



AGENDA
REGULAR ZONING BOARD MEETING
Public Meeting Room, Village Hall
Tuesday, August 12, 2014
7:00 p.m.

Reasonable accommodations or auxiliary aids will be provided to enable persons with disabilities to effectively participate in any public meetings. Please contact the Village Administrative Office (847.883.8600) 48 hours in advance if you need any special services or accommodations.

CALL TO ORDER

1.0 ROLL CALL

2.0 APPROVAL OF MINUTES

- 2.1 Approval of the Minutes of the Zoning Board Meeting held on Tuesday, July 8, 2014.

3.0 GENERAL BUSINESS

- 3.1 PUBLIC HEARING regarding proposed Text Amendments to Title 6, Zoning, of the Lincolnshire Village Code to establish zoning regulations on the establishment and operation of medical cannabis-related uses (Village of Lincolnshire).
- 3.2 PUBLIC HEARING regarding proposed Text Amendments to Chapter 2, Definitions, Chapter 5D, Mixed Use General Residence District, Chapter 6, Business Districts, and Chapter 8, Office/Industrial Districts, of Title 6 of the Lincolnshire Village Code to revise the Permitted Uses and Special Uses permitted within the Village's commercial and office zoning districts (Village of Lincolnshire).
- 3.3 Consideration and discussion of Amendments to the 2012 Update to the Comprehensive Plan (Village of Lincolnshire).

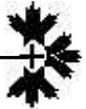
4.0 UNFINISHED BUSINESS

5.0 NEW BUSINESS

6.0 CITIZEN COMMENTS

7.0 ADJOURNMENT

The Zoning Board will not proceed past 10:30 p.m. unless a motion is made and approved by a majority of the Zoning Board members to extend the meeting one-half hour to 11:00 p.m. Any agenda items or other business that are not addressed within this time frame will be continued to the next regularly scheduled Zoning Board Meeting.



UNAPPROVED Minutes of the **REGULAR MEETING OF THE ZONING BOARD** held on Tuesday, July 8, 2014, in the Public Meeting Room in the Village Hall, One Olde Half Day Road, Lincolnshire, IL.

PRESENT: Chairman Manion, Members Kalina, Leider, Van de Kerckhove and Bichkoff.

ALSO PRESENT: Stephen Robles, Village Planner.

ABSENT: Trustee Liaison Brandt.

CALL TO ORDER: **Chairman Manion** called the meeting to order at 7:00 p.m.

1.0 ROLL CALL

The roll was called by **Village Planner Robles** and **Chairman Manion** declared a quorum to be present.

2.0 APPROVAL OF MINUTES

2.1 Approval of the Minutes of the Zoning Board Meeting held Tuesday, June 10, 2014.

Member Bichkoff moved and **Member Van de Kerckhove** seconded the motion to approve the minutes of the Regular Meeting of the Zoning Board held Tuesday, June 10, 2014, as submitted. The motion passed unanimously by voice vote.

3.0 ITEMS OF GENERAL BUSINESS:

3.1 CONTINUED WORKSHOP to discuss proposed Text Amendments to the Lincolnshire Village Code