be provided for every guest room, dwelling unit and lodging room. One parking space shall



additionally be provided for every 40 square feet of exhibition, conference and banquet space.

4. *Lodging, rooming and boarding houses.*
5. *Mobile home parks.* Off-street parking shall meet the requirement of the Mobile Home Park Ordinance of Cook County [Chapter 110, Article II of the Code].
6. *Fraternalities, sororities and dormitories.* Off-street parking space requirements shall be provided as determined by the Department of Highways.
7. *Senior housing.* One off-street parking space shall be provided for every three dwelling units.

B. *Commercial uses.*

1. *Animal hospitals and veterinary clinics.* Four off-street parking spaces shall be provided for every doctor and one additional off-street parking space for every employee.
2. *Automobile car washes.* Stack off-street parking spaces shall be provided for waiting automobiles equal to five times the maximum capacity of every wash stall, plus one additional off-street parking space for every two employees. Maximum capacity shall mean the greatest number of automobiles capable of being washed at any given time.
3. *Automobile service facilities.* One off-street parking space shall be provided for every two pumps, plus two off-street parking spaces for every service stall and one additional off-street parking space for every two employees.
4. *Barber shops.* Two off-street parking spaces shall be provided for every barber chair, plus one additional off-street parking space for every employee.
5. *Beauty shops.* One off-street parking space shall be provided for every 150 square feet of floor area.
6. *Bowling alleys.* Five off-street parking spaces shall be provided for every alley. Additional off-street spaces for accessory uses, such as bars and restaurants, shall be provided as if the accessory use was a principal use.
7. *Cartage and shipping facilities.* One off-street parking space shall be provided for every vehicle stored on the premises, plus one additional off-street parking space for every two employees.
8. *Catering establishments.* One off-street parking space shall be provided for every 250 square feet of floor area.
9. *Clothing and costume rental shops.* One off-street parking space shall be provided for every 250 square feet of floor area.
10. *Commercial stadiums, grandstands and racetracks.* One parking space shall be provided for every four seats.
11. *Computer sales and services.* One off-street parking space shall be provided for every 250 square feet of floor area.
12. *Dance halls and skating rinks.* Ten off-street parking spaces shall be provided for every 1,000 square feet of floor area.

13. *Drive-in theaters.* Off-street parking spaces other than for viewing movies shall be provided equal to ten percent of the vehicle capacity of the theater.
14. *Fairgrounds, golf driving ranges, miniature golf, go-cart tracks and all similar uses involving large tracts of land.* Off-street parking spaces shall be provided as determined by the Department of Highways.
15. *Fuel and ice companies.* One off-street parking space shall be provided for every two employees.
16. *Funeral homes.* Six off-street parking spaces shall be provided for every chapel or parlor or one off-street parking space for every 50 square feet of floor area used for services, whichever is greater. One additional off-street parking space shall be provided for every funeral vehicle stored on the premises.
17. *Glass products, production facilities and sales.* One off-street parking space shall be provided for every two employees.
18. *Golf courses.* One hundred off-street parking spaces shall be provided for every nine holes of regular golf. Fifty off-street parking spaces shall be provided for every nine holes of Par 3 or pitch and putt golf.
19. *Health and fitness clubs and gymnasiums.* One off-street parking space shall be provided for every 250 square feet of floor area.
20. *Heliports and airports.* Off-street parking space shall be provided as determined by the Department of Highways.
21. *Mail order houses.* One off-street parking space shall be provided for every one employee.
22. *Motor vehicle, motorcycle, bicycle and other outdoor recreational vehicle sales, rentals and services.* One off-street parking space shall be provided for every 200 square feet of floor area, plus one additional off-street parking space for every 3,000 square feet of gross land area.
23. *Newspaper distribution agencies.* One off-street parking space shall be provided for every 250 square feet of floor area.
24. *Outdoor rifle, trap and skeet shooting ranges.* One off-street parking space shall be provided for every 2,000 square feet of gross land area.
25. *Photostating, copying and blueprinting establishments.* One off-street parking space shall be provided for every 250 square feet of floor area.
26. *Pool and billiard halls, amusement parks and indoor amusements.* Three off-street parking spaces shall be provided for every 1,000 square feet of floor area, plus three additional off-street parking spaces for every 1,000 square feet of gross land area.
27. *Plumbing and electrical equipment showrooms and shops.* Two off-street parking spaces shall be provided for every one employee.
28. *Printing and publishing establishments.* One off-street parking space shall be provided for every two employees.
29. *Radio, recording and television studios.* One off-street parking space shall be provided for every 250 square feet of floor area.
30. *Recreation and community center buildings.* One off-street parking space shall be provided for every 250 square feet of floor area.

31. *Restaurants and establishments dispensing food or beverages for consumption on the premises.* One off-street parking space shall be provided for every 100 square feet of floor area, or one off-street parking space for every three seats plus one additional off-street parking space for every three employees, whichever is greater.
32. *Restaurants and establishments dispensing food or beverages for carry-out only.* One off-street parking space shall be provided for every 50 square feet of floor area.
33. *Restaurants and establishments dispensing food or beverage to be purchased from a motor vehicle.* One off-street parking space shall be provided for every 20 square feet of floor area, but in no case shall less than ten off-street parking spaces be provided. Stack off-street parking space shall be provided for waiting vehicles as determined by the Department of Highways.
34. *Retail stores not previously listed in this article.* One off-street parking space shall be provided for every 200 square feet of floor area.
35. *Roadside stands.* Off-street parking spaces shall be provided as determined by the Department of Highways, but in no case shall less than six off-street spaces be provided. Off-street parking space shall not be allowed in the right-of-way.
36. *Shoes, clothing, hat and accessory repair shops.* One off-street parking space shall be provided for every 250 square feet of floor space.
37. *Stables, commercial and noncommercial.* Off-street parking spaces shall be provided as determined by the Department of Highways.
38. *Tailor, alteration and dress making shops.* One off-street parking space shall be provided for every 250 square feet of floor area.
39. *Taverns, cocktail lounges and nightclubs.* One off-street parking space shall be provided for every 100 square feet of floor area or off-street parking space shall be provided at least equal to 30 percent of the maximum capacity of the facility, whichever is greater.
40. *Taxidermist shops.* One off-street parking space shall be provided for every one employee.
41. *Telegraph offices.* One off-street parking space shall be provided for every 500 square feet of floor area.
42. *Telephone exchange and equipment facilities.* One off-street parking space shall be provided for every one employee on the premises, plus one additional off-street parking space for every 5,000 square feet of floor area not devoted to electrical or transmission equipment.
43. *Tennis courts and clubs, and swimming pools.* One off-street parking space shall be provided for every 5,000 square feet of gross land area.
44. *Theaters.* One off-street parking space shall be provided for every four seats up to 400 seats, plus one additional off-street parking space for every six seats over 400 seats.
45. *Travel bureaus and transportation ticket agencies.* One off-street parking space shall be provided for every 250 square feet of floor area.
46. *Video Gaming.* One off-street parking space shall be provided for every two gaming terminals, additionally one off-street parking space for every three seats designated

for food and beverage consumption only, plus one additional off-street parking space for every three employees, whichever is greater.

C. *Office uses.*

1. *Banks, savings and loans and financial institutions.* One off-street parking space shall be provided for every 200 square feet of floor area. Drive-in establishments shall provide six stack off-street parking spaces per teller.
2. *Business or professional offices.* One off-street parking space shall be provided for every 300 square feet of floor area.
3. *Laboratories.* One off-street parking space shall be provided for every 250 square feet of floor area.
4. *Medical, dental and health clinics.* Two off-street parking spaces shall be provided for every office, examination room or treatment room, plus one additional parking space for every employee.

D. *Industrial uses.*

1. *Junk yards.* One off-street parking space shall be provided for every two employees, plus one additional off-street parking space for every 10,000 square feet of gross land area.
2. *Manufacturing, production, processing, cleaning, servicing, testing and industrial facilities.* One off-street parking space shall be provided for every two employees, plus one additional off-street parking space for every vehicle used in conducting the business.
3. *Penal and correctional institutions.* One off-street parking space shall be provided for every two employees, plus additional off-street spaces as determined by the Department of Highways.
4. *Public utility and service uses.* One off-street parking space shall be provided for every two employees, plus additional off-street spaces as determined by the Department of Highways.
5. *Railroad terminals, switching and classification yards, repair shops and roundhouses.* One off-street parking space shall be provided for every two employees.
6. *Temporary buildings for construction and real estate offices.* One off-street parking space shall be provided for every 250 square feet of floor area.
7. *Truck terminals.* One off-street parking space shall be provided for every two employees, plus one additional off-street parking space for every truck stored on the property. Driveways and parking shall be improved with a continuous surface of chip seal, concrete, blacktop, paving block or paving stone.
8. *Warehouse and storage buildings.* One off-street parking space shall be provided for every two employees, plus one additional off-street parking space for every vehicle used in conducting the business. Truck parking ancillary to warehouse operations shall provide a designated space for every truck and shall be improved with a continuous surface of chip seal, concrete, blacktop, paving block or paving stone.
9. *Water freight terminals.* One off-street parking space shall be provided for every two employees.

10. *Wholesale establishments, not including warehouse and storage structures other than as accessory structures.* One off-street parking space shall be provided for every two employees, plus one additional off-street parking space for every 800 square feet of floor area in excess of 4,000 square feet.

E. *Schools, institutions and assembly uses.*

1. *Auditoriums, convention halls and other places of assembly.* Off-street parking spaces shall be provided at least 30 percent of maximum capacity of the facility.
2. *Places of worship.* One off-street parking space shall be provided for every four seats in the assembly room.
3. *Colleges, universities and trade schools.* One off-street parking space shall be provided for every five students based upon the maximum occupancy of the school, plus one additional off-street parking space for every two employees.
4. *Elementary and junior high schools.* Two off-street parking spaces shall be provided for every classroom. This provision shall not apply if a place of assembly is also provided in the school and the off-street parking spaces provided for the place of assembly exceeds the requirement for classrooms.
5. *High schools.* One off-street parking space shall be provided for every eight students based upon the maximum occupancy of the school, plus two additional off-street parking spaces for every classroom. This provision shall not apply if a place of assembly is also provided in the school and the off-street parking spaces provided for the place of assembly exceeds the requirement for classrooms.
6. *Hospitals.* One off-street parking space shall be provided for every two beds, plus one additional off-street parking space for every two employees and staff doctors.
7. *Nursery schools.* One off-street parking space shall be provided for every one employee.
8. *Intermediate, extended and long-term care facilities and similar establishments.* One off-street parking space shall be provided for every five beds, plus one additional off-street parking space for every two employees and one additional off-street parking space for every staff doctor.
9. *Libraries, art galleries, museums, and aquariums.* One off-street parking space shall be provided for every 800 square feet of floor area.
10. *Parishes, parsonages, rectories, convents, monasteries, nunneries and religious retreats.* One off-street parking space shall be provided for every 1,000 square feet of floor area.
11. *Philanthropic and eleemosynary institutions.* One off-street parking space shall be provided for every 500 square feet of floor area.
12. *Private clubs and lodges.* Off-street parking spaces shall be provided at least equal to 30 percent of the maximum occupancy of the facility.
13. *Public parks, playgrounds, athletic fields and nonconforming recreation clubs.* One parking space shall be provided for every 5,000 square feet of gross land area.

F. *Planned unit developments.* Off-street parking facilities shall be provided in accordance with the planned unit development ordinance.

- G. *Other uses.* Uses not specifically listed in this article shall provide parking spaces as determined by the Cook County Department of Highways.

*11.2.7. Modifications.* The Cook County Department of Highways may authorize a modification, reduction or waiver of off-street parking requirements if it finds that the nature of the residence, business, industry or use, or an exceptional condition, would justify a modification.

### **11.3. - Off-street loading space.**

*11.3.1. Scope.* The provisions of Article 11 shall apply in all zoning districts.

*11.3.2. General requirements.*

- A. Buildings and structures erected or altered after the effective date of this ordinance which are occupied by uses requiring receipt or distribution of materials or merchandise shall provide and maintain off-street loading space in accordance with the provisions of this ordinance.
- B. Provision and maintenance of off-street loading space shall be the responsibility of the owner of the land and the operator of the use.
- C. Land, structures or uses lawfully established or operated on the effective date of this ordinance may continue to provide off-street loading as required by previous ordinance regulations. If existing land, structures or uses are enlarged, modified or changed after the effective date of this ordinance, off-street loading space shall be in accordance with the provisions of this ordinance.
- D. Land, structures or uses established after the effective date of this ordinance shall provide off-street loading in accordance with the provisions of this ordinance.
- E. Off-street loading space, whether provided in accordance with the provisions of this ordinance or any former ordinance, shall be maintained as set forth in this ordinance.

*11.3.3. Location.*

- A. Off-street loading space shall be located on the same lot where the use is conducted.
- B. Off-street loading space may occupy all or any part of any required yard setback except the front or side yard adjacent to a street. The Department of Highways may authorize off-street loading in the front or side yard adjacent to a street if such authorization would not result in traffic hazards.
- C. Off-street loading space shall not be located within 30 feet of the nearest point of an intersection of any two streets.

*11.3.4. Separate or combined space.* The off-street loading space required by two or more uses located on the same lot may be combined and used jointly provided the following conditions are met:

- A. Off-street loading space which is combined and used jointly by two or more uses on the same lot having different standards for determining the amount of required loading space shall be adequate in area to provide the sum total of off-street loading required for all uses.
- B. Off-street loading space which is combined and used jointly by two or more uses on the same lot having the same standards for determining the amount of required loading space shall be considered as a single unit for purposes of calculating the amount of off-street loading space. The gross floor area or number of employees of all uses in all structures on the same lot, as set forth in the applicable standards, shall be combined and taken as a single total for purposes of determining the amount of required off-street loading space.

11.3.5. *Design, development and maintenance.* The land area used for off-street loading space shall be designed, developed and maintained in accordance with the following:

- A. Off-street loading space shall not be used for the sale, repair, dismantling or servicing of any vehicles or equipment, or for storage of materials or supplies if located within 500 feet of a residence or commercial district.
- B. Off-street loading space shall be graded for proper drainage and have an all-weather surface material capable of bearing a line load of 200 pounds per square foot. Off-street loading space shall be maintained in such a manner as to be free of dust and debris.
- C. Off-street loading space adjacent to or across the street from property zoned for any residential use shall have a dense evergreen planting, fence, masonry wall or such other screening as may be determined by the Department of Highways. The Department of Highways shall determine the height and location of required screening.
- D. Off-street loading space shall have entrances and exits not less than 12 feet in width and not more than the width recommended by the Cook County Highway Department. Entrances and exits shall be designed and located so as to minimize both traffic congestion and interference with traffic movement.
- E. Off-street loading space shall be designed so that no portion of a vehicle projects into a street, alley or public right-of-way while being loaded or unloaded.
- F. Off-street loading space not otherwise provided for shall be at least ten feet in width and at least 25 feet in length, exclusive of aisle and maneuvering space, and shall have a vertical clearance of at least 14 feet.
- G. Off-street loading space shall not be used to satisfy off-street parking space requirements.
- H. Uses requiring off-street loading space which are located in structures having less floor area than the minimum amount specified to calculate the number of spaces required shall provide off-street loading space as determined by the Department of Highways.

11.3.6. *Space requirements.* All off-street loading space shall meet the following minimum requirements:

- A. *Residential uses.* Hotels, motels, lodginghouses, apartment hotels and multifamily dwellings. One off-street loading space shall be provided for structures containing 10,000 to 200,000 square feet of floor area, plus one additional loading space for every additional 200,000 square feet of floor area.
- B. *Commercial uses.*
  - 1. *Funeral homes.* One off-street loading space shall be provided for structures containing 8,000 to 100,000 square feet of floor area, plus one additional off-street loading space for every additional 100,000 square feet of floor area.
  - 2. *Airports and commercial heliports, amusement establishments, bowling alleys, dance halls, gymnasiums, pool and billiard halls, skating rinks and swimming pools.* One off-street loading space shall be provided for structures containing 10,000 to 100,000 square feet of floor area, plus one additional off-street loading space for every additional 100,000 square feet of floor area.
  - 3. *Radio and television stations and studios, recording studios; hotels and motels and not for profit clubs and lodges which contain retail shops, convention and exhibition halls, auditoriums and business or professional offices (other than accessory).* One off-street loading space shall be provided for structures containing 10,000 to 150,000

square feet of floor area, plus one additional off-street loading space for every additional 150,000 square feet of floor area. Off-street loading space for structures in excess of 20,000 square feet of floor area shall not be less than 12 feet wide and 65 feet long.

4. *Music, dance, business and trade schools and indoor theaters.* One off-street loading space shall be provided for structures containing 10,000 to 200,000 square feet of floor area, plus one additional off-street loading space for every additional 200,000 square feet of floor area.
5. *Cartage, shipping and express facilities, mail order houses, newspaper distribution agencies and printing and publishing companies.* One off-street loading space shall be provided for structures containing 5,000 to 40,000 square feet of floor area. Two off-street loading spaces shall be provided for structures containing 40,000 to 100,000 square feet of floor area, plus one additional off-street loading space for every additional 100,000 square feet of floor area. Off-street loading space for structures in excess of 10,000 square feet of floor area shall not be less than 12 feet wide and 65 feet long.

C. *Office uses.* Banks and financial institutions, medical and dental clinics, and professional and business offices. One off-street loading space shall be provided for structures containing 10,000 to 100,000 square feet of floor area, plus one additional off-street loading space for every additional 100,000 square feet of floor area up to 500,000 square feet, and one additional off-street loading space for every additional 500,000 square feet of floor area.

D. *Industrial uses.*

1. *Production, processing, cleaning, servicing, testing, repair or storage of materials, goods or products.* Storage and wholesale distribution of fuels, petroleum, flammable liquids, fats or oils. Motor freight terminals and warehousing. One off-street loading space shall be provided for structures containing 5,000 to 40,000 square feet of floor area. Two off-street loading spaces shall be provided for structures containing 40,000 to 100,000 square feet of floor area, plus one additional off-street loading space for every additional 100,000 square feet of floor area. Off-street loading space for structures in excess of 10,000 square feet of floor area shall not be less than 12 feet wide and 65 feet long.
2. *Air, railroad and water freight terminals, railroad switching and classification yards, repair shops and roundhouses and community sewage treatment plants.* One off-street loading space shall be provided for structures containing 10,000 to 100,000 square feet of floor area, plus one additional off-street loading space for every additional 100,000 square feet of floor area. Off-street loading space for structures in excess of 20,000 square feet of floor area shall not be less than 12 feet wide and 65 feet long.

E. *Schools, institutions and assembly uses.*

1. *Areas, auditoriums, health, medical and care institutions, nursery schools, penal and correctional institutions, places of assembly and racetracks and stadiums.* One off-street loading space shall be provided for structures containing 10,000 to 100,000 square feet of floor area, plus one additional off-street loading space for every additional 100,000 square feet of floor area. Off-street loading space for structures in excess of 20,000 square feet of floor area shall not be less than 12 feet wide and 65 feet long.



2. *Banquet, convention and exhibition halls.* One off-street loading space shall be provided for structures containing 10,000 to 150,000 square feet of floor area, plus one additional off-street loading space for every additional 150,000 square feet of floor area. Off-street loading space for structures in excess of 20,000 square feet of floor area shall not be less than 12 feet wide and 65 feet long.
  3. *Educational and cultural institutions, meeting halls, philanthropic, eleemosynary and religious institutions.* One off-street loading space shall be provided for structures containing 10,000 to 200,000 square feet of floor area, plus one additional off-street loading space for every additional 200,000 square feet of floor area.
  4. *Nonconforming recreation buildings and community centers.* One off-street loading space shall be provided for structures containing 10,000 to 100,000 square feet of floor area, plus one additional off-street loading space for every additional 100,000 square feet of floor area up to 500,000 square feet and one additional off-street loading space for every additional 500,000 square feet of floor area.
- F. *Planned unit developments.* Off-street loading spaces shall be provided in accordance with Article 9.
- G. *Other uses.* Uses not specifically listed in this article shall provide off-street loading spaces in accordance with the following:

Floor Area of Establishment in Thousands of Square Feet	Required Number and Size of Loading Spaces
5 to 10	1 - (10 ft. × 25 ft.)
10 to 25	2 - (10 ft. × 25 ft. ea.)
25 to 40	2 - (12 ft. × 65 ft. ea.)
40 to 100	3 - (12 ft. × 65 ft. ea.)

One additional off-street loading space shall be provided for every additional 200,000 square feet of floor area. Additional off-street space shall be at least 12 feet wide and 65 feet long.

*11.3.7. Modifications.* The Cook County Department of Highways may authorize a modification, reduction or waiver of off-street loading requirements if it finds that the nature of the business, industry or use, or an exceptional condition, would justify a modification.

**ARTICLE 12. - SIGNS<sup>[2]</sup>**

Footnotes:

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**Note**— Requirements for off-premises advertising signs and billboards are set forth in the Outdoor Advertising and Billboard Ordinance of Cook County.

## **12.0. - Purpose.**

Provisions of Article 12 are intended to address public safety concerns and to promote aesthetic values. Article 12 establishes regulations for on-premises signs and provides locations for billboards and off-premises advertising signs and billboards. Regulations for off-premises advertising signs are set forth in the Outdoor Advertising and Billboard Ordinance of Cook County [Article II of Chapter 114 of the Code].

## **12.1. - Sign permits for on-premises signs.**

*12.1.1. Permit requirements.* A sign permit issued by the Department of Building and Zoning is required for all signs except as otherwise provided this article. No new or existing signs or other advertising structures shall be maintained, erected, altered, or relocated without first obtaining a sign permit.

### *12.1.2. Permit application and procedures.*

- A. Applications for sign permits shall be made, to the Department of Building and Zoning on forms furnished by the Department. All applications shall be accompanied by a fee as established by the Cook County Board of Commissioners.
- B. Applications shall include information required to assure compliance with regulations for signs and with all other applicable ordinances and regulations of the County of Cook.
- C. Applicants shall provide a bond, in a form acceptable to the Department of Building and Zoning, to insure that signs will be constructed, maintained and removed in accordance with this ordinance.
- D. Sign permits shall be issued by the Commissioner of Building and Zoning if signs comply with the provisions of this ordinance. Permits are valid for a period of two years. However, any permit may be revoked at any time by the Department of Building and Zoning upon a finding that a sign violates any provision of this ordinance, of any other applicable Cook County ordinance, or when a permit holder has made false representations in securing a sign permit.

### *12.1.3. General requirements applicable to signs.*

- A. Signs shall not be erected so as to prevent free ingress or egress from any door, window, or building roof.
- B. Signs shall not be attached to trees or utility poles.
- C. Signs shall not be painted, erected or constructed on the walls or roof of buildings or structures except as otherwise provided in this ordinance or other applicable Cook County ordinances.
- D. Signs shall not use strobe lights.
- E. Signs which are indirectly illuminated shall be illuminated by a steady, stationary, shielded or shaded light source and shall be directed solely at the sign so that the light intensity or brightness does not shine on adjacent properties or create hazards for pedestrians, motorists or aircraft.
- F. Signs shall be designed and constructed to withstand wind pressure of 30 pounds per square foot, and shall be constructed to receive dead loads as required by the Cook County Building and Environmental Ordinance [Chapter 30 of the Code].
- G. Signs made of metal shall have faces or backgrounds constructed of metal not thinner than No. 28 B & S gauge.
- H. Signs containing glass shall use safety glass.

- I. Signs containing letters and characters shall be legible, cleanly defined and unfaded.
- J. Sign parts and supports shall be painted and maintained to prevent rusting, rotting, illegibility or other deterioration. All broken or missing parts of signs shall be promptly replaced.
- K. Signs which are freestanding shall be designed and engineered by an engineer licensed in the State of Illinois. Stamped design drawings shall be submitted to the Department of Building and Zoning, along with a permit application, which certify that signs are in compliance with all applicable Cook County ordinances.
- L. Signs shall not contain any fluttering, undulating, swinging, rotating or other moving parts.
- M. Signs requiring a permit shall display the name of the permit holder.
- N. Signs for which a permit has expired, which are unsafe, poorly maintained, insecure or which have been maintained, constructed or erected in violation of the provisions of any applicable Cook County ordinance may be removed or caused to be removed by the Commissioner of Building and Zoning.
- O. Signs shall not be located within 100 feet of each other when displayed in connection with the same business, trade, profession or use.

*12.1.4. Signs not requiring a permit.* The following signs shall not require a permit provided that the signs comply with all other regulations of this ordinance:

- A. Signs in residential districts as provided in this article.
- B. Signs affixed to buildings which bear the name of the occupant, business or occupation on the premises, provided that the sign face does not exceed five square feet in area and contains no advertising.
- C. Signs containing legal notices.
- D. Traffic and parking signs located on private property which do not have a sign face exceeding five square feet in area and are not closer than ten feet to any other zoning lot.
- E. Official highway directional signs and markers.
- F. Temporary signs for the sale or rental of real estate, personal celebrations, political campaigns, noncommercial special events or garage sales, subject to the following:
  - 1. One sign shall be permitted on a zoning lot, except that on corner lots two signs, one facing each street, shall be permitted. Signs shall not have a sign face exceeding 12 square feet in area nor be closer than ten feet to other zoning lots.
  - 2. Signs shall not be illuminated.
  - 3. Signs shall not project beyond the property line into or over the right-of-way.
  - 4. Signs shall not project higher than ten feet above ground level at the base of the sign.
  - 5. Temporary signs shall be promptly removed following the events to which such signs pertain.
  - 6. Temporary signs shall not be erected in connection with rummage sales or garage sales for a period longer than three days, nor shall signs be erected on the same zoning lot for a total of more than three days in any 30-day period.
- G. Novelty signs which do not have a sign face exceeding 20 square feet in area and are not closer than ten feet to any other zoning lot.

## **12.2. - Amortization of legal nonconforming on-premises signs.**

A sign that does not conform to the provisions of this ordinance, as amended, and that was lawfully erected and maintained prior to the effective date of this ordinance, as amended, may remain in use as a legal nonconforming sign subject to the following:

- A. Sign permits shall be obtained conditioned upon provisions of this article.
- B. Nonconforming signs shall be removed no later than two years from the date of the adoption of this ordinance. Nonconforming signs must be maintained in good repair and must comply with all other provisions of this ordinance.
- C. Nonconforming signs shall not be altered or expanded other than to perform normal and necessary repairs or to change sign copy.

## **12.3. - Permitted signs.**

The following signs shall be permitted. Regulations for off-premises advertising signs and billboards are set forth under separate ordinance.

### *12.3.1. Permitted signs—Residential districts.*

- A. On-premises signs which are exempt from permit requirements under this article.
- B. On-premises identification signs subject to the following:
  - 1. One identification sign, not having a sign face exceeding three square feet in area, for residential buildings containing one or two dwelling units indicating the name and/or address of the occupant and/or permitted occupation. One identification sign, not having a sign face exceeding 15 square feet in area, for residential buildings containing between three and ten dwelling units. One identification sign, not having a sign face exceeding 32 square feet in area, for residential buildings containing between 11 and 25 dwelling units. One identification sign, not having a sign face exceeding 48 square feet in area, for residential buildings containing more than 25 dwelling units. Only the name and address of a building and the name of the building management may be contained on identification signs. On corner lots, two identification signs may be displayed, one sign facing each street.
  - 2. One non-advertising sign, including community information messages and schedules of events, not having a sign face exceeding 32 square feet in area. On corner lots, two such signs may be displayed, one sign facing each street.
  - 3. One identification sign for nonresidential buildings not having a sign face exceeding 32 square feet in area. On corner lots, two such signs may be displayed, one sign facing each street.
  - 4. One sign containing the name of the contractor or builder, in connection with the construction or remodeling of a building, not having a sign face exceeding 32 square feet in area. On corner lots, two such signs may be displayed, one sign facing each street. Signs shall be removed within two weeks after completion of the construction or remodeling.
  - 5. Signs shall not project higher than one story or ten feet above curb level, whichever is lower.
  - 6. Signs shall not project beyond the property line into or over the right-of-way.
- C. On-premises signs accessory to parking areas subject to the following:

1. Signs designating parking area entrances or exits shall be limited to a maximum size of two square feet. One sign designating conditions of use or identity of a parking area is permitted, limited to a maximum sign face of nine square feet. On corner lots, two such signs may be displayed.
  2. Signs shall not project beyond the property line into or over the right-of-way.
  3. Signs shall not project higher than seven feet above the established average grade of a parking area.
- D. On-premises subdivision and other development identification signs subject to the following:
1. Two identification signs shall be allowed for each residential subdivision or other development.
  2. Signs shall not have a sign face exceeding 48 square feet in area nor be closer than ten feet to other zoning lots.
  3. Signs shall not project beyond the property line into or over the right-of-way.
  4. Signs shall not project higher than one story or ten feet above the established average grade of a zoning lot, whichever is lower.

*12.3.2. Permitted signs—Commercial districts.*

- A. On premises signs which are exempt from permit requirements under this article.
- B. On-premises signs permitted in residential districts subject to obtaining a sign permit.
- C. On-premises portable signs subject to the following:
  1. Signs shall not be closer than 15 feet from the property lines.
  2. Signs shall not have a total height greater than ten feet above the level of the street upon which the sign faces.
  3. Signs shall not have a sign face exceeding 50 square feet.
  4. Signs shall meet all requirements contained in the Building and Environmental Ordinance [Chapter 30 of the Code].
- D. On-premises novelty signs subject to the following:
  1. Signs, including sign structures, shall not project higher than 30 feet above established average grade of a zoning lot.
  2. Signs shall be required to be set back from the right-of-way line a distance of the minimum setback requirement of the zoning district.
  3. Signs may be erected on the roof of a building provided that the sign complies with all regulations in the Cook County Building and Environmental Ordinance [Chapter 30 of the Code].
- E. On-premises identification and advertising signs, affixed to buildings, subject to the following:
  1. Signs located on the front or rear walls of a principal building shall not have a sign face area exceeding 20 percent of the area of the wall (including doors and windows) to which the sign is affixed. Signs located on side walls of a principal building shall not have a sign face area exceeding ten percent of the area of a side wall (including doors and windows). In no case shall a sign face area exceed 100 square feet.

2. Signs suspended from buildings shall not project more than four feet from the front of a building, and the bottom of such signs shall not be less than ten feet above the finished grade of the sidewalk or ground elevation and shall not exceed 30 feet in height. Sign locations shall be subject to approval by the Department of Building and Zoning. Signs shall not project into or over the right-of-way.
  3. One sign face per facade may be allowed. In no case shall signs project higher than four feet above a roofline.
- F. On-premises freestanding signs subject to the following:
1. Signs shall not be closer than 15 feet from the property lines.
  2. Signs shall not have a total height greater than 20 feet above the level of the street upon which a sign faces.
  3. Signs shall not have a sign face area exceeding 200 square feet.

*12.3.3. Permitted signs—Industrial Districts.*

- A. On-premises signs which are exempt from permit requirements under this article.
- B. Signs permitted in commercial districts subject to obtaining a permit.
- C. Billboards and off- premises advertising signs subject to the requirements set forth under separate ordinance.

12.3.4 Permitted signs – Public Land.

- A. On-premises signs which are exempt from permit requirements under this article.
- B. Signs permitted in commercial districts subject to obtaining a permit.

**12.4. - Dynamic Image Display Signs.**

Dynamic image display signs shall comply with the following regulations:

*12.4.1. Luminance.* The following brightness limits shall apply:

- A. 5,000 nits between sunrise and sunset; and
- B. 250 nits between sunset and sunrise.
- C. No sign shall be illuminated between the hours of 11:00 p.m. and 5:00 a.m., provided that an entity may keep its on-premises sign illuminated to no greater than 250 nits between the hours of 11:00 p.m. and 5:00 a.m., when the entity is open for business. For purposes of this subsection, "open for business" means an entity that is conducting its normal business or occupation and admits clients, customers or patrons during such time. This subsection shall not apply to any sign that is part of an emergency response network while such sign is displaying emergency information from any federal, state, or unit of local government.

*12.4.2. Dwell time.* The text, image or display on the face of the sign shall not change more than once every ten seconds. Twirl time shall not exceed 0.25 seconds.



- A. All motion is prohibited on the sign;
- B. During the message transition, the sign shall not display any visible effects, including, but not limited to, action, motion fading, dissolving, blinking, or the illusion of such effects; and

- C. No message shall transition from one face to another face.

*12.4.4. Control/testing.*

- A. All signs shall be equipped with an automatic dimmer control or other mechanism that automatically controls the sign's luminance in compliance with this section. In instances where the sign malfunctions, the sign shall either automatically shut off or turn to a black screen.
- B. Prior to the issuance of any permit for a sign, the applicant shall submit an affidavit attesting that the sign has been tested and complies with the dwell time, luminance, motion and other requirements of this section, and that the luminance intensity, motion, and dwell time requirements are protected from manipulation by password-protected software or other method satisfactory to the Building Commissioner.
- C. The test of the luminance levels required by this section shall be made when the sign is set to full white.
- D. An affidavit shall be submitted at the time of the annual renewal attesting that the sign has been tested, within 30 days of the renewal, and complies with all the requirements of this section.

**ARTICLE 13. - ADMINISTRATION AND ENFORCEMENT**

**13.1. - Organization.**

The administration and enforcement of this ordinance is vested in the Department of Building and Zoning and the Zoning Board of Appeals.

**13.2. - Department of Building and Zoning and the Zoning Administrator.**

*13.2.1. Duties of the Department of Building and Zoning.*

- A. *Duties.* In general, the duties or function of the Department of Building and Zoning shall be:
  - 1. To inspect buildings, structures and land uses to determine compliance with this ordinance.
  - 2. To issue and maintain records of sign permits.
  - 3. To issue and maintain records of certificates of occupancy.
  - 4. To authorize illumination of parking lots between the hours of 10:00 p.m. and 7:00 a.m. in residential districts when necessary for public safety and welfare.
  - 5. To issue permits regulating erection and use of tents for specific purposes, such as temporary carnivals, charity or eleemosynary uses, and churches and revival meetings not to exceed ten days; and,
  - 6. Duties as the Cook County Board of Commissioners shall by ordinance, resolution or direction provide.
- B. *Inspections.*
  - 1. Inspections will take place during regular County business hours, Monday through Friday, excluding County holidays, provided that there is no emergency that poses an immediate, direct, and serious threat to health, safety, or the environment.

2. If consent is denied or withheld, the Department shall have the authority to seek an Order of Inspection from a tribunal with jurisdiction to enter such an Order.
- C. *Badge of Office.* The Department shall adopt a badge of office which shall be displayed by representatives of the Department for the purpose of identification while conducting County business.
- D. *Assistance from other officers.* The Department is authorized to request assistance from health, police, legal, and other officers, and to request the State's Attorney to make application on behalf of the county to any court of competent jurisdiction for such order as the court may deem necessary or appropriate, to secure compliance with any provision of this chapter.

13.2.2. *Duties of the Zoning Administrator.*

- A. Administration of this ordinance shall be exercised through a person in the Department of Building and Zoning designated as the Zoning Administrator. The Zoning Administrator shall be appointed by the President of the Cook County Board of Commissioners.
- B. Duties of the Zoning Administrator shall be as follows:
  1. Issue, upon request, a letter verifying the zoning classification of property to a person who is entitled to initiate a zoning amendment including interpretations giving the meaning and intent of provisions of this ordinance.
  2. Maintain permanent and current records of this ordinance including, but not limited to, all maps, map amendments, special uses, planned unit developments, variances, appeals and related applications.
  3. Provide and maintain a source of public information for all matters arising out of this ordinance.
  4. Receive, file and forward to the Zoning Committee of the Cook County Board of Commissioners, applications for map amendments. The Zoning Administrator shall not forward applications which fail to comply with this ordinance.
  5. Receive, file and forward to the Zoning Board of Appeals applications for variances, special uses, appeals and other matters which the Zoning Board of Appeals is required to act upon as provided in this ordinance. The Zoning Administrator shall reject applications which are not authorized by this ordinance.
  6. Review properties subject to legal action which have resulted in the invalidation of zoning under this ordinance and change official zoning maps to reflect court decrees.
  7. Review properties which have been disconnected from a municipality, or which have come within the jurisdiction of Cook County as the result of the dissolution of a municipality, and recommend to the Zoning Board of Appeals amendments for reclassification of properties.
  8. Determine use, lot and bulk requirements provided in this ordinance.
  9. Forward plans to the Cook County Superintendent of Highways for proposed uses which provide 100 parking spaces for Highway Department review, comment and approval pursuant to this article.
  10. Duties as the Cook County Board of Commissioners shall by ordinance, resolution or direction provide.



*13.2.3. Permit applications and certificates of occupancy.* All permits for use of land or buildings and certificates of occupancy, except as otherwise provided by this ordinance, shall be reviewed and approved by the Department of Building and Zoning. The Zoning Administrator shall affix a certificate to the permit indicating that the proposed building or structure complies with all the provisions of this ordinance. No officer, department or employee of Cook County shall issue a permit until a permit application has been reviewed and approved by the Department of Building and Zoning. Any permit or certificate of occupancy which is in conflict with the provisions of this ordinance shall be null and void.

*13.2.4. Promoting Intergovernmental Agreements.* The President and Cook County Board of Commissioners establish a program of promoting intergovernmental agreements with local townships, which express an interest by local resolution or ordinance, to assist the County in enforcement of certain provisions of the Cook County building ordinance and the Cook County zoning ordinance, as defined in each particular agreement;

The President and Board of Commissioners authorize the intergovernmental agreements to provide any or all of the following acts provided in the building and zoning code administration and enforcement:

1. The township shall be permitted to take applications for and issue building permits pursuant to, and under the procedures provided by the county building code for the construction, alteration, or similar activities done to buildings within that township's unincorporated area.
2. The township, through its authorized representatives, officials or employees, shall be permitted to report violations of the provisions of the county building and zoning codes.
3. The township through its representatives, officials or employees, shall be permitted to take complaints from residents or businesses of the unincorporated area of that township relating to allegations of violations of the county building and zoning codes, on forms and through procedures approved by the Cook County Department of Building and Zoning.
4. The township, through its representatives, officials or employees, shall be permitted to complete certain types of inspections, as provided in the final agreement with the County, and shall be permitted to assist in other types of inspections, also provided in the final agreement with the County.
5. The township shall forward reports of such complaints and inspections to the proper administrator or employee of the Cook County Department of Building and Zoning to take the appropriate further action, as allowed by law.

The President and Board of Commissioners shall require the township to perform the listed powers, pursuant to the procedures defined by the county's building and zoning ordinances, and in a manner consistent with county practices and policies.

Nothing in the intergovernmental agreements between the County of Cook and local townships shall be construed to exercise any control or authority upon the county or township to exercise any control or management over the other government, the acquisition, operation or maintenance of the other government's equipment or apparatus, or the hiring and firing of staff of the other government.

The agreement shall be submitted to the President and Board of Commissioners, referred to and reviewed by the Committee on Zoning and Building, and subject to final approval of the President and Board of Commissioners

The County Board of Commissioners authorizes the negotiation, drafting and review of an intergovernmental agreement with Leyden Township to perform defined intake and other code enforcement

matters as a two-year pilot project, commencing with the execution date of the intergovernmental agreement.

### **13.3. - Zoning Board of Appeals.**

*13.3.1. Membership.* The Zoning Board of Appeals shall be composed of ~~seven~~ ~~nine~~ five ~~seven~~ voting members who shall be appointed by the President of the Cook County Board of Commissioners with the advice and consent of the Cook County Board of Commissioners; and two ex-officio, nonvoting members, consisting of the Chairman of the Zoning and Building Committee of the Cook County Board of Commissioners and the Chief of the Bureau of Economic Development of Cook County. Ex-officio members may be represented by a designee at any hearing or meeting of the Zoning Board of Appeals. As of June 1, 2013, voting members shall receive compensation of \$500.00 per official meeting of the Zoning Board of Appeals where the member participates in person or by viewing a record of proceeding where action is required not to exceed \$12,000.00, with no other fringe or pension benefits, and an allowance for expenses as provided by the Cook County Board of Commissioners in its annual appropriation Ordinance. The Zoning Board of Appeals shall report the number of official meetings it has conducted on a quarterly basis to the Cook County Board of Commissioners. Members of the Zoning Board of Appeals serving at the time of adoption of this ordinance shall serve for the remaining term of their appointments, or until their respective successors are appointed. All new and renewed terms of office for Zoning Board of Appeals members shall be for five years.

One of the members of the Zoning Board of Appeals shall be designated by the President of the Cook County Board of Commissioners with the advice and consent of the Cook County Board of Commissioners as Chairman of the Zoning Board of Appeals, and shall hold office until a successor is appointed. The President of the Cook County Board of Commissioners with the advice and consent of the Cook County Board of Commissioners shall have the power to remove for cause any member of the Zoning Board of Appeals. Vacancies on the Zoning Board of Appeals shall be filled by appointment of the President of the Cook County Board of Commissioners with the advice and consent of the Cook County Board of Commissioners for the unexpired term of the member whose position has become vacant.

*13.3.2. Jurisdiction.* The Zoning Board of Appeals is vested with the following jurisdiction and authority:

- A. Hear and decide appeals from any order, requirement, decision or determination made by the Department of Building and Zoning under this ordinance.
- B. Hear and make decisions or recommendations on applications for authorized variances referred by the Department of Building and Zoning or the Cook County Board of Commissioners.
- C. Hear applications for special uses, planned unit developments, map amendments and unique uses as set forth in this ordinance. The Zoning Board of Appeals shall report its findings and recommendations to the Cook County Board of Commissioners.
- D. Conduct hearings at the request of the Cook County Board of Commissioners for map amendments to this ordinance and make recommendations to the Board of Commissioners.
- E. Conduct hearings at the request of the Cook County Board of Commissioners for text amendments to this ordinance and make recommendations to the Board of Commissioners.
- F. Conduct hearings at the request of the Cook County Board of Commissioners for amendments to the Cook County Comprehensive Land Use and Policies Plan and make recommendations to the Board of Commissioners.
- G. Initiate, direct and review studies of this ordinance and make recommendations to the Zoning and Building Committee of the Cook County Board of Commissioners.

- H. Hear and decide matters as set forth in this ordinance and matters referred to it by the Cook County Board of Commissioners.
- I. Duties as the Cook County Board of Commissioners shall by ordinance, resolution or direction provide.

*13.3.3. Meetings and rules.* The meetings of the Zoning Board of Appeals shall be held at the call of the Chairman at such times as the Zoning Board of Appeals may determine. Hearings conducted by the Zoning Board of Appeals shall be considered public meetings under the Illinois Open Meetings Act and shall be held in conformance with the Illinois Open Meetings Act. Ex-officio members, or their designees, may fully participate in meetings, but shall not vote on any matters before the Zoning Board of Appeals. For purposes of conducting a public meeting, a quorum of five members shall be present in person at the meeting, and two of the five members present may be ex-officio members or their designees. For purposes of conducting a vote at a public meeting, four voting members must be present in person at the meeting and the affirmative vote of the majority of voting members is necessary to adopt any motion or decision for approval. Any person may appear and testify at a hearing. The Chairman or Acting Chairman may administer oaths and subpoena witnesses. The Zoning Board of Appeals shall keep minutes of its proceedings showing the vote of each member upon each question. If any voting member is absent or fails to vote, that shall be reflected in the minutes. Zoning Board of Appeals voting members may not vote by proxy. Records shall be kept of all hearings and other official actions of the Zoning Board of Appeals. Applications, exhibits and all documents filed by applicants, as well as transcripts of hearings if provided, meetings, testimony and deliberations, shall constitute the record of the Zoning Board of Appeals. The Secretary of the Zoning Board of Appeals shall be the keeper of the records. The Zoning Board of Appeals shall adopt its own rules and procedures, not in conflict with this ordinance or with applicable State of Illinois Statutes, and may select or appoint such officers as it deems necessary. A copy of every rule, regulation, amendment, order, requirement, decision or determination of the Zoning Board of Appeals shall be filed immediately with the Department of Building and Zoning and shall be a public record.

*13.3.4. Reserved.*

*13.3.5. Appeals from decisions of the Zoning Administrator.*

The Zoning Board of Appeals shall hear and decide appeals from an administrative order, requirement or determination of the Department of Building and Zoning under this ordinance.

An appeal may be taken to the Zoning Board of Appeals by any person or entity or by any officer, department, board or bureau aggrieved by a decision of the Department of Building and Zoning under this ordinance. An appeal shall be taken within 35 days after the date of the Department of Building and Zoning's decision by filing with the Zoning Administrator and the Zoning Board of Appeals a notice of appeal specifying the grounds for the appeal. Notice of appeal shall be given to all persons or entities entitled to receive notice as provided by Section 13.7.3.

The Zoning Board of Appeals shall select a reasonable time and place for hearing an appeal and give notice to the aggrieved person or entity and the Department of Building and Zoning. The hearing shall take place within 30 days after the Zoning Board of Appeals receives notice of appeal.

The Zoning Board of Appeals shall render a written decision on the appeal within 30 days after the hearing. The Zoning Board of Appeals shall forward its decision to all parties of record. The Zoning Board of Appeals may affirm, reverse, wholly or in part, or modify a decision of the Department of Building and Zoning. A written decision of the Zoning Board of Appeals shall contain findings of fact which support its decision. If the Zoning Board of Appeals affirms the decision of the Department of Building and Zoning, the decision of the Zoning Board of Appeals is a final administrative determination and shall be subject to review as provided by law.

If the Zoning Board of Appeals reverses the decision of the Department of Building and Zoning, the Department of Building and Zoning has the right to appeal the Zoning Board of Appeals' decision to the Cook County Board of Commissioners. The matter shall be heard upon the record of the Zoning and Building Committee, or a subcommittee, ("Committee") of the Cook County Board of Commissioners. No additional testimony shall be taken and no additional documents shall be filed. The Committee shall provide notice of its hearing of an appeal as provided in this section. The Committee may affirm, reverse, wholly or in part, or modify the decision of the Zoning Board of Appeals.

If the Committee reverses the Zoning Board of Appeals, the decision of the Committee shall be a final administrative determination and shall be subject to review as provided by law. The Secretary of the Zoning Board of Appeals shall maintain complete records of all actions relative to appeals.

*13.3.6. Secretary of the Zoning Board of Appeals.*

- A. The Secretary of the Zoning Board of Appeals shall be appointed by the President of the Cook County Board of Commissioners.
- B. Duties of the Secretary of the Zoning Board of Appeals shall be as follows:
  - 1. Maintain records of the Zoning Board of Appeals.
  - 2. Forward to the County Board of Commissioners final findings of fact and recommendations of the Zoning Board of Appeals for map amendments and special uses and such other matters under this ordinance which require consideration or action by the Cook County Board of Commissioners.
  - 3. Administer duties which may be delegated to the Secretary by the Cook County Board of Commissioners and the Zoning Board of Appeals.
  - 4. Coordinate and facilitate the public hearings of the Zoning Board of Appeals.

**13.4. - Building permits/zoning certificates.**

*13.4.1. Application.* An application for a building permit shall be deemed an application for a zoning certificate. An application shall be accompanied by the following:

- A. Plat of survey, drawn to scale and showing actual dimensions of lots and blocks, as required by the Department of Building and Zoning. The plat shall be dated within the prior five-year period and it shall be certified by a land surveyor licensed by the State of Illinois as a true copy of the property according to the registered or recorded plat of subdivision.
- B. Site plan signed and sealed by a registered professional engineer in the State of Illinois, in triplicate, drawn to scale in such form as may be prescribed by the Department of Building and Zoning. The site plan shall show the ground area, height and bulk of the building or structure, building lines in relation to lot lines, use to be made of the building, structure or land and such other information as may be required by the Department of Building and Zoning.

*13.4.2. Procedure.* A copy of each plat of survey and site plan shall be attached to the application for a building permit when it is submitted to the Department of Building and Zoning for zoning certification. The Department of Building and Zoning shall retain the application, attached plats and plans as public records.

**13.5. - Certificates of occupancy.**

A building shall not be constructed or occupied, an existing building shall not be expanded or otherwise altered or occupied, a new land use shall not be established and an existing land use shall not be changed until a certificate of occupancy is issued by the Department of Building and Zoning. (sSee Section 13.5.1.)

Every certificate of occupancy shall state that the land use and occupancy of buildings or structures comply with all provisions of this ordinance and that buildings or structures are habitable and in conformance with all applicable building regulations.

*13.5.1. Application.* An application for a building permit shall be deemed an application for a certificate of occupancy. Every application for a change in land use, where no building permit is required, shall be made directly to the Department of Building and Zoning.

*13.5.2. Procedure.* A certificate of occupancy for a building, addition or alteration shall not be issued until construction has been completed, the premises inspected and the Department of Building and Zoning has certified that the use conforms with applicable Cook County ordinances. Pending the issuance of a certificate of occupancy, a temporary certificate may be issued. The Department of Building and Zoning shall issue either a certificate of occupancy or provide written notice to the applicant, not later than 14 days after the final inspection, setting forth why a certificate of occupancy cannot be issued.

*13.5.3. Appeals.* An application for a certificate of occupancy which has been denied by the Department of Building and Zoning due to noncompliance with this ordinance may be appealed to the Zoning Board of Appeals pursuant to this ordinance.

### **13.6. - Variances.**

*13.6.1 Purpose.* The purpose of a variance is to provide relief from unreasonable difficulties or unnecessary hardships resulting from strict application of zoning ordinance requirements.

*13.6.2. Application, hearing, and notice of hearing.*

- A. *Notice of application.* Applicants shall, not less than 15 days nor more than 30 days before filing an application, serve written notice of intent to apply for a variance by certified mail with return receipt requested, to the property owners of adjoining lots, whose names appear on the Cook County tax records. For condominium developments that are located on adjoining lots, only the condominium association shall be served with notice.
- B. *Application.* An application for a variance shall be filed with, and shall contain such information as required by, the Department of Building and Zoning. Electronic submission of application and supporting documents shall be encouraged. Applications for sign variances will also require the submittal of one detailed, signed and sealed architectural drawing of the proposed sign and a detailed sketch and/or rendering of the sign. Applicants shall file with the Department of Building and Zoning a sworn affidavit containing a complete list of the names and last known addresses of the persons served with notice pursuant to {Section} 13.6.2(A). In addition, the applicant shall file a sworn affidavit containing a complete list of the names and last known addresses of the owners of properties on lots lying within 150 feet of the property lines of the lot for which the variance is sought with his or her variance application, whose names appear on the Cook County tax records. Only the name and last known address of the condominium association shall be required for condominium developments that are located within 150 feet from the subject property. The Zoning Administrator shall reject applications for variances which do not comply with the provisions of this ordinance. A copy of each application for variance which complies with the provisions of this ordinance shall be forwarded by the Department of Building and Zoning to the Cook County Board Commissioner in whose district the property is located.
- C. *Notice of Hearing.* Notice of the time and place of a public hearing for all variance applications, except those which the Zoning Administrator intends to grant pursuant to Section 13.6.9 of this article, shall be published by the Zoning Board of Appeals once, not less than 15 days nor more than 30 days, before the hearing in a newspaper of general

circulation in Cook County. The published notice may be supplemented by additional notice as required by the rules of the Zoning Board of Appeals. In addition, written notice of public hearings, including the reference number assigned by the Zoning Board of Appeals, and the place, date, and time of the hearing shall be given not less than seven days or more than 45 days before the hearing, by the Zoning Board of Appeals to the clerk of each municipality within 1½ miles of the subject property, and to the property owners within 150 feet of the lot lines of the subject property, whose names appear on the Cook County tax records. Notice need only be sent to the condominium association of condominium developments that are located within 150 feet from the subject property. The Zoning Board of Appeals shall maintain a record of the method of service.

- D. *Hearing.* The Zoning Board of Appeals shall hold a public hearing on each application for a variance, except those which the Zoning Administrator intends to grant pursuant to Section 13.6.9 of this article. An authorized representative of any County department that provided comment on the application shall testify at the hearing if requested by the Zoning Board of Appeals. The hearing shall take place at the Cook County Administration Building unless the Secretary of the Zoning Board of Appeals determines that the County Building has more adequate facilities for such hearing. A record of proceedings, examinations, and other official actions shall be preserved in the manner prescribed by Zoning Board of Appeals' rules. However, the hearing will not be transcribed by a court reporter unless requested by the Zoning Board of Appeals or another interested party, and in that case the cost of the transcription must be borne by the person requesting it. If there is a judicial proceeding for a violation of any Cook County ordinance involving the subject property, the applicant shall not be entitled to seek, and the Zoning Board of Appeals shall not grant, more than one continuance.

*13.6.3. Standards.* A variance shall not be granted or denied, unless the Zoning Board of Appeals first makes written findings of fact on each of the following standards based upon evidence presented:

- A. Physical surroundings, shape or topographical condition of the property would result in hardship upon the owner, as distinguished from a mere inconvenience, if the provisions of this ordinance were followed.
- B. Conditions which are unique to the property exist and are not applicable to other properties within the same zoning classification.
- C. Variance sought is not based exclusively upon a desire to make the property more profitable.
- D. Hardship or alleged difficulty is caused by this ordinance and not by any person presently having an interest in the property.
- E. Variance will not be detrimental to the public welfare or injurious to other properties or improvements in the neighborhood.
- F. Variance will not impair an adequate supply of light and air to adjacent properties, substantially increase congestion in the public streets, increase the danger of fire, cause increased flooding risk to adjacent property, endanger public safety or substantially diminish or impair property values within adjacent neighborhoods.

*13.6.4. Conditions and restrictions.* Conditions and restrictions may be imposed upon the premises benefited by a variance as may be necessary to reduce or minimize the effect of the variance upon other properties in the neighborhood and to better carry out the general intent of this ordinance. Failure of the applicant to comply with conditions and restrictions imposed shall constitute a violation of this ordinance.

13.6.5. *Authorized variances.* A variance from the regulations of this ordinance may be granted only in the following instances and in accordance with standards set forth in this ordinance:

- A. Permit a yard or setback less than the yard or setback required by this ordinance.
- B. Permit a reduction of the minimum lot area or lot width required by this ordinance; except that a lot of less than 40,000 square feet shall not be allowed where private water supply and sewage systems are used without approval of such systems by the Cook County Department of Public Health. No variance which results in the division of a conforming lot or lots into any nonconforming lots shall be permitted.
- C. Permit the same off-street parking facility to qualify as a facility for two or more uses, provided the substantial use of the facility by each user does not take place at the same hours of the same days of the week.
- D. Reduce required off-street parking or off-street loading facilities.
- E. Increase the maximum distance that required parking spaces are permitted to be located from the use served.
- F. Increase dimensions or square footage of signs as provided in Article 12 and Ordinance No. 02-O-05.
- G. Increase the maximum gross floor area of any use required by this ordinance.
- H. Grant variances for property located in a floodplain in accordance with the Floodplain Ordinance for Cook County, Illinois.
- I. Reduce lot size when property has been diminished in size by eminent domain or by a conveyance in lieu of an eminent domain proceeding.
- J. Grant height variances for freestanding cellular tower facilities as provided in Ordinance No. 01-O-32. No height variance for a cellular radio facility which is attached to or installed on a building shall be allowed.
- K. Grant height variances for fences.
- L. Permit a reduction of the minimum distance required between a billboard and the forest preserve district lot line.
- M. Permit an increase of the maximum allowable impervious surface.
- N. Permit an increase of the maximum allowable height of a structure.
- O. All other requests for variances shall be denied.

13.6.6. *Action by the zoning board of appeals.*

- A. The Zoning Board of Appeals' findings of fact and recommendation for a variance shall become a final administrative decision ten days following the last scheduled public hearing, except as provided by Section 13.6.7(A).
- B. No decision by the Zoning Board of Appeals, approving a variance, shall be valid for more than one year unless a building permit is obtained and construction of the building commenced.
- C. Within one year of the original hearing date as noticed under Section 13.6.2(C), an extension of time may be requested by the variance applicant and may be granted at the discretion of the Zoning Board of Appeals for good cause shown. A second extension of time may be requested within two years of the original date of the hearing as noticed under Section 13.6.2(C) and granted at the discretion of the Zoning Board of Appeals for good

cause shown. After a second extension of time, no further requests for extensions of time will be granted and the variance applicant must proceed to a hearing as scheduled or reapply for a variance anew.

- D. €. The Zoning Board of Appeals may impose conditions and restrictions upon a variance in order to assure that the public health, safety and welfare is adequately protected.
- E. Ð. Final decisions of the Zoning Board of Appeals shall be subject to review as provided by law.

*13.6.7. Action by the Cook County Board of Commissioners.*

- A. Variances shall be forwarded to the Cook County Board of Commissioner for final decision whenever requested by either the Chairman of the Zoning and Building Committee, the Cook County Board Commissioner in whose district the property is located or the applicant. Such request must be made in writing to the Secretary of the Zoning Board of Appeals no later than ten days following the last scheduled public hearing.
- B. Final action shall not be taken by the Cook County Board of Commissioners on an application for a variance until the Zoning Board of Appeals' findings of fact and recommendations have been received.
- C. Variances forwarded to the Cook County Board of Commissioners for final decision shall be approved by a favorable vote of three-quarters of all members of the Cook County Board of Commissioners in cases where the Zoning Board of Appeals has not recommended approval of a proposed variance or where there has been a written protest filed against a proposed variance in accordance with Section 13.13 of this Ordinance.
- D. The Cook County Board of Commissioners shall take final action within 60 days of receiving the Zoning Board of Appeals' findings and recommendations.
- E. The Cook County Board of Commissioners may impose conditions and restrictions upon a variance in order to assure that the public health, safety and welfare is adequately protected.
- F. Final decisions of the Cook County Board of Commissioners shall be subject to review as provided by law.

*13.6.8. Effect of denial.* An application for a variance which has been denied wholly or in part shall not be resubmitted for a period of one year from the date of the denial, except on grounds of new evidence or proof of changed conditions found to be valid by the Zoning Board of Appeals.

*13.6.9. Administrative Adjustments.* An application for a variance of ten percent or less of the regulations as to location of structures or as to bulk requirements may be granted by the Zoning Administrator without referral to the Zoning Board of Appeals and without a public hearing provided that:

- A. The Zoning Administrator has not granted an application for variance of ten percent or less of the regulations as to location of the same or similar structure or bulk requirements submitted by the same applicant in the past five years from the date of application;
- B. Proof of compliance with the notice requirements to owners of the adjoining properties is submitted by the applicant, in accordance with the rules of the Department of Building and Zoning;
- C. No objection is submitted by the owners of the adjoining properties, in accordance with the rules of the Department of Building and Zoning;



- D. The Zoning Administrator finds that the variance sought eliminates an unnecessary inconvenience to the applicant and will have no appreciable adverse impact on the health, safety, or general welfare of adjoining property owners or the general public;
- E. A copy of the application is forwarded to the Cook County Board Commissioner in whose district the property is located with a notice of intent to grant the variance without referral to the Zoning Board of Appeals and without a public hearing; and
- F. No objection is submitted by the Cook County Board Commissioner in whose district the property is located within 14 days of the date of the notice of intent to grant the variance.

If any of the above conditions are not met, the Zoning Administrator shall refer the application for variance to the Zoning Board of Appeals.

In granting an application for a variance of ten percent or less of the regulations as to location of structures or as to bulk requirements, the Zoning Administrator may impose conditions and restrictions upon a variance sought under this Section in order to assure that the public health, safety and welfare is adequately protected. No decision of the Zoning Administrator granting a variance shall be valid for more than one year, unless a building permit is obtained and construction of the building or the use commenced.

### **13.7. - Map amendments.**

*13.7.1. Authority.* The districts established by this ordinance may be amended by the Cook County Board of Commissioners. No map amendment shall be made without consideration of existing conditions, property values, trends of development and uses to which property is devoted.

*13.7.2. Initiation.* A map amendment may be proposed by the President or a member of the Cook County Board of Commissioners or by any person or entity having an interest in the subject property. A map amendment shall be initiated as provided in this article.

*13.7.3. Notice of application.* An applicant shall, not less than 15 days nor more than 30 days before filing an application, serve written notice of intent to apply for a map amendment by certified mail with return receipt requested, to the property owners within 250 feet of the lot lines of the subject property, whose names appear on the Cook County tax records. For condominium developments that are located within 250 feet of the lot line of the subject property, only the condominium association shall be served with notice. The number of feet occupied by public roads, streets, alleys and other public ways shall be excluded in computing the 250 feet requirement. Notice need not be sent to owners more than 400 feet from the subject property when public streets, alleys and other public ways are included in the computation. In addition, the applicant shall serve notice to the clerk of each municipality within 1½ miles of the subject property, the superintendent of each local school district, the fire chief of each local fire protection district, the township clerk and township highway commissioner. When the applicant is either the President or a member of the Cook County Board of Commissioners, notice shall be served in accordance with this section, by the Zoning Board of Appeals. Notice shall contain the address of the subject property, a brief statement of the nature of the application, the name and address of the applicant and a statement of the approximate date when the applicant intends to apply. If the property owner on which notice is served cannot be found, or the mailed notice is returned, the notice requirements of this provision shall be deemed satisfied provided the applicant made a bona fide effort to determine the owner's address.

#### *13.7.4. Application.*

- A. An application for a map amendment shall be submitted to the Department of Building and Zoning in such form and accompanied by such information as required by the Department of Building and Zoning. The applicant shall file one original and one electronic copy of the application and all supporting documents. The applicant shall include a written statement and evidence establishing that the proposed map amendment will conform to the standards set forth in this article. The applicant shall disclose, and the Department of Building and

Zoning shall independently verify, whether a judicial proceeding for a violation of any Cook County ordinance is pending pertaining to the subject property.

- B. Applicants shall file with the Department of Building and Zoning a sworn affidavit containing a complete list of the names and last known addresses of the persons served with notice pursuant to {Section} 13.7.3.
- C. Applications shall be accompanied by proposed findings of fact addressing each of the standards in Section 13.7.9(A).
- D. Applications which fail to comply with this Section shall be returned by the Zoning Administrator to the applicant, and the accompanying application fee will be reimbursed. The Zoning Administrator may retain one copy of the application and supporting documents.

*13.7.5. Disclosure.* Applicants shall make the following disclosures by sworn affidavit, filed at the time of the application.

A. *Property.*

- 1. Applicants of property held in a land trust, shall disclose the identity of each beneficiary of the trust including the name, address and percentage of interest of each beneficiary.
- 2. Applicants of property owned by a partnership or association of two or more persons holding a common interest shall disclose the name and address of each partner or associate shall be listed.
- 3. Applicants of property owned by a corporation shall disclose the name, address and percentage of ownership interest of shareholders owning five percent or more of the corporation shall be disclosed.

B. *Applicant.*

- 1. Applicants acting as agents or nominees shall disclose their agency ~~relationship shall be disclosed~~ and the name and address of the principals and their interest in the subject property. If the principals are not individuals, the identity of the principals shall be disclosed as set.
- 2. Applicants who are either the President or a member of the Cook County Board Commissioners shall disclose any ownership interest in the property or any direct or indirect interest in the property and the nature of the interest.
- 3. Applicants who are partnerships or associations of two or more persons holding a common interest shall disclose the name, address and percentage of ownership interest of each partner or associate having more than a five-percent interest.
- 4. Applicants who are a corporation shall disclose the name, address and percentage of ownership interest of shareholders owning five percent or more of the corporation.

*13.7.6. Processing applications.* Upon receipt of a complete application for map amendment, and at least 15 days before a scheduled hearing date, the Department of Building and Zoning shall forward a copy of the application, including the applicant's proposed findings of fact and all supporting documentation, to the Cook County Commissioner in whose district the property is located, and shall notify the Cook County Department of Planning and Development, the Cook County Department of Transportation and Highways, the Cook County Forest Preserve District, the Cook County Department of Public Health, and the Cook County Department of Environmental Control that a complete application, including the applicant's proposed findings of fact and all supporting documentation has been submitted and is ready for review.

Any recommendations and/or comment submitted by reviewing departments shall be submitted at least seven days before the initial scheduled hearing date.

Each reviewing department shall examine the application and supporting documentation based upon the following, as well as similar criteria:

A. *Department of Planning and Development.*

1. Economic impact.
2. Community need.
3. Trend of development.
4. Demographics.
5. Property values.

B. *Department of Building and Zoning.*

1. Site plan review.
2. Land use and permit review of properties in the vicinity of the proposed use.
3. Lot size.
4. Subdivision regulations.

C. *Department of Transportation and Highways.*

1. Wetland mitigation and compensation.
2. Floodway and floodplain capacity and storage.
3. Drainage detention requirements.
4. Roads, bridges, culverts, driveways, sidewalks, ingress, egress and access control.
5. Subdivision regulations.
6. Drainage, utilities, road easements and dedications.
7. Criteria from other regulatory agencies such as the Metropolitan Water Reclamation District, Illinois Department of Transportation, Illinois Department of Natural Resources, United States Army Corps of Engineers, local fire protection agencies and townships.
8. Erosion and sediment control requirements.

D. *Forest Preserve Districts.*

1. Compatibility of the proposed use with Forest Preserve holdings.
2. Impact on value of Forest Preserve holdings.
3. Future Forest Preserve acquisitions.

E. *Department of Public Health.*

1. Lot sizes for private septic systems and wells.
2. Subdivision regulations.
3. Swimming pools.
4. Public or community well and septic or sewage systems.

5. Health and safety concerns.
- F. *Department of Environment and Sustainability.*
1. Noise and odor regulations.
  2. Soil geology and composition.
  3. Wetland mitigation and compensation.
  4. Discharges of effluent and particulate into the air, land and water.
  5. Criteria from other regulatory agencies such as the Metropolitan Water Reclamation District, Illinois Environmental Protection Agency, Illinois Department of Natural Resources, United States Army Corps of Engineers and United States Environmental Protection Agency.

The Cook County departments' recommendations and comments shall be available to the applicant or its representative, upon request, for review and/or reproduction prior to the hearing date.

*13.7.7. Notice of public hearing.*

- A. Time and place of a public hearing shall be published in a newspaper of general circulation in Cook County not less than 15 days before the hearing. In addition, at least 15 days before the hearing, notice of the hearing shall be posted on the property proposed to be rezoned in such a way as to be plainly visible from the roadway or right-of-way passing the frontage of the property. Notice posted on the property shall be maintained until the date of hearing on a weatherproof sign that is at least three feet by four feet in size. The sign shall have a white background and contain the word "NOTICE" in red capital letters at least six inches high. The remaining lettering shall be in black capital letters a minimum of three inches in height. Notice shall contain at least the following language: "This property is the subject of a rezoning hearing before the Cook County Zoning Board of Appeals on (date) at (time) at (location)."
- B. Written notice shall be served by regular mail and also by certified mail with return receipt requested, at least 15 days before the hearing, by the applicant to the clerk of each municipality within 1½ miles of the property proposed to be rezoned, the clerk of the township in which the property is located, the superintendent of each school district, the township highway commissioner, and the fire chief of the local fire protection district in which the property is located. The applicant shall also serve written notice, by certified mail with return receipt requested, to property owners within 250 feet of the lot line of the subject property, whose names appear on the Cook County tax records, as to the date, time and location of the public hearing. For condominium developments that are located within 250 feet of the lot line of the subject property, only the condominium association shall be served with notice. The notices shall contain the same information as the posted notice and shall also contain the legal description of the property, the common address of the property, the name of the applicant, the applicant's representative and a brief description of the requested map amendment. Applicant shall submit proof of mailing for all required notices.
- C. The applicant shall be responsible for the preparation of both posted and mailed notices and shall be solely responsible for the adequacy and accuracy of the information. The applicant shall also be responsible for placing and maintaining posted notice and for mailing and maintaining records of written notices. The Secretary of the Zoning Board of Appeals shall be responsible for assuring that notice by newspaper publication is given. Supplemental or additional notices shall be published or distributed as prescribed by Zoning Board of Appeals' rules. Applicants shall also file a sworn affidavit with the

Department of Building and Zoning certifying compliance with the notice requirements of this section. All required notices shall be provided at the expense of the applicant.

- D. When the applicant is the President or a member of the Cook County Board of Commissioners, notice shall be served in accordance with this section, by the Zoning Board of Appeals, not less than 15 days nor more than 30 days before a scheduled public hearing. Notice and service requirements shall be in addition to posting and publishing requirements of this article.

*13.7.8. Hearing.*

The Zoning Board of Appeals shall hold a public hearing on each application for a map amendment. An authorized representative of any County department that provided comment on the application shall testify at the hearing if requested by the Zoning Board of Appeals. The hearing shall take place at the Cook County Administration Building unless the Secretary of the Zoning Board of Appeals determines that the County Building has more adequate facilities for such hearing. Provided, that if the owner of any property affected by such proposed map amendment submits a written request to the Zoning Board of Appeals within 14 days of referral by the Cook County Board of Commissioners, Committee on Building and Zoning, such hearing shall be held in the township or road district affected by the terms of such proposed amendment, as provided by State law. Qualified witnesses are required to be present at the hearing on applicant's behalf including but not limited to an MAI Certified Appraiser. A record of proceedings, examinations, and other official actions shall be preserved in the manner prescribed by Zoning Board of Appeals' rules. If there is a judicial proceeding for a violation of any Cook County ordinance involving the subject property, the applicant shall not be entitled to seek, and the Zoning Board of Appeals shall not grant, more than one continuance. Unless the Zoning Board of Appeals provides otherwise, the hearing shall be transcribed by a court reporter. The court reporter shall be of the applicant's choosing. Failure of the applicant to provide a transcript of the hearing(s) within 30 days following the hearing shall void the application. The deadline to submit a transcript may be extended by the Zoning Board of Appeals once, for a maximum of 30 additional days.

*13.7.9. Standards and findings of fact and recommendation of the Zoning Board of Appeals.*

- A. Evidence submitted shall be reviewed by the Zoning Board of Appeals to determine whether the proposed use benefits public health, safety and welfare with respect to the following standards:
  - 1. Uses of surrounding property.
  - 2. Zoning classification of surrounding property.
  - 3. Suitability of the subject property for the use permitted under the existing zoning classification.
  - 4. Trend of development in the area.
  - 5. Length of time the property has been vacant as zoned considered in the context of land development in the surrounding area.
  - 6. Extent to which property values are diminished by particular zoning restrictions.
  - 7. Need in the community for the proposed use.
  - 8. Consistency with the Cook County Comprehensive Land Use and Policies Plan.
- B. Written findings of fact and recommendations to approve or deny the application shall be made by the Zoning Board of Appeals within 60 days after the close of a public hearing on a proposed map amendment and shall be submitted to the Cook County Board of Commissioners. Recommendations and comments of the Cook County Department of

Planning and Development, the Cook County Department of Building and Zoning, the Cook County Department of Transportation and Highways, the Cook County Forest Preserve District, the Cook County Health Department, the Cook County Department of Environment and Sustainability and municipalities within 1½ miles of the subject property and local school and fire protection districts shall be considered and addressed in writing by the Zoning Board of Appeals in its findings and recommendations. The 60-day period may be extended by the Zoning Board of Appeals once, for a maximum of 30 additional days if the Zoning Board of Appeals granted an extension pursuant to this article.

- C. Recommendation for the adoption of a proposed map amendment shall not be made by the Zoning Board of Appeals unless it makes written findings of fact that the proposed use satisfies each of the standards and is in the best interest of the public. In all cases, the recommendations to the Cook County Board of Commissioners are advisory only.

*13.7.10. Action by the Cook County Board of Commissioners.*

- A. Final action shall not be taken on a proposed map amendment by the Cook County Board of Commissioners until the Zoning Board of Appeals' findings of fact and recommendations have been received.
- B. Map amendments shall be approved by a favorable vote of three-quarters of all members of the Cook County Board of Commissioners in cases where the Zoning Board of Appeals has not recommended adoption of a proposed map amendment or where there has been a written protest filed against a proposed map amendment in accordance with this article.
- C. The Cook County Board of Commissioners shall take final action within 60 days of receiving the Zoning Board of Appeals' findings and recommendations.

Decisions reached by the Cook County Board of Commissioners shall take into account the findings and recommendations of the Zoning Board of Appeals.

Map amendments granted by the Cook County Board of Commissioners shall be included in an ordinance passed by the County Board.

*13.7.11. Effect of denial.* An application for a map amendment which has been denied wholly or in part by the Cook County Board of Commissioners shall not be resubmitted for a period of one year from the date of the denial, except on grounds of new evidence or proof of changed conditions found to be valid by the Zoning Board of Appeals.

*13.7.12. Text amendments.* The Cook County Board of Commissioner's home rule authority to amend the text of this ordinance shall not be limited by this article.

**13.8. - Special uses.**

*13.8.1. Purpose.* The development and execution of this ordinance is based upon the division of Cook County into zoning districts. In addition to permitted uses, there are special uses which may be necessary because of the unusual characteristics or services special uses provide to the public. Special uses require case-by-case consideration to determine public need, appropriate location, impact on adjacent, existing or future uses and compatibility to the planned development of the community. Special uses fall into two categories.

- A. Uses publicly operated or traditionally associated with a public interest.
- B. Uses generally consistent with permitted uses which give rise to unique problems or benefits by virtue of their impact on neighboring property, public facilities or Cook County as a whole.

*13.8.2. Initiation.* A special use may be proposed by the President or a member of the Cook County Board of Commissioners or by any person or entity having an interest in the subject property. A special use shall be initiated as provided in this article.

*13.8.3. Notice of application.* Applicants shall, not less than 15 days nor more than 30 days before filing an application, serve written notice of intent to apply for a special use by certified mail with return receipt requested, to the property owners within 250 feet of the lot lines of the subject property. The property owners receiving notice shall be those persons or entities whose names appear on the Cook County tax records. For condominium developments that are located within 250 feet of the lot line of the subject property, only the condominium association shall be served with notice. The number of feet occupied by public roads, streets, alleys, other public ways shall be excluded in computing the 250 feet requirement. Notice need not be sent to owners more than 400 feet from the subject property when public streets, alleys and other public ways are included in the computation. In addition, the applicant shall serve notice to the clerk of each municipality within 1½ miles of the subject property, the superintendent of each local school district, the fire chief of each local fire protection district, the township clerk and township highway commissioner. When the applicant is either the President or a member of the Cook County Board of Commissioners, notice shall be served in accordance with this section, by the Zoning Board of Appeals. Notice shall contain the address of the subject property, a brief statement of the nature of the application, the name and address of the applicant and a statement of the approximate date when the applicant intends to apply. If the property owner on which notice is served cannot be found, or the mailed notice is returned, the notice requirements of this provision shall be deemed satisfied provided the applicant made a bona fide effort to determine the owner's address.

*13.8.4. Application.*

- A. An application for a special use shall be submitted to the Department of Building and Zoning in such form and accompanied by such information as required by the Department of Building and Zoning. The applicant shall file one original and one electronic copy of the application and all supporting documents. The applicant shall include a written statement and evidence establishing that the proposed special use will conform to the standards set forth in this article. The applicant shall attest, and the Department of Building and Zoning shall independently verify, whether there is a judicial proceeding for a violation of any Cook County ordinance pending pertaining to the subject property.
- B. Applicants shall provide a development plan or schedule for phased development of the special use if the special use is not intended to be established within one year. Upon approval, the development plan or schedule for the phased development shall be considered as a limitation and condition on the special use permit.
- C. Applicants shall file with the Department of Building and Zoning a sworn affidavit containing a complete list of the names and last known addresses of the persons served with notice pursuant to [Section] 13.8.3.
- D. Applications shall be accompanied by proposed findings of fact addressing each of the standards in [Section] 13.8.9(A).
- E. Applications shall be accompanied by a fee as established by the Cook County Board of Commissioners in order to be deemed complete.
- F. Applications which fail to comply with this section shall be returned by the Zoning Administrator to the applicant, and the accompanying fee will be reimbursed. The Zoning Administrator may retain one copy of the application and supporting documents.

*13.8.5. Disclosure.* Applicants shall make the following disclosures by sworn affidavit, filed at the time of the application.

A. *Property.*

1. Applicants of property held in a land trust shall disclose the identity of each beneficiary of the trust including the name, address and percentage of interest of each beneficiary.
2. Applicants of property owned by a partnership or association of two or more persons holding a common interest shall disclose the name and address of each partner or associate.
3. Applicants of property owned by a corporation shall disclose the name, address and percentage of ownership interest of shareholders owning five percent or more of the corporation.

B. *Applicant.*

1. Applicants acting as agents or nominees shall disclose their agency relationship and the name and address of the principals, and their interest in the subject property, shall be disclosed. If the principals are not individuals, the identity of the principals shall be disclosed as set forth below.
2. Applicants who are either the President or a member of the Cook County Board of Commissioners shall disclose any ownership interest in the property or any direct or indirect interest in the property and the nature of the interest.
3. Applicants who are partnerships or associations of two or more persons holding a common interest shall disclose the name, address and percentage of ownership interest of each partner or associate having more than a five percent interest.
4. Applicants who are corporations shall disclose the name, address and percentage of ownership interest of shareholders owning five percent or more of the corporation.

*13.8.6. Processing applications.* Upon receipt of a complete application for map amendment, and at least 15 days before a scheduled hearing date, the Department of Building and Zoning shall forward a copy of the application, including the applicant's proposed findings of fact and all supporting documentation, to the Cook County Commissioner in whose district the property is located, and shall notify the Cook County Department of Planning and Development, the Cook County Department of Transportation and Highways, the Cook County Forest Preserve District, the Cook County Department of Public Health, and the Cook County Department of Environment and Sustainability~~Environmental Control~~ that a complete application, including the applicant's proposed findings of fact and all supporting documentation has been submitted and is ready for review. Any recommendations and comments submitted by reviewing departments shall be submitted at least seven days before the initial scheduled hearing date.

Each reviewing department shall examine the application and supporting documentation based upon the following, as well as similar criteria:

A. *Department of Planning and Development.*

1. Economic impact.
2. Community need.
3. Trend of development.
4. Demographics.
5. Property values.

B. *Department of Building and Zoning.*



1. Site plan review.
  2. Land use and permit review of properties in the vicinity of the proposed use.
  3. Lot size.
  4. Subdivision regulations.
- C. *Department of Transportation and Highways.*
1. Wetland mitigation and compensation.
  2. Floodway and floodplain capacity and storage.
  3. Drainage detention requirements.
  4. Roads, bridges, culverts, driveways, sidewalks, ingress and egress and access control.
  5. Subdivision regulations.
  6. Drainage, utilities and road easements and dedications.
  7. Criteria from other regulatory agencies such as the Metropolitan Water Reclamation District, Illinois Department of Transportation, Illinois Department of Natural Resources, United States Army Corps of Engineers, local fire protection agencies and townships.
  8. Erosion and sediment control requirements.
- D. *Forest Preserve District.*
1. Compatibility of the proposed use with Forest Preserve holdings.
  2. Impact on value of Forest Preserve holdings.
  3. Future Forest Preserve acquisitions.
- E. *Department of Public Health.*
1. Lot sizes for private septic systems and wells.
  2. Subdivision regulations.
  3. Swimming pools.
  4. Public or community well and septic or sewage systems.
  5. Health and Safety concerns.
- F. *Department of Environment and Sustainability.*
1. Noise and odor regulations.
  2. Soil geology and composition.
  3. Wetland mitigation and compensation.
  4. Discharges of effluent and particulate into the air, land and water.
  5. Criteria from other regulatory agencies such as the Metropolitan Water Reclamation District, Illinois Environmental Protection Agency, Illinois Department of Natural Resources, United States Army Corps of Engineers and United States Environmental Protection Agency.

The County department's recommendations and comments shall be available to the applicant or its representative, upon request, for review and/or reproduction prior to the hearing date.

*13.8.7. Notice of public hearing.*

- A. Time and place of a public hearing shall be published in a newspaper of general circulation in Cook County not less than 15 days before the hearing. In addition, at least 15 days before the hearing, notice of the hearing shall be posted on the property for which a special use application has been filed in such a way as to be plainly visible from the roadway or right-of-way passing the frontage of the property. Notice posted on the property shall be maintained until the date of hearing on a weatherproof sign that is at least three feet by four feet in size. The sign shall have a white background and contain the word "NOTICE" in red capital letters at least six inches high. The remaining lettering shall be in black capital letters a minimum of three inches in height. Notice shall contain at least the following language: "This property is the subject of a special use hearing before the Cook County Zoning Board of Appeals on (date) at (time) at (location)."
- B. Written notice shall be served by regular mail and also by certified mail with return receipt requested, at least 15 days before the hearing by the applicant to the Clerk of each municipality within 1½ miles of the property for which the special use application has been filed, to the clerk of the township in which the property is located and to the superintendent of each school district, the township highway commissioner, and the fire chief of the local fire protection district in which the property is located. An applicant shall also serve written notice, by certified mail with return receipt requested, to property owners within 250 feet of the lot line of the subject property, whose names appear on the Cook County tax records, as to the date, time and location of the public hearing. For condominium developments that are located within 250 feet of the lot line of the subject property, only the condominium association shall be served with notice. The notices shall contain the same information as the posted notice and shall also contain the legal description of the property, the common address of the property, the name of the applicant, the applicant's representative and a brief description of the requested special use. Applicant shall submit proof of mailing for all required notices.
- C. The applicant shall be responsible for the preparation of both posted and mailed notices and shall be solely responsible for adequacy and accuracy of the information. The applicant shall also be responsible for placing and maintaining posted notice and for mailing and maintaining records of written notices. The Secretary of the Zoning Board of Appeals shall be responsible for assuring that notice by newspaper publication is given. Supplemental or additional notices shall be published or distributed as prescribed by Zoning Board of Appeals' rules. Applicants shall also file a sworn affidavit with the Department of Building and Zoning certifying compliance with the notice requirements of this section. All required notices shall be provided at the expense of the applicant.
- D. When the applicant is the President or a member of the Cook County Board of Commissioners, notice shall be served in accordance with this section, by the Zoning Board of Appeals, not less than 15 days nor more than 30 days before a scheduled public hearing. Notice and service requirements shall be in addition to posting and publishing requirements of this article.

*13.8.8. Hearing.*

The Zoning Board of Appeals shall hold a public hearing on each application for a special use. An authorized representative of any county department that provided comment on the application shall testify at the hearing if requested by the Zoning Board of Appeals. The hearing shall take place at the Cook County

Administration Building unless the Secretary of the Zoning Board of Appeals determines that the County Building has more adequate facilities for such hearing. Qualified witnesses are required to be present at the hearing on applicant's behalf including but not limited to an MAI Certified Appraiser. A record of proceedings, examinations, and other official actions shall be preserved in the manner prescribed by Zoning Board of Appeals' rules. If there is a judicial proceeding for a violation of any Cook County ordinance involving the subject property, the applicant shall not be entitled to seek, and the Zoning Board of Appeals shall not grant, more than one continuance. Unless the Zoning Board of Appeals provides otherwise, the hearing shall be transcribed by a court reporter. The court reporter shall be of the applicant's choosing. Failure of the applicant to provide a transcript of the hearing(s) within 30 days following the hearing shall void the application. The deadline to submit a transcript may be extended by the Zoning Board of Appeals once, for a maximum of 30 additional days.

*13.8.9. Standards and findings of fact and recommendation of the Zoning Board of Appeals.*

- A. Special uses shall not be recommended by the Zoning Board of Appeals unless it makes written findings of fact consistent with the following standards:
  - 1. Establishment, maintenance or operation of the special use will not be detrimental to or endanger public health, safety or general welfare.
  - 2. Establishment, maintenance or operation of the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the uses already permitted, nor diminish and impair property values within the neighborhood.
  - 3. Establishment, maintenance or operation of the special use will not impede the normal and orderly development and improvement of surrounding property for permitted uses.
  - 4. Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.
  - 5. Adequate measures have been, or will be, taken to provide ingress and egress designed to minimize traffic congestion in public streets.
  - 6. Establishment, maintenance or operation of the special use shall in all other respects conform to all Cook County ordinances, unless otherwise authorized by the Cook County Board of Commissioners pursuant to the recommendation of the Zoning Board of Appeals.
- B. Written findings of fact and recommendations to approve or deny the application shall be made by the Zoning Board of Appeals within 60 days after the close of a public hearing on a proposed special use and shall be submitted to the Cook County Board of Commissioners. Recommendations and comments of the Cook County Department of Planning and Development, the Cook County Department of Building and Zoning, the Cook County Department of Transportation and Highways, the Cook County Forest Preserve District, the Cook County Health Department, the Cook County Department of Environment and Sustainability, and municipalities within 1½ miles of the subject property and local school and fire protection districts shall be considered and addressed in writing by the Zoning Board of Appeals in its findings and recommendations. The 60-day period may be extended by the Zoning Board of Appeals for a maximum of 30 additional days if the Zoning Board of Appeals granted an extension pursuant to this article.
- C. Recommendation for the adoption of a proposed special use shall not be made by the Zoning Board of Appeals unless it makes written findings of fact that the proposed use satisfies each of the standards and is in the best interest of the public. In all cases, the recommendations to the Cook County Board of Commissioners are advisory only.

*13.8.10. Conditions and guarantees.* The Zoning Board of Appeals may recommend, and the Cook County Board of Commissioners may impose, conditions and restrictions upon a special use to assure compliance with standards and requirements of this ordinance. The Cook County Board of Commissioners may require evidence and guarantees to ensure that the applicant complies with the conditions and restrictions of the special use. Failure of the applicant to comply with such conditions or restrictions shall constitute a violation of this ordinance.

*13.8.11. Action by the Cook County Board of Commissioners.*

- A. Final action shall not be taken on a proposed special use by the Cook County Board of Commissioners until the Zoning Board of Appeals' findings of fact and recommendations have been received.
- B. Special uses shall be approved by a favorable vote of three-quarters of all members of the Cook County Board of Commissioners in cases where the Zoning Board of Appeals has not recommended adoption of a proposed special use or where there has been a written protest filed against a proposed special use in accordance with this article.
- C. The Cook County Board of Commissioners shall take final action within 60 days of receiving the Zoning Board of Appeals' findings and recommendations.
- D. Decisions reached by the Cook County Board of Commissioners shall take into account the findings and recommendations of the Zoning Board of Appeals.
- E. Special uses granted by the Cook County Board of Commissioners shall be included in an ordinance passed by the County Board.

*13.8.12. Planned unit developments.* A planned unit development shall conform to the requirements in Article 9.

*13.8.13. Effect of denial.* Applications for special uses which have been denied wholly or in part by the Cook County Board of Commissioners shall not be resubmitted for a period of one year from the date of the denial, except on the grounds of new evidence or proof of changed conditions found to be valid by the Zoning Board of Appeals.

*13.8.14. Revocation.* A special use which has been approved but not established on a zoning lot within one year or as otherwise provided by the special use permit shall be null and void. A special use is established on the date of issuance of a building permit or certificate of occupancy, whichever is earliest. The Zoning Board of Appeals shall not have authority to extend the time limitation contained in a special use permit. If a special use is revoked by operation of this provision, and if the special use was granted in conjunction with a map amendment, the map amendment shall be revoked concurrently with revocation of the special use. Upon revocation, zoning of the subject property shall revert to the prior zoning classification unless otherwise authorized by the Cook County Board of Commissioners.

### **13.9. - Fees.**

An application for a map amendment, special use or variation shall be accompanied by a fee established by resolution of the Cook County Board of Commissioners. All fees shall be collected by the Department of Building and Zoning for deposit with the Cook County Treasurer.

### **13.10. - Penalties.**

A person, firm or corporation, or their agents, employees or contractors, who violate, disobey or refuse to comply with, or resist enforcement of any provision of this ordinance shall be subject to a fine of not less than \$100.00 and not more than \$1,000.00 for each offense. Each day a violation continues to exist shall constitute a separate offense and a separate fine.

### **13.11. - Injunctive relief.**

The Department of Building and Zoning shall determine what properties, buildings, uses or structures fail to comply with provisions of this ordinance. The Department of Building and Zoning shall give due notice of existing violations to owners, their agents, lessees, assigns or contractors. Failure to bring violations into compliance with this ordinance shall result in the Department of Building and Zoning using any enforcement authority available to it including referring the violation to the Cook County State's Attorney. The Cook County State's Attorney may file legal action in any court of competent jurisdiction seeking an injunction to require compliance or for such other relief as the State's Attorney deems appropriate.

### **13.12. - Disclosure of beneficiaries of a trust.**

The liabilities imposed by this ordinance shall attach to a trustee under a land trust unless the trustee discloses, in writing, the name and the last known address of each person holding a beneficial interest in the trust.

### **13.13. - Protests by municipalities or property owners.**

The following persons and entities may file written protests pertaining to map amendments, special uses (including planned unit developments and unique uses), and variations and shall have the right to present their comments at a public hearing:

- A. Any owner(s) of any property immediately adjoining the subject property.
  - B. Any owner(s) of any property whose land has frontage across an alley or street from the subject property.
  - C. City Council or Board of Trustee members of a municipality within 1½ miles of the property.
- Protests shall be made by resolution or ordinance.

#### *13.13.1 Rules for written protest.*

- A. Protesting parties must file a written protest with the Secretary of the Zoning Board of Appeals and serve a copy of such protest to the applicant or the applicant's attorney of record by certified mail no later than 20 days after the last public hearing. If the 20th day falls on a weekend or a holiday observed by Cook County, the 20th day shall be considered the next weekday.
- B. Protesting parties shall indicate in their written protest that they have considered the application, the standards of approval, supporting documents and the evidence presented at the hearing.
- C. Reserved.
- D. Protesting parties, or their authorized representative, shall give oral testimony, under oath, if requested by the Zoning Board of Appeals.
- E. Protesting parties must address one or more of the standards upon which the Zoning Board of Appeals is required to base its findings as set forth in this ordinance.
- F. Validity of protest shall be determined by the Cook County Board of Commissioners.

### **13.14. - Adult regulated uses.**

*13.14.1. Regulated uses.* The Supreme Court of the State of Illinois has determined that the purpose of Adult Regulatory Ordinances serves a valid governmental interest. In the development and execution of

this ordinance, it is recognized that there are some uses which, because of their very nature, cause negative secondary effects which have a deleterious effect upon adjacent residential and commercial areas where nurseries, schools, nursing homes, churches and similar uses are located. Zoning and special regulations of adult uses are necessary to ensure that adverse effects will not blight, down-grade or discourage normal development of surrounding neighborhoods. To prevent adult uses from having an adverse effect upon residential and commercial areas, adult uses are permitted only in I-2, I-3 and I-4 Industrial Zoning Districts. Adult uses consist of the following:

- A. Adult booths.
- B. Adult entertainment cabarets.
- C. Adult motion and mini-motion picture theaters.
- D. Adult stores.
- E. Massage parlors.
- F. Massage schools.

*13.14.2. Special provisions.*

- A. Provisions of this ordinance pertaining to adult uses shall not be construed to permit any use or activity that is prohibited by law.
- B. Requirements shall apply to adult booths as set forth below.
  - 1. Booths shall be visible from a well-illuminated continuous main aisle.
  - 2. Booths shall not be obscured by any curtain, door or other enclosure.
  - 3. Booths shall have all side and rear walls without holes or openings.
  - 4. Booths shall not be occupied by more than one patron or person at the same time.
  - 5. Booths shall be illuminated by an incandescent light no less than 25 watts.

## **ARTICLE 14. - RULES AND DEFINITIONS**

### **14.0. - Purpose.**

In the construction of this ordinance and any subsequent amendments, the rules and definitions contained in this article shall be observed and applied, except when the context clearly indicates otherwise.

### **14.1. - Rules.**

*14.1.1.* Words used in the present tense shall include the future.

*14.1.2.* The word "shall" is mandatory.

*14.1.3.* The word "may" is permissive.

*14.1.4.* The word "lot" shall include the words "place" and "parcel."

*14.1.5.* The word "building" shall include the word "structure" and shall include all other improvements of every kind, regardless of similarity to buildings.

*14.1.6.* The phrase "used for" shall include the phrases "arranged for," "designed for," "intended for," "maintained for," and "occupied for."

*14.1.7.* The word "person" shall include a "firm, association, organization, partnership, trust, company or corporation as well as an individual."

14.1.8. The masculine gender includes the feminine and neuter.

## 14.2. - Definitions.

14.2.1. The following words and terms shall have the meaning[s] set forth [in this section], except where otherwise specifically indicated. Words and terms not defined shall have the meaning indicated by common dictionary definition:

*Abut or abutting.* The word "abut" or "abutting" means having a common property line or district line.

*Accessory building or use.* An "accessory building or use" is one which:

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

*Adjacent.* The word "adjacent" means lying near or in the immediate vicinity.

*Adjoining lot.* An "adjoining lot" is one which has part or all of a lot line in common with the subject property.

*Adult booth.* The term "adult booth" means a small enclosed or partitioned area which is:

- A. Designed or used for the viewing of material distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" by one or more persons; and is
- B. Accessible to any person, regardless of whether a fee is charged for access. The term "adult booth" includes, but is not limited to a peep show booth or other booth used to view material distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas".

*Adult entertainment cabaret.* A public or private establishment which features topless dancers, strippers, male or female impersonators or other entertainers who:

- A. Display or simulate the display of, "specified anatomical areas";
- B. Perform in a manner which is designed primarily to appeal to the prurient interest of a patron or person; or
- C. Engage in, or engage in simulation of, "specified sexual activities."

*Adult motion picture theater.* A theater used for presenting material for observation by patrons or persons which is distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas."

*Adult store.* An establishment having adult material as a substantial or significant portion of its stock in trade available for sale, rental, display, viewing or reproduction. Adult material shall mean any of the following, whether new or used:

- A. Books, magazines, periodicals, or other printed material, digitally-stored materials, films, motion pictures, video or audio cassettes, slides, computer displays, or other visual representations or recordings of any kind that are distinguished or characterized by an

emphasis on the exposure, depiction, description or relation to "specified anatomical areas" or the performance or simulation of "specified sexual activities"; or

- B. Instruments, novelties, devices or paraphernalia that are designed for use in connection with "specified sexual activities" or that depicts, describes or resembles "specified anatomical areas."

*Advertising device.* An "advertising device" is any advertising sign, billboard or poster panel which directs attention to a business, commodity, service or entertainment not exclusively related to the premises where such sign is located or to which it is affixed. Advertising device does not include advertising signs, billboards or poster panels which direct attention to the business on the premises or to a brand name of a product or commodity with which the business is specifically identified and which is sold on the premises.

*Agriculture.* The word "agriculture" describes land used for agricultural purposes, including farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, animal and poultry husbandry, truck farming, growing of nursery stock, raising of fruit and berries, beekeeping and the retail sale of products grown or raised on the premises through one growing season. Agriculture also includes necessary accessory uses for packing, treating, or storing the produce. The operation of any such accessory uses however, shall be secondary to that of the normal agricultural activities. {The term} "agriculture" shall not include the commercial feeding of garbage or offal to swine or other animals or operating for the disposal of garbage, sewerage, rubbish or offal. Also, excluded from agriculture are mechanized industrial animal farms, commercially operated greenhouses, commercial milk farms and commercial dog kennels. The minimum land area (farm) necessary to constitute an agricultural use is five acres.

*Agricultural building or structure.* An "agricultural building or structure" is a building or structure existing or erected on land used principally for agricultural purposes, with the exception of dwelling units.

*Airport.* An "airport" is any area of land or water which is used or intended for use for the landing and taking off of aircraft. An airport includes any appurtenant areas which are used, or intended for use, for airport buildings or other airport facilities or rights-of-way, including all necessary taxiways, aircraft storage and tie-down areas, hangars and other necessary buildings and open spaces.

*Alley.* An "alley" is a public right-of-way which normally affords a secondary means of access to abutting property. Frontage on an alley shall not be construed as satisfying the requirements related to frontage on a dedicated street.

*Alteration.* An "alteration" shall mean any change in size, shape, character, occupancy or use of a building or structure.

*Animal hospital.* An "animal hospital" is a structure where animals or pets are given medical or surgical treatment. Use as a kennel, or for other boarding purposes, shall be limited to short-term and fully enclosed boarding and shall only be incidental to such hospital use. Also a "veterinary clinic."

*Animal Shelter.* A facility used to house or contain stray, homeless, abandoned, or unwanted animals and that is owned, operated, or maintained by a public body, an established humane society, animal welfare society, society for the prevention of cruelty to animals, or other nonprofit organization devoted to the welfare, protection, and humane treatment of animals.

*Apartment.* An "apartment" is one or more rooms with a private bath and kitchen facilities comprising an independent, self-contained dwelling unit in a building containing three or more dwelling units.

*Apartment hotel.* An "apartment hotel" is a hotel in which at least 90 percent of the hotel accommodations are occupied by permanent guests.

*Apiary.* A place where bee colonies are kept.

*Appurtenance.* An appurtenance is any visible, functional, or ornamental objects that are accessories to and parts of a structure.



*Area of special flood hazard.* Any base flood area subject to flooding from a river, creek, intermittent stream, ditch, or any other identified channel or ponding and shown on a Flood Hazard Boundary Map or Flood Insurance Rate Map as Zone A, A0, A1-30, AE, A99, AH, VO, V30, VE, V, M, E, D, or X.

*Automobile.* A motor passenger vehicle that is designed for carrying not more than 10 persons.

*Automobile salvage yard.* (See definition of Junk yard.)

*Automobile service station.* An "automobile service station" is any building or premises used for:

- A. Retail dispensing or sales of vehicular fuels and lubricants; or
- B. Servicing and mechanical repair of automobiles including, nonproduction line car washing and sale and installation of lubricants, tires, batteries and similar vehicle accessories.

*Awning.* An "awning" is a roof like cover, temporary in nature, which projects from the wall of a building and overhangs the public way.

*Base flood.* The term "base flood" means a flood having a one percent probability of being equaled or exceeded in any given year. The base flood is also known as the 100-year frequency flood event. Application of the base flood elevation at any location is determined by the Flood Prevention Ordinance of Cook County, Illinois.

*Base flood elevation.* A "base flood elevation," also known as a "regulatory flood elevation", is that surface elevation of the water level at the highest flood of record, except in areas where the elevation of the 100-year flood is depicted. In such cases, the base flood elevation is the elevation of the 100-year flood. The base flood elevation is generally the highest elevation of the base flood and usually marks the line between the land designated in the floodplain as the floodway fringe and the flood table land. The base flood elevation, the floodway and the floodway fringe shall be described by the maps, profiles, elevation data and other sources of information which are listed and on file in the Department of Building and Zoning.

*Basement.* A "basement" is that portion of a building having more than one-half of its height below lot grade.

*Berm.* A "berm" is an earthen mound designed to provide visual interest on a site, screen undesirable views, reduce noise or fulfill other such purposes.

*Block.* A "block" is a tract of land bounded by streets or by a combination of streets and public parks, cemeteries, railroad rights-of-way, bulkhead lines or shorelines of waterways, or boundary lines of Cook County.

*Board of Commissioners.* The "Board of Commissioners" means the Cook County Board of Commissioners.

*Book and stationary store.* An establishment dealing in books, printed material and stationary supplies which is not an adult store.

*Borrow pit.* A "borrow pit" is any place or premises where dirt, soil, sand, gravel or other material is removed ~~by~~ below the grade of surrounding land for any purpose other than that necessary and incidental to site grading or building construction.

*Buffer.* A "buffer" is an area of land, including landscaping, fences and building setbacks, that is located between land uses of different character and a buffer is intended to mitigate negative impacts a more intense use has upon a residential or vacant parcel.

*Buffer yard.* A "buffer yard" is a yard containing materials used to provide sight and sound screening from adjoining properties and rights-of-way. The required height and width of the buffer yard and materials used in its construction vary according to use.

*Building.* A "building" is any structure built for the support, shelter or enclosure of persons, animals, chattels, or movable property of any kind, and which is permanently affixed to the land. A fence is not a building.

*Building, completely enclosed.* A "completely enclosed building" is a building separated on all sides from the adjacent open space, or from other buildings or other structures, by a permanent roof and by exterior walls or party walls, pierced only by windows and normal entrances or exit doors.

*Building, detached.* A "detached building" is a building surrounded by an open space on the same lot.

*Building height.* A "building height" for a principal building is the vertical distance measured from the curb level, or its equivalent opposite the center of the front of the principal building, to the:

- A. Highest point of the underside of the ceiling beams of a flat roof;
- B. Deck line of a mansard roof; or
- C. Mean level of the underside of the rafters between the eaves and the ridge of a gable, hip, shed, gambrel, or any other pitched roof.

Where no curb level has been established, the height of a principal building shall be measured from the mean elevation of the existing lot grade at the front of the principal building.

A "building height" for an accessory building is the vertical distance of an accessory structure measured from the average elevation of the existing grade surrounding the accessory structure to the highest point of the accessory structure.

*Building, principal.* A "principal building" is a nonaccessory building in which a principal use of the lot, on which it is located, is conducted.

*Building, residential.* A "residential building" is a building which is arranged, designed, used or intended to be used for residential occupancy by one or more families or lodgers and which includes, but is not limited to, the following types:

- A. Single-family detached dwellings.
- B. Two-family dwellings.
- C. Multiple-family dwellings.
- D. Single- or two-family attached dwellings in a row developed initially under single ownership or control.

*Bulk.* The term "bulk" means, the standards and controls that establish the size and setbacks of buildings and structures including, but not limited to, the following:

- A. Size and height of buildings.
- B. Location of exterior walls at all levels in relation to lot lines, streets or to other buildings.
- C. Gross floor area of buildings in relation to lot area (floor area ratio).
- D. Open spaces allocated to buildings.
- E. Amount of lot area provided per dwelling unit.

*Car washes.* A building or portion of a building containing facilities for washing motor vehicles using automatic production-line methods, other mechanical devices, or providing space, water, and equipment for hand washing of autos, by either the customer or the operator of the facility.

*Carport.* A "carport" is an open-sided roofed automobile shelter, usually formed by extension of the roof from the side of a building.

*Cemetery, pet.* A "pet cemetery" is a burial ground for domestic animals.

*Character.* The "character" of a structure or area is the special physical characteristics that set it apart from its surroundings and contribute to its individuality.

*Club.* A "club" is a nonprofit association of persons who are bona fide members paying annual dues and who own, hire, or lease land or buildings or a portion thereof. The use of such premises are restricted to members and their guests. The affairs and management of such private club are conducted by a board of directors, executive committee or similar body chosen by the members at their annual meeting. It is permissible to serve food and meals on such premises, provided adequate dining room space and kitchen facilities are available. The sale of alcoholic beverages to members and their guests may be allowed provided it is secondary and incidental to the promotion of some other common objective of the organization and is in compliance with applicable Federal, State and Cook County statutes and ordinances.

*Clustering (of residences).* A "clustering" is a grouping of residential structures around courts, cul-de-sacs or short streets — (more closely than in conventional residential plans) in order to preserve natural site amenities and open space, provided there is no increase in the number of lots permitted in a conventional subdivision or increase in the overall density of development.

*Columbarium.* A "columbarium" is a vault with niches for cinerary urns.

*Common area.* A "common area" is land within a development, not individually owned or dedicated for public use, which is designed and intended for the common use or enjoyment of the residents of the development. May include complementary structures and improvements.

*Common open space.* A "common open space" is land/or water unoccupied by structures, buildings, streets, rights-of-way and automobile parking lots and designed and intended for the use or enjoyment of residents of a planned unit development. Common open space may contain walks, patios and structures for recreational use. Area used for individual open space not available to all residents of a planned unit development, such as private courtyards, shall not be included as common open space.

*Compatible use.* A "compatible use" is a property, use or service which is capable of direct association with certain other uses because it is complimentary, congruous or otherwise nondetrimental.

*Compensatory storage.* An artificially excavated, hydraulically equivalent volume of storage within the special flood hazard areas used to balance the loss of natural flood storage capacity when artificial fill or structures are placed within the floodplain. The uncompensated loss of natural floodplain storage can increase off-site floodwater elevations and flows.

*Conforming building or structure.* A "conforming building or structure" is any building or structure which:

- A. Complies with all the regulations of this ordinance or of any amendments governing bulk for the zoning district in which such building or structure is located; or, is
- B. Designed or intended for a conforming use.

*Consistency compliance, conformance with the comprehensive plan.* All development plans shall be consistent with the intent, purpose, policies and maps contained in the Cook County Land Use and Policies Plan.

*Contiguous.* The word "contiguous" means in contact, adjoining or touching another object or item, as distinguished from being adjacent.

*Cultural center.* A "cultural center" is a structure used to provide services to the public such as, but not limited to, museums, art galleries and libraries.

*Curb level.* The "curb level" for any building is the level of the established curb in front of the building measured at the center of the front. Where no curb elevation has been established, the mean elevation of the finished lot grade immediately adjacent to a building shall be considered the "curb level."

*Day care center.* A "day care center" is any licensed facility operated for the purpose of providing care, protection and supervision to individuals during only part of a 24-hour day. This term includes nursery schools, preschools and other similar uses, but excludes public and private educational facilities or any facility offering care to individuals for a full 24-hour period.

*Density, gross.* The "gross density" is the numerical value obtained by dividing the total number of dwelling units in a development by the gross area of the tract of land (in acres) within a development. This would include all nonresidential land uses and private streets of the development as well as rights-of-way of dedicated streets. The result is the number of dwelling units per gross acre of land.

*Density, net.* "Net density" is the numerical value obtained by dividing the total number of dwelling units in a development by the area of the actual tract of land (in acres) upon which the dwelling units are proposed to be located and including private streets, common open space and associated recreational facilities within the area. The result is the number of dwelling units per net residential acre of land. Net density calculations exclude right-of-way of publicly dedicated streets.

*Detention.* A "detention" is the temporary on-site restraining of stormwater.

*Development.* All manmade changes to improved or unimproved real estate including, but not limited to, construction, of buildings or other structures, substantial improvements to buildings or other structures, placement of mobile homes, mining, dredging, filling, grading, paving and excavation or drilling operations.

*Development right.* A "development right" is the difference between the density which is allowed under existing zoning and that which actually exists on any given parcel of land. A development right is expressed in suitable units such as dwelling units per acre or square feet of building area. In residential districts the development right is the total number of residential units allowed minus any existing units. In commercial or industrial districts the development right is total floor area allowed in square feet minus any existing floor area. For inter-district development right transfer (i.e. residential to commercial), floor area shall be used for calculation purposes.

*District.* A "district" is a portion of the territory of Cook County within which certain uniform regulations and requirements, or various combinations thereof, apply under the provisions of this ordinance.

*Drip line.* A "drip line" is an imaginary vertical line that extends from the outermost branches of a tree's canopy to the ground.

*Drive-in establishment.* A "drive-in establishment" is one which provides or is designed to provide, either wholly or in part, for parking of patrons' automobiles from which the occupants may receive services, obtain goods or be entertained.

*Driveway.* A "driveway" is a pathway for motor vehicles from a street to a structure used for service purposes or for access to the structure only.

*Dwelling.* A "dwelling" is a building, or portion thereof, designed or used exclusively for residential occupancy, including single-family dwellings, two-family dwellings and multiple-family dwellings, but not including mobile homes, hotels or motels.

*Dwelling, converted.* A "converted dwelling" is any building which was originally designed for one type of residential use but which has been altered or changed to another type of residential use.

*Dwelling, detached.* A "detached dwelling" is one which is entirely surrounded by open space on the same lot.

*Dwelling, multiple-family.* A "multiple-family dwelling" is a building, or portion thereof, containing three or more dwelling units originally constructed for multiple-family use.

*Dwelling, single-family.* A "single-family dwelling" is a building containing only one dwelling unit and occupied by only one family.

*Dwelling, two-family.* A "two-family dwelling" is a building containing only two dwelling units, designed for two families to live independently of each other, and occupied by not more than two families.

*Dwelling unit.* A "dwelling unit" consists of one or more rooms which are arranged, designed or used as living quarters for only one family. Individual bathrooms and complete kitchen facilities, permanently installed, shall be included in each "dwelling unit."

*Earth sheltered home.* A dwelling unit structure as defined in the Cook County Building Ordinance.

*Easement.* An "easement" is a grant by a property owner for the use of land by the public, a corporation, or persons for specific purposes as ingress and egress, the construction of utilities, drainage ways and roadways.

*Educational institutions.* An "educational institution" is a public, parochial, private or charitable, or nonprofit school, junior college, or university, other than trade or business schools, including instructional and recreational uses, with or without living quarters, dining rooms, restaurants, heating plants, and other incidental facilities for students, teachers, and employees.

*Efficiency unit.* An "efficiency unit" is a dwelling unit consisting of one principal room exclusive of bathroom, kitchen, hallway, closets or dining alcove directly off the principal room, provided such dining alcove does not exceed 125 square feet in area.

*Eleemosynary institution.* An "eleemosynary institution" is a building or group of buildings devoted to and supported by charity.

*Engineered Mounting Structure:* A structure on which solar photovoltaic system components are mounted. The structure shall be made of pre-fabricated materials and designed using industry standards. The sole purpose of the structure is to support components in a solar photovoltaic system. No unfinished materials shall be used in an engineered mounting structure.

*Environmental Mitigation Plan.* A comprehensive report that describes the natural features and characteristics of a proposed development site, the changes that will occur as a result of the proposed development activities on the site, the anticipated environmental impacts and consequences of the proposed development, and the mitigation measures to be taken to minimize undesirable impacts to the environment.

*Environmentally sensitive.* An "environmentally sensitive" area is a parcel which exhibits one or more of the following characteristics:

- A. Portions of the parcel lie within those areas identified as environmentally sensitive on a map approved by the Board of Commissioners in its Comprehensive Land Use Plan adopted April 6, 1999, and amended September 22, 1999, and by this ordinance.
- B. Portions of the parcel lie within the jurisdictional wetlands under the jurisdiction of the U.S. Army Corps of Engineers.
- C. Portions of the parcel lie within the regulatory floodplain or floodway or flood fringe as designated on the maps adopted by Cook County.
- D. Thirty-three percent or more of the site contains mature hardwood vegetation.
- E. Thirty-three percent or more of the site has topographic relief in excess of ten percent.

*Establishment, business.* A "business establishment" is a place of business carrying on operations, the ownership and management of which are separate and distinct from those of any other place of business

located on the same zoning lot. Direct access to each "business establishment" shall be separate and distinct from direct access to any other business establishment and in no case shall there be access to one such establishment from within another such establishment.

*Extended care facility.* An "extended care facility" is a long-term facility or a distinct part of a facility licensed or approved as a nursing home, home for the aged or a governmental medical institution.

*Fallout shelter.* A "fallout shelter" is an accessory building and use designed for the protection of life from radioactive fallout.

*Family.* A "family" consists of one or more persons each related to the other by blood, marriage or adoption (including foster children), together with such relatives of the respective spouses who are living with the family in a single dwelling and maintaining a common household. A family may also be composed of not to exceed three persons not so related, provided that such unrelated persons live in a single dwelling and maintain a common household and a single housekeeping unit. A family includes any domestic servants and not more than one gratuitous guest residing with family. Servants or guest shall be included, not in addition to, the unrelated persons provided in this definition.

*Farm.* A "farm" is land being used for agriculture purposes.

*Fence.* A "fence" is a structure which is a barrier and is used as a boundary, screen, separation, means of privacy, protection or confinement and is constructed of wood, plastic, metal, wire mesh, masonry or other similar material.

*Fence, natural.* A "natural fence" is a fence made of natural growth, such as trees, deciduous shrubs and evergreens.

*Fence, open.* An "open fence" is a fence, including gates, which has for each one-foot-wide segment extending over the entire length and height of the fence, 60 percent of the surface area in open spaces which afford a direct view through the fence.

*Fence, solid.* A "solid fence" is a fence, including gates, which conceals from the view of adjoining properties, streets or alleys the activities conducted behind the fence.

*Filtration plant.* A "filtration plant" includes the mechanical process that removes particulate matter by separating water from solid material, usually by passing it through sand.

*Flood.* A general and temporary condition of partial or complete inundation of normally dry land areas from overflow of inland or tidal waves, or the unusual and rapid accumulation or runoff of surface waters from any source.

*Flood frequency.* A period of years, based on a statistical analysis, during which a flood of a stated magnitude may be expected to be equaled or exceeded.

*Flood fringe.* That portion of the floodplain outside of the delineated floodway.

*Flood insurance rate map (FIRM).* A map prepared by FEMA that depicts the Special Flood Hazard Areas (SFHA) within a community. This map includes insurance rate zones and floodplains and may or may not depict floodways.

*Flood insurance study (FIS).* An examination and evaluation of hydrologic and hydraulic data sponsored by the Federal Insurance Administration to determine base flood flows, elevations, areas and floodways. This FIS also determines flows, elevations and areas of flood having lesser and greater frequencies of occurrence.

*Flood of record.* An actual historical flood event for which sufficient records are available to establish its extent. No uniform probability of occurrence is associated with floods of record. However, the probability of occurrence may be determined for the event at specific locations.

*Flood (100-Year).* A flood magnitude with a one percent statistical chance of being equaled or exceeded during any year. A flood this large would be reached once during a 100-year period, on the average. However, the occurrence of such an event does not diminish the chance of its reoccurring again at any time.

*Flood profile.* A "flood profile" is a graphical representation of the elevations of the water surface of the 100-year flood along the watercourses of unincorporated Cook County.

*Flood protection elevation.* The elevation of the base flood or 100-year frequency flood plus two feet of freeboard at any given location in the SFHA.

*Flood return period.* A period of years, based on a statistical analysis, during which a flood of a stated magnitude may be expected to be equaled or exceeded.

*Flood table land.* The term "flood table land" is the continuous land area adjacent to the floodplain, having an elevation no greater than two feet nor less than one foot above the base flood elevation.

*Floodplain.* That land typically adjacent to a body of water with ground surface elevations at or below the base flood or the 100-year frequency flood elevation. Floodplains may also include detached Special Flood Hazard Areas, ponding areas, etc. The floodplain is also known as the Special Flood Hazard Area (SFHA).

- A. Floodplains are those lands within the jurisdiction of Cook County that are subject to inundation by the base flood or 100-year frequency flood. The SFHA's of Cook County are generally identified on the countywide Flood Insurance Rate Map for Cook County number 170316 prepared by the Federal Emergency Management Agency and dated November 6, 2000.
- B. SFHA's of those parts of unincorporated Cook County that are within the extraterritorial jurisdiction of a City or Village, or that may be annexed into a City or Village, are generally identified as such on the Flood Insurance Rate Map prepared for Cook County by the Federal Emergency Management Agency (or the U.S. Department of Housing and Urban Development).

*Floodproofing.* The term "floodproofing" means any combination of structural and nonstructural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

*Floodway.* A "floodway" is the channel of watercourse and those portions of the adjoining floodplains which are required to carry and discharge the 100-year flood with no significant increase in the base flood elevation.

*Floodway encroachment lines.* The lateral boundaries of the floodway which separate it from the floodway fringes.

*Floodway fringe.* A "floodway fringe" is that portion of the floodplain which is immediately adjacent to the floodway. Although this area is prone to flooding, it is not used to transport flood water flows. The highest elevation of the floodway fringe is coterminous to the highest elevation of the floodplain.

*Floor area (for determining area ratio).* The "floor area" of a building is the sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings. The floor area of a building shall include basement floor area when more than one-half of the basement height is above the established curb level or above the finished lot grade level where curb level has not been established, elevator shafts and stairwells at each floor, floor space used for mechanical equipment (except equipment, open or enclosed, located on the roof), penthouses, attic space having headroom of seven feet, six inches or more, interior balconies and mezzanines, enclosed porches, and floor area devoted to accessory uses. However, any space devoted to off street parking or loading shall not be included in "floor area". The "floor area" of structures devoted to

bulk storage of materials, including, but not limited to, grain elevators and petroleum storage tanks shall be determined on the basis of height in feet; i.e., ten feet in height shall equal one floor.

*Floor area ratio (F.A.R.).* The "floor area ratio" is the floor area of the building or buildings on the zoning lot divided by the area of such zoning lot or, in the case of planned unit developments, by the gross site area exclusive of dedicated streets. The floor area ratio requirements shall determine the maximum floor area allowable for the building or buildings (total floor area of both principal and accessory buildings) in direct ratio to the gross area of the zoning lot.

*Freeboard.* The term "freeboard" means an increment of elevation added to the base flood elevation to provide a factor of safety for uncertainties in calculations, future watershed development, unknown localized conditions, wave actions and unpredictable effects such as those caused by ice or debris jams.

*Frontage.* The "frontage" is all the property fronting on one side of a street between the two nearest intersecting streets, measured along the line of the street or, if dead ended, then all of the property abutting on one side between an intersecting street and the dead end of the street.

*Frontage, zoning lot.* The "frontage of a zoning lot" is all the property of such zoning lot fronting on a street, and measured between side lot lines.

*Grade.* The "grade" is the average level of the finished surface of the ground adjacent to the exterior walls of the building or structure.

*Grading.* The term "grading" means a reshaping of natural land contours, using natural land materials such as soil, gravel, sand or black dirt, for the purpose of eliminating erosion or sedimentation problems, creating or improving surface drainage, providing for the natural aesthetic contouring of property or to accommodate a building plan by making minor changes in land elevation.

*Group home.* A "group home" is a facility located in a residential district which is occupied on a permanent basis by a group of not more than six unrelated persons with disabilities in a family-like environment. Group home facilities are allowed only when licensed by the appropriate state and/or local agency.

*Guesthouse.* A "guesthouse" is a detached accessory building located on the same zoning lot as the principal building and containing living quarters for temporary guests. Guesthouse quarters shall not be rented.

*Guests, permanent.* A "permanent guest" is a person who occupies, or has the right to occupy, a hotel or apartment hotel accommodation as a domicile and place of permanent residence.

*Heliport.* A "heliport" is an area of land, water and/or a structure or building which is used or intended for use for the landing and taking off of helicopters, and any appurtenant areas which are used or intended for use for heliport buildings or other heliport facilities or rights-of-way, including all necessary pads, helicopter storage and tie-down areas, hangars, and other necessary buildings and open spaces.

*Home occupation.* A "home occupation" is an occupation or profession, practiced by a member of the family residing on the premises, and which occupation is clearly incidental and secondary to the residential use of the dwelling provided that:

- A. No more than 15 percent of the total floor area of any one story is used to store commodityies intended for sale or use elsewhere;
- B. No more than one person is either employed, or serves as an independent contractor other than members of the family residing on the premises;
- C. No mechanical or electrical equipment is used, except such as is permissible for purely domestic or household purposes;
- D. No accessory building is used for such home occupation purposes; and



- E. No more than 25 percent of the total floor area of any one story is used for home occupation purposes.

The residence of a professional person may be used by that professional for consultation, emergency treatment of performance of religious rites.

*Home rule.* "Home rule" is the principle under which certain local governments including Cook County are broadly authorized by Illinois law to enact laws, rules and regulations relating to their own property, affairs and government.

*Hospital.* A "hospital" is an institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions, and including, as an integral part of the institution, related facilities, such as laboratories, outpatient facilities, training facilities, medical offices and staff residences. The term hospital as used in this ordinance does not apply to institutions operating primarily for treatment of mental illness and alcohol addiction or other types of cases necessitating restraint of patients. The term hospital shall not include intermediate, extended, or long term care facility.

*Hotel.* A "hotel" is an establishment which is open to transient guests, in contradistinction to a boarding house, lodginghouse, or apartment hotel, and is commonly known as a hotel in the community in which it is located. Hotels provide customary services such as maid service, furnishing and laundering of linen, telephone and secretarial or desk services, use and upkeep of furniture, and bellboy service.

*Hydrostatic pressure.* The upward pressure exerted on floor slabs or an entire structure by standing water or groundwater which tends to float a structure or crack the floor. It is based on the difference in elevation between the surface level of the water and the structure on which it is acting. Hydrostatic pressure may also be horizontal, imposing forces on walls causing them to crack or fail.

*Impervious surface.* Any synthetic surface that does not readily absorb or retain water, including, but not limited to, areas covered by principle and accessory buildings, parking and driveway areas, roads, sidewalks, and any area of concrete asphalt including paved recreation areas. In the case of lumberyards, areas where lumber is stored also constitutes impervious surfaces.

*Incompatible use.* An "incompatible use" is a use or service which is incapable of direct association with certain other uses because it is contradictory, incongruous or discordant.

*Industrial animal farm.* An "industrial animal farm" is a mechanized farm operation, confined to a limited amount of space, to raise animals or poultry under controlled conditions of food, water and exercise.

*Inorganic material.* An "inorganic material" is one made from substances composed of matter other than plant, animal or certain chemical compounds or carbon, such as metals and glass.

*Integrated center.* An "integrated center" is a grouping of compatible uses on a single zoning lot, such uses being in single ownership or under unified control.

*Intermediate care facility.* An "intermediate care facility" is a facility that routinely provides, personal care, including dressing, eating and health related care and services to individuals who require such assistance but who do not require the degree of care and treatment that a hospital or skilled nursing facility provides.

*Junk car.* An automobile, truck or other motor vehicle which has been damaged to such an extent that it cannot be operated under its own power and will require major repairs before being made usable, or a vehicle which does not comply with State or Cook County statutes or ordinances.

*Junk yard.* A "junk yard" is an open area where junk, waste, scrap, discarded or salvaged 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 automobile wrecking or salvage yards, house wrecking yards, used lumber yards and places or yards for storage of salvaged house

wrecking and structural steel materials and equipment. A junk yard does not include uses established entirely within enclosed buildings.

*Kennel, commercial.* A "commercial kennel" is any premises or portion thereof on which more than three dogs, cats or other domestic animals over six months of age are kept, boarded, bred, or cared for, in return for remuneration, or are kept for the purpose of sale.

*Lake.* A "lake" is any natural or manmade body of water surrounded by land.

*Landfill, solid waste.* A "solid waste landfill" is the depositing of strictly inorganic nonputrescible materials and earth on a site that is below the normal elevation of adjacent lands for the purpose of bringing the site up to the average grade of adjacent parcels. This operation may be run as a business or may be noncommercial in nature. This type of landfill does not include normal grading of land prior to development.

*Landfill, dump.* A "dump landfill" is the uncontrolled depositing of refuse on a site without adequate control of the operation.

*Landfill, sanitary.* A "sanitary landfill" is a site for waste disposal of nonhazardous and nonmedical farm, residential, commercial or industrial waste, using sanitary land filling techniques.

*Limited access highway.* A "limited access highway" is a traffic way, including expressways and toll roads for through traffic, in respect to which owners or occupants of abutting property or lands and other persons have no legal right of access, except at such points and in such manner as may be determined by the public authority jurisdiction over such traffic way.

*Live entertainment.* The term "live entertainment" means any musical act (including karaoke), theatrical act (including stand-up comedy), play, revue, scene, dance act or song and dance act, or any combination thereof, performed by one or more persons, whether or not they are compensated for the performance. Live entertainment applies to privately owned premises that are open to the public, whether or not admission is charged.

*Livestock.* Animal customarily kept for the purpose of providing food, clothing, or work.

*Lodge.* A "lodge" is a hall or meeting place of a local branch or the members composing such a branch of a fraternal order, or society, such as the Masons, Knights of Columbus, Moose, American Legion and other similar organizations. It is permissible to serve food and meals on such premises, provided adequate dining room space and kitchen facilities are available. The sale of alcoholic beverages to members and their guests is to be allowed provided it is secondary and incidental to the promotion of some other common objective by the organization, and is in compliance with applicable Federal, State and Cook County statutes and ordinances.

*Lodging room.* A "lodging room" is a room rented as sleeping and living quarters, but without cooking facilities and with or without an individual bathroom. In a suite of rooms without cooking facilities, each room which provides sleeping accommodations shall be counted as one lodging room for the purpose of this comprehensive amendment.

*Lodginghouse.* A "lodginghouse" is a building originally designed for or used as a single-family dwelling, all or a portion of which contains lodging rooms which accommodate persons who are not members of the operator's family. Lodging or meals, or both, are provided for compensation on a weekly or monthly basis.

*Long-term care facility.* A "long-term care facility" is an institution or a distinct part of an institution that is licensed or approved to provide health care under medical supervision for twenty-four or more consecutive hours to two or more patients.

*Lot.* A "lot" is a zoning lot, except as the context shall indicate a lot of record, in which case a "lot" is a lot of record.

*Lot, buildable area.* The "buildable area" of a zoning lot is the space remaining on a zoning lot after the minimum open space requirements of this ordinance have been complied [with].

*Lot, corner.* A "corner lot" is a lot situated at the intersection of two streets, the interior angle of such intersection not exceeding 135 degrees.

*Lot, interior.* An "interior lot" is a lot other than a corner or reversed corner lot.

*Lot, reversed corner.* A "reversed corner lot" is a corner lot the street side lot line of which is substantially a continuation of the front lot line of the first lot to its rear.

*Lot, through.* A "through lot" is a lot having a pair of opposite lot lines along two more or less parallel public streets and which is not a corner lot. On a through lot both street lines shall be deemed front lot lines.

*Lot, zoning.* A "zoning lot" is a single tract of a land, under unified ownership or control, located within a single block, which is used or occupied for any principal use. A "zoning lot" shall consist of:

- (1) A single lot of record; or
- (2) A combination of abutting complete lots of record.

*Lot area, gross.* The "gross lot area" is the area of a horizontal plane bounded by the front, side and rear lot lines.

*Lot coverage.* The "lot coverage" of a lot is area of a lot occupied by the principal and accessory buildings.

*Lot depth.* The "lot depth" is the mean horizontal distance between the front lot line and the rear lot line of a lot, measured within the lot boundaries.

*Lot frontage.* The "lot frontage" is that boundary of a lot along a public or private street.

*Lot line.* A "lot line" is a property boundary line of lot. When a lot extends to an abutting street or alley, the lot line shall be the closest street or alley line.

*Lot line, front.* The "front lot line" shall be that boundary of a lot which is along an existing or dedicated public lot which is along an existing or dedicated public street or, where no public street exists, is along a public way; where such public way is not a dedicated street the right-of-way of such public way shall be deemed to be 66 feet, unless otherwise provided. On a corner lot the lot line having the shortest length abutting a street line shall be the front lot line.

*Lot line, rear.* The "rear lot line" shall be that boundary of a lot which is most distant from, and is, or is most nearly, parallel to the front lot line.

*Lot line, side.* The "side lot line" shall be any boundary of a lot which is not a front lot line or a rear lot line.

*Lot of record.* A "lot of record" is a lot which is a part of a Subdivision or a parcel of land the plat of which has been recorded in the Office of the Recorder of Deeds of Cook County or registered in the Office of the Registrar of Titles of Cook County prior to the effective date of this zoning ordinance.

*Lot width.* The "lot width" is the mean horizontal distance between the side lot lines of a lot, measured within the lot boundary.

*Luminance.* The photometric measure of luminous intensity per unit area of light traveling in a given direction. Luminance is measured in candelas per square meters or "nits."

*Map Amendment.* An amendment to the zoning map which modifies a property's zoning designation.

*Marquee or canopy.* A "marquee or canopy" is a roof-like structure of a permanent nature which projects from the wall of a building and overhangs the public way.

*Massage.* The performance of manipulative exercises upon the human body of another by rubbing, kneading, stroking or tapping with the hand or hands, or with any mechanical or bathing device.

*Massage parlor.* A place, establishment or facility where a massage is made available.

*Massage school.* A place, establishment or facility which provides instructions in the theory, method and practice of massage.

*Medical Cannabis Cultivation Center.* "Medical cannabis cultivation center," or "cultivation center" means a facility operated by an organization or business that is registered by the Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis, as defined in 410 ILCS 130/10(e).

*Medical Cannabis Dispensing Organization.* "Medical cannabis dispensing organization", or "dispensing organization", or "dispensary organization" means a facility operated by an organization or business that is registered by the Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients, as defined in 410 ILCS 130/10(o).

*Mezzanine.* A "mezzanine" is an intermediate or fractional story between the floor and ceiling of a main story used for a purpose accessory to the principal use. A mezzanine is usually just above the ground or main floor and extends over only part of the main floor.

*Micron.* A "micron" is a unit of length equal to 1/1,000 part of a .001 millimeter.

*Mobile home.* See definition set forth in Mobile Home Park Ordinance of Cook County [Chapter 110, Article II of the Code].

*Mobile home park.* See definition set forth in Mobile Home Park Ordinance of Cook County [Chapter 110, Article II of the Code].

*Moderate burning material.* A "moderate burning material" is a material which in itself does not support combustion and which is consumed slowly as it burns.

*Motel.* A "motel" is an establishment consisting of a group of attached or detached living or sleeping accommodations with bathroom and closet space, located on a single zoning lot. Motels are designed for use by transient motor vehicle tourists, and provide for parking space adjacent to a sleeping room. A motel furnishes customary hotel services such as maid service and laundering of linen, telephone and secretarial or desk service, and the use and upkeep of furniture. In a motel less than 20 percent of the living and sleeping accommodations are occupied or designed for occupancy by persons other than transient motor vehicle tourists.

*Motion or Moving.* The depiction of movement or change of position of text, images or graphics. Motion or moving shall include, but not be limited to, visual effects such as dissolving and fading text and images, travelling, running sequential text, graphic bursts, lighting that resembles zooming, twinkling or sparkling, changes in light or color, transitory bursts of light intensity, moving patterns or bands of light, expanding or contracting shapes, and similar actions.

*Motor freight terminal.* A "motor freight terminal" is a building or area in which freight brought by motor truck is assembled and/or stored for routing in intrastate and interstate shipment by motor truck.

*Motor vehicle.* A "motor vehicle" is any passenger vehicle, motorcycle, recreational vehicle, truck, truck-trailer or semi-trailer propelled or drawn by mechanical power.

*Nameplate.* A "nameplate" is a sign indicating the name and address of a building, the name of an occupant of a building and/or the practice of a permitted occupation in a building.

*Nits.* A unit of measurement of brightness or luminance. One nit is equivalent to one candela per square meter.

*Nonconforming building or structure.* A "nonconforming building or structure" is any building or structure or portion thereof lawfully existing at the time of adoption of this ordinance, or any subsequent amendment, which:

- A. Does not comply with all of the regulations of this ordinance, or of any subsequent amendment, for the zoning district in which such building or structure is located; or
- B. Is designed or intended for a nonconforming use.

*Nonconforming lot.* A "nonconforming lot" is a lot of record which when recorded met the minimum lot area and other dimension requirements of the zoning ordinance of Cook County, but through subsequent amendments to such ordinances or other acts of a public body, has become a lot of record in conflict with the minimum lot area and/or other dimension requirements of Cook County.

*Nonconforming use.* A "nonconforming use" is any use of land, buildings or structures lawfully existing at the time of adoption of this ordinance, or any subsequent amendment, which use does not comply with the permitted uses in the zoning district in which such use is located.

*Nonputrescible material.* A "nonputrescible material" is a material or substance not subject to decomposition or decay.

*Octave band.* An "octave band" is a means of dividing the range of sound frequencies into octaves in order to classify sound according to pitch.

*Octave band filter.* An "octave band filter" is an electrical frequency analyzer designed according to standards formulated by the American Standards Association and used in conjunction with a sound level meter to take measurements in specific octave intervals.

*Odorous matter.* An "odorous matter" is any matter that yields an odor which is offensive in any way.

*Ordinance(s).* Any reference to "ordinance(s)" shall be construed as meaning any applicable Cook County ordinance. Reference to "this ordinance" shall be construed as meaning the Cook County Zoning Ordinance of 2001.

*Organic material.* An "organic material" is a material or substance composed of chemical compounds of carbon in combination with other chemical elements (often hydrogen) and generally manufactured in the life processes of plants and animals. Organic substances include paper, wood, food and plastic as well as the waste products of these and similar materials.

*Particulate matter.* A "particulate matter" is material, other than water, which is suspended in or discharged into the atmosphere in a finely divided form as a liquid or ~~solid~~.

*Performance standard.* A "performance standard" is a criterion established to control noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazards or glare or heat generated by, or inherent in, uses of land or buildings. The more frequently used performance criteria include:

- A. Active to intense burning is the rate of combustion described by materials that burn with a high degree of activity and are consumed rapidly. Examples include sawdust, powdered magnesium and pyrozylin.
- B. Closed cup flash point is the lowest temperature at which a combustible liquid, under prescribed conditions, will give off a flammable vapor which will burn momentarily.

- C. Decibel is a unit which describes the sound pressure level or intensity of sound. A sound level meter is calibrated in decibels.

*Pets.* Animals customarily kept for pleasure or enjoyment, rather than for utility. Pets have the following characteristics: a special and close relationship with humans; partial or total dependence on humans; and, bred to live inside a residence in close proximity with humans without requiring extraordinary restraint or causing unreasonable disruption. Feral Cats are not "pets."

*Planned unit development (PUD).* A "planned unit development" is a tract of land which is developed as a unit under single ownership or unified control, which includes one or more principal buildings or uses, and is processed under the planned unit development provisions of this ordinance.

*Planned unit development plat.* A "planned unit development plat" is a drawing or map made to measurable scale upon which is presented a description and definition of the way in which the design requirements of the planned unit development are to be met. A plat is intended for recording with the Cook County Recorder of Deeds.

*Portable Storage Container.* Portable storage container means any container designed for the outdoor storage of personal property which is typically rented to owners or occupants of property for their temporary use on the exterior of the property and which is delivered to the property and removed by vehicle.

*Private water supply.* A "private water supply" is any facility which furnishes water for general domestic purposes which serves less than ten separate lots or premises.

*Property lines.* "Property lines" are the lines bounding a zoning lot, as defined herein.

*Public way.* A "public way" is any sidewalk, street, alley, highway, pedestrian way, pathway, channel, viaduct, subway, bridge, easement, right-of-way, or other way in which the public has a right of use.

*Pumping station.* A "pumping station" is a station at which sewage, stormwater or water is pumped to a higher level.

*Railroad right-of-way.* A "railroad right-of-way" is a strip of land with tracks and auxiliary facilities for track operation, but not including freight depots or stations, loading platforms, train sheds, warehouses, car or locomotive shops, or railroad car yards.

*Recording (of a document).* A "recording" shall mean to officially record a document in the Office of the Cook County ~~Clerk~~ Recorder of Deeds or when it was applicable, to have registered a document (in Torrens) with the Cook County Registrar of Titles.

*Recreation Cannabis Production Center.* "Recreational cannabis production center" means a facility operated by an organization or business that is registered by the Department of Agriculture to cultivate, process, transport, and perform other necessary activities to provide cannabis and cannabis-infused products to cannabis business establishments.

*Recreational Cannabis Dispensing Organization.* "Recreational cannabis dispensing organization", or "dispensing organization", or "dispensary organization" means a facility operated by an organization or business that is licensed by the Department of Financial and Professional Regulation to acquire cannabis from a cultivation center, craft grower, processing organization, or another dispensary for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia, or related supplies.

*Recreation club.* A "recreational club" is a nonprofit association of persons who are bona fide members paying annual dues and who own, hire, or leases land or buildings or a portion thereof. The use of such premises are restricted primarily to the principal use, which is a generally recognized sport or recreational activity. The premises shall be restricted to members and their guests. The affairs and management of such recreational clubs are conducted by a board of directors, executive committee or similar body chosen by the members at their annual meeting. It is permissible to serve food and meals on such premises, provided

adequate dining room space and kitchen facilities are available. The sale of alcoholic beverages to members and their guests is allowed provided it is secondary and incidental to the promotion of some recognized sport or recreational activity and is in compliance with applicable Federal, State, and Cook County statutes and ordinances.

*Reservoir.* The term "reservoir" is commonly applied to waters held in storage in either artificial or natural basins and impoundments primarily for a source of water for power, municipal, industrial domestic or flood control uses.

*Reservoir parking.* A "reservoir parking" facility provides off-street parking spaces for automobiles awaiting entrance to a particular establishment.

*Retention.* A "retention" is the permanent on-site maintenance of storm water.

*Ringelmann Chart.* The "Ringelmann Chart" is one which is described in the U.S. Bureau of Mines Information Circular 6888, on which are illustrated graduated shades of grey for use in estimating the light-obscuring capacity of smoke.

*Ringelmann Number.* The "Ringelmann Number" is the number appearing on the Ringelmann Chart ascribed by the observer to the density of the smoke emission. Where the density of light obstructing capacity of the smoke as observed falls between two consecutive Ringelmann Numbers, the lower Ringelmann Number shall be considered the density of the smoke observed.

*Risk premium rate zones.* A "flood hazard area" is designated according to the degree of flooding an area would experience during a base flood. The symbols used to designate these zones are as follows:

- A. "A"-Areas of 100-year flood; base flood elevation and flood hazard factors not determined.
- B. "AO"-Areas of 100-year shallow flooding where depths are between one and three feet; average depths of inundations are shown, but no flood hazard factors are determined.
- C. "AH"-Areas of 100-year shallow flooding where depths are between one and three feet; base flood elevations are shown, but no flood hazard factors are determined.
- D. "A1"-Areas of 100-year flood; base flood.
- E. "A30"-elevations and flood hazard factors determined.
- F. "B"-Areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood (medium shading).
- G. "C"-Areas of minimal flooding (no shading).

*Riverine.* A "riverine" relates to, is formed by or resembles a river (including tributaries), stream, creek or brook.

*Roadside stand.* A "roadside stand" is a structure erected for the display and sale of agricultural products. Agricultural products are generally grown on site or on other premises owned or used by the operator of the roadside stand. There are two distinct types of roadside stand operations:

- A. *Accessory roadside stand.* An "accessory roadside" stand is located on the same premises as a farm which is in conformance with this ordinance. All products or produce not grown on land owned by the operator of the roadside stand must be certified by the Cook County Zoning Board of Appeals as being of a purely agricultural nature. An accessory roadside stand may be no more than one story in height nor may it contain more than 500 square feet of retail floor area.

- B. *A commercial roadside stand.* A "commercial roadside" stand is located apart from a functioning farm, and it generally sells products which are grown off the premises. It must be located in a commercial zoning district and comply with all site and structure provisions of the applicable zoning district. A commercial roadside stand may sell up to five products not of an agricultural nature if so authorized by the Zoning Board of Appeals.

*Sanitary landfill.* See Landfill, sanitary.

*Sanitary land filling.* A "sanitary land filling" is an engineered method of waste disposal where the waste is spread in thin layers, compacted to the smallest practical volume and covered with earth and/or sod at the end of each working day, or more frequently, as conditions warrant.

*Setback.* A "setback" is the minimum horizontal distance between the building or structure and any lot line.

*Sewage treatment plant.* A "sewage treatment plant" includes any method, construction, device or appliance appurtenant thereto, used for the purpose of treating, neutralizing, stabilizing, disinfecting or disposing of sewage, industrial waste or other wastes, or for the recovery of by-products from such sewage, industrial wastes or other wastes.

*Shed.* Shed means an accessory structure, used for storage purposes only, that do not exceed ten feet in height and 200 square feet in ground area.

*Short-term Rental.* The entire rental of a dwelling unit or mobile home, or portions thereof, intended to house individuals who are not the dwelling owner nor lease executed tenant, for compensation as a business for a period at least twenty-four (24) hours but not exceeding 30 consecutive calendar days.

*Short-term Rental Guest.* A person who rents or occupies a short-term rental.

*Short-term Rental Host.* Owner(s) or lease executed tenant(s) of a dwelling unit engaged in providing short-term rentals.

*Short-term Rental, Non-Supervised.* A dwelling unit that is used as a Short-term Rental where the host is not present during a Short-term Rental Guest's length of stay.

*Short-term Rental, Supervised.* A dwelling unit that is used as a Short-term Rental where the host is present during a Short-term Rental Guest's length of stay.

*Sign.* A "sign" is a name, identification, description, display or illustration which is affixed to or placed directly or indirectly upon or adjacent to buildings, structures or zoning lots and which directs attention to objects, products, places, activities, persons, institutions, organizations or businesses. However, signs shall not include any display of official court or public office notices nor shall signs include flags, emblems or insignias of nations, political units, schools or religious groups. Signs as defined here do not include signs located completely within an enclosed building.

*Sign, advertising.* An "advertising sign" is a sign which directs attention to businesses, commodities, services or entertainment.

*Sign, billboard.* A "billboard sign" is a sign that directs attention to a business, person, activity, commodity, product, good, service, or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

*Sign, identification.* An "identification sign" is a sign which states the name of the residents, businesses, developments or establishments, and/or the address of the buildings or developments, and/or the occupation of the residents or tenants, but which do not contain any advertising.

*Sign, dynamic image display.* Any sign, or portion thereof, with characteristics that appear to have movement or that appear to change, caused by any method other than physically removing and replacing the sign or its components, whether the apparent movement or change is in the display,



the sign structure itself, or any other component of the sign. This includes a display that incorporates a technology or method allowing the sign face to change the image without having to physically or mechanically replace the sign face or its components. This also includes any rotating, revolving, moving, blinking, or animated display and any display that incorporates rotating panels, LED lights manipulated through digital input, "digital ink" or any other method or technology that allows the sign face to present a series of images or displays.

*Sign, illuminated.* An "illuminated sign" is a sign with a source of illumination that is a fundamental part of the sign.

*Sign, indirectly illuminated.* An "indirectly illuminated sign" is a sign with a source of illumination which is accessory to the sign and where such source of illumination is intended to indirectly illuminate such sign.

*Sign, novelty.* A "novelty sign" is a banner, flag, pennant, object, streamer or other attention-getting device or display including, but not limited to, inflated objects which are attached to buildings or property.

*Sign, off-premises.* An "off-premises sign" means any sign that relates to a business, person, activity, good, product, service or facility which is unrelated to the principal use on a zoning lot.

*Sign, on-premises.* An "on-premises sign" means any sign that relates to a business, person, activity, good, product, service or facility which is related to the principal use on a zoning lot.

*Sign, portable.* A "portable sign" means any sign that is not permanently attached to the ground, structure or building and which is designed to be transported.

*Sign, sign face area.* The "sign face area of a sign" shall be the entire area within a single continuous perimeter enclosing the extreme limits of the sign.

*Sign, temporary.* A "temporary sign" means any sign which contains information which is not of a permanent character, or the physical features of such sign, such as its structure, is not of a permanent character, or both. Such signs include, but are not limited to, political signs, garage sale signs, real estate signs, and for rent signs, but do not include novelty signs.

*Sign, traffic.* A "traffic sign" means a sign which directs or guides a person to a facility intended to serve the public, including entrances, exits, restrooms, public telephones, walkways, parking areas and similar facilities. Traffic signs shall not identify an establishment or other goods and services available at an establishment and shall not contain advertising messages.

*Similar use.* A "similar use" is a property, use or service possessing physical and/or activity characteristics which resemble certain other uses.

*Slow burning or incombustible materials.* "Slow burning" or "incombustible" material identifies materials which do not in themselves constitute an active fuel for the spread of combustion. A material which will not ignite, nor actively support combustion during an exposure for five minutes at a temperature of 1,200 degrees Fahrenheit, shall be designated "incombustible".

*Smoke unit.* A "smoke unit" is the number obtained when the smoke density in Ringelmann number is multiplied by the time of emission in minutes. For the purpose of this calculation, a Ringelmann density reading shall be made at least once a minute during the period of observation, each reading is then multiplied by the time in minutes during which it was observed. The various products are then added together to give the total number of smoke units observed during the entire observation period.

*Solar, Photovoltaic Building Integrated (BIPV): Building Integrated Photovoltaics (BIPV)* A BIPV system is defined as a solar PV system where the solar collector units are integrated into the principal structure, rather than considered an accessory to the structure. The BIPV system typically replaces or

substitutes an architectural or structural element of the structure. Examples of BIPV electric systems are those where solar collector units are built into roofing materials, skylights, windows, and awnings.

*Solar, Photovoltaic (PV) Free Standing System:* A solar PV system produces electricity for the principal use of the property on which the solar electric system is located. The solar PV system is considered an accessory structure to the principal structure. The components of a solar PV system that are governed by this policy are not limited to solar collector units, as this policy also governs any other component installed as part of a solar PV system. Components: The components of a solar electric system that are relevant to the zoning policy include:

1. Solar collector units (series of photovoltaic (PV) cells, typically configured in standard panel assemblies that are roof mounted)
2. Solar collector mounting structures (pole and gantry bracketing hardware, trays, ballasting, etc.)
3. System wiring (includes all cables, conduit, etc.)
4. Other electrical equipment (junction boxes, inverters, disconnect switches, meters, etc.)

*Solar, Photovoltaic (PV) Roof Mounted System:* A solar PV system produces electricity for the principal use of the property on which the solar electric system is located. The solar PV system is considered an accessory structure to the principal structure. The components of a solar PV system that are governed by this policy are not limited to solar collector units, as this policy also governs any other component installed as part of a solar PV system. Components: The components of a solar electric system that are relevant to the zoning policy include:

1. Solar collector units (series of photovoltaic (PV) cells, typically configured in standard panel assemblies that are roof mounted)
2. Solar collector mounting structures (bracketing hardware, trays, ballasting, etc.)
3. System wiring (includes all cables, conduit, etc.)
4. Other electrical equipment (junction boxes, inverters, disconnect switches, meters, etc.)

*Sound level.* A "sound level" of an operation or use is the intensity of sound, measured in decibels, produced by such operation or use.

*Sound level meter.* A "sound level meter" is an instrument designed to measure sound pressure levels and constructed in accordance with the requirements for General Purpose Sound Level Meters published in the American National Standards Institute Standard No. 81.4-1971 or its latest revision.

*Sound pressure level.* A "sound pressure level" is the intensity of a sound, measured in decibels.

*Specified anatomical areas.* A "specified anatomical area" is defined as:

- A. Anatomical areas if less than completely and opaquely covered by a bathing suit, blouse, shirt, dress, pants, leotard or other wearing apparel or fabric.
  1. Any portion of the genitals or pubic region.
  2. Any portion of the buttocks.
  3. Female breast(s) below a horizontal line across the breast at a point immediately above the top of the areola, including the entire lower portion of the female breast, but shall not include any portion of the cleavage of the female breast.
- B. Genitals in a discernible turgid state, even if completely and opaquely covered.

- C. Paint, latex or other nonfabric coverings shall not satisfy the requirement of coverage, irrespective of whether the coverage is complete or opaque.

*Specified sexual activity.* A "specified sexual activity" is defined as:

- A. Human genitals in a state of sexual stimulation or arousal.
- B. Acts of human masturbation, sexual intercourse or sodomy.
- C. Fondling or other erotic touching of human genitals, pubic regions, buttocks or female breasts.

*Stable, private.* A "private stable" is a detached accessory building for the keeping of horses owned by the occupants of the premises and not kept for remuneration, hire or sale.

*Stables, commercial.* A "stable, commercial" is the grounds and buildings where horses are bred, raised, boarded or kept for remuneration, hire or sale.

*Stables, noncommercial.* A "stable, noncommercial" is the grounds and buildings designed, arranged, used or intended to be used for the boarding, keeping or housing of horses for the private use of the owner. All such uses shall be operated as not-for-profit facilities.

*Stream.* A "stream" is any natural, artificial or channelized water course that transports continuous or periodic flowing water.

*Street.* A "street" is a public or private right-of-way which affords a primary means of access to abutting property, but excepting driveways to buildings.

*Structural alteration.* A "structural alteration" is any change, other than incidental repairs, which would prolong the life of the supporting members of a building, such as the addition, removal or alteration of bearing walls, columns, beams, girders, or foundations.

*Structure.* A "structure" is an assembly of materials forming a construction for occupancy or use, including but not limited to buildings, stadia, reviewing stands, platforms, antenna towers, observation towers, radio towers, windmills, open sheds, shelters, coal silos, gas or liquid storage tanks, display signs, piers, fences and trestles.

*Substantial improvement.* A "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of a building commences, whether or not that alteration affects the external dimensions of the structure.

*Substantial improvements in a floodable area.* Any repair, reconstruction or improvements to the external dimensions of a structure which cost 50 percent or more of the market value of the structure (either before the improvement has begun or after it has been completed) is considered "substantial improvements in a floodable area". Any repair, reconstruction or improvements to a structure that has been damaged and is being restored which cost 50 percent or more of the market value of the structure before the damage occurred is considered substantial improvements in a floodable area. The term substantial improvements in a floodable area, however, does not include:

- A. Improvements of a structure to comply with existing state or local health, sanitation or safety code specifications necessary to assure safe living conditions,
- B. Alterations to a structure or site documented as deserving preservation by the Illinois Department of Conservation or listed on the National Register of Historic Places. No improvement shall result in an increase by more than 20 percent of the square footage of land area occupied by currently existing real estate improvements.

*Surface water elevation.* The "surface water elevation" is the normal water level elevation of a lake, stream or stream bed as depicted on United States Geological Survey (U.S.G.S.) floodplain topographic

maps. If surface water elevation datum specified by the Illinois Department of Transportation, Division of Water Resources is more current than U.S.G.S. floodplain topographic maps, Division of Water Resources information may be used.

*Telecommunications carrier, wireless communication transmitting and receiving facility.* A "telecommunications carrier, wireless communication transmitting and receiving facility" is a facility which consists of a combination of improvements and equipment, including but not limited to towers, antennas, wires, electrical cabinets, and foundations, that is operated pursuant to applicable federal licenses and includes antenna devices by which signals are transmitted and/or received.

*Temporary buildings or yards.* Temporary buildings or yards are structures used for construction materials and equipment, both incidental and necessary to construction in the zoning district.

*Temporary Construction Trailer.* Structures used to accommodate temporary offices during and in conjunction with a construction project, provided that such structures shall not be used as a dwelling and shall be removed upon the completion of the permitted work.

*Temporary Sales Office.* Structures used for the sale or rental of real property in the development in which the structure is located; such structures shall not be used as a dwelling.

*Tent.* A "tent" is any structure or enclosure, the roof of which and/or one-half or more of the sides, are constructed of silk, cotton, canvas, fabric or a similar light material.

*Text Amendment.* A change in the development standards in one or more zoning districts.

*Theater.* An establishment used to observe films and other visual material which is not an adult motion picture theater.

*Three-component measuring system.* A "three-component measuring system" denotes instrumentation which can measure earthborn vibrations in three directions, that is, vibration occurring in a horizontal as well as a vertical plane.

*Toxic or noxious substances.* Any solid, liquid or gaseous matter, including but not limited to gases, vapors, dusts, fumes and mists containing properties which by chemical means are inherently harmful and likely to destroy life and impair health or are capable of causing injury to the well-being of persons or damage to property are considered "toxic or noxious substances."

*Trailer-camper parks.* A "trailer-camper park" is a residential facility designed, used or intended to be used to accommodate the over-night or temporary location, hookup or use of its facilities for travel trailer, camp trailer and recreation vehicles.

*Transitional residence.* A temporary residential living arrangement for persons who are receiving therapy or counseling for purposes which include, but are not limited to:

- A. Drug or alcohol addiction.
- B. Imprisonment including pre-release, work-release, and probationary programs.
- C. Family and school adjustment problems which require special attention and care in order to achieve personal independence.
- D. Victims of domestic abuse.

*Truck (Commercial).* Any vehicle greater than 10,000 lbs and / or class 4 through 13 in the Illinois Vehicle Code used for the transport of commercial goods, materials, equipment, supplies, towing and hauling.

*Twirl Time.* The time it takes for the static text, images or graphics on a dynamic image display sign to change to different text, images or graphics.

*Unified control.* The combination of two or more tracts of land wherein each owner has agreed that his tract of land shall be developed as part of a planned unit development and shall be subject to the control applicable to the planned unit development.

*Use.* The "use" of property is the purpose or activity for which the land or building is designed, arranged or intended, or for which it is occupied or maintained, and shall include any manner of performance of such activity with respect to the performance standards of this ordinance.

*Use, permitted.* A "permitted use" is a use which may be lawfully established in a particular district, provided it conforms with all requirements, regulations and performance standards (if any) of such district.

*Use, principal.* A "principal use" is the main use of land or buildings as distinguished from a subordinate or indicates otherwise accessory use. A principal use may be either permitted or special.

*Use, special.* A "special use" of land or buildings, or both, described in this ordinance is a use subject to special provisions because of unique characteristics that do not allow the use to be properly classified as a permitted use.

*Variance.* A "variance" means a grant of relief from the requirements of this ordinance which permits construction in a manner that would otherwise be prohibited by this ordinance.

*Vibration.* A "vibration" is the periodic displacement, of earth, measured in inches.

*Warehouse.* A "warehouse" is a structure, or part of a structure or area used principally for the storage of goods and merchandise.

*Waste transfer facility.* A "waste transfer facility" is a facility where solid waste from collection vehicles is consolidated and temporarily stored for subsequent transport to a permanent disposal site.

*Water supply system, individual.* The "individual water supply system" of a building or premises consists of the water service pipes, water distribution pipes and the necessary connecting pipes, fittings, control valves and all appurtenances in or adjacent to the building or premises.

*Water supply system, public.* A "public water supply system" means collectively all property involved in a water utility, including land, water sources, collection systems, dams and hydraulic structures, distribution systems and other appurtenances, pumping stations, treatment works and general properties, or any parts thereof.

*Watercourse.* A river, stream, creek, brook, branch or other drainageway into which storm water runoff and floodwaters flow either regularly or intermittently.

*Waterworks.* A "waterworks" refers to and includes a waterworks system in its entirety or any integral part thereof, including hydrants, meters, valves, standpipes, storage tanks and all other elements useful in connection with a water supply or water distribution system.

*Well.* A "well" is an underground source of water made accessible by drilling or digging to the level of the water table.

*Wholesale establishment.* A "wholesale establishment" is a business establishment engaged in selling to retailers or jobbers rather than consumers.

*Yard.* A "yard" is an open space, on the same zoning lot with a building or structure, unoccupied and unobstructed from its lowest level to the sky, except as otherwise permitted in Article 8. A yard extends along a lot line, to a depth or width specified in the yard requirements for the zoning district in which the zoning lot is located.

*Yard, corner side.* A "corner side yard" is a side yard which faces a public street.

*Yard, front.* A "front yard" is a yard extending along the full length of the front lot line between the side lot lines.

*Yard, interior side.* An "interior side yard" is a side yard which is located immediately adjacent to another zoning lot or to an alley separating such side yard from another zoning lot.

*Yard, rear.* A "rear yard" is a yard extending along the full length of the rear lot line between the side lot lines.

*Yard, side.* A "side yard" is a yard extending along a side lot line from the front yard to the rear yard.

*Yard, transitional.* A "transitional yard" is a yard which must be provided on a commercial zoning lot which adjoins a zoning lot in a residence district, or that yard which must be provided on an industrial zoning lot which adjoins a zoning lot in either a Residence or Business District.

*Zero lot line residence.* A detached single-family dwelling unit which is built to one of the side lot lines. A "zero lot line residence" is generally constructed within a planned unit development or when clustering residential units.

*Zoning administrator.* The "zoning administrator" is a person appointed by the President of the Board of Commissioners who is vested with administrative responsibilities regarding this ordinance. The Office of the Zoning Administrator is wholly contained within the Cook County Department of Building and Zoning.

*Zoning board.* The "Zoning Board" is the Zoning Board of Appeals of Cook County.

*Zoning district.* A "zoning district" is a sections or sections of the unincorporated territory of Cook County for which the regulations and requirements governing use, lot and bulk of buildings and premises are uniform.

**Effective date:** This ordinance shall be in effect immediately upon adoption. |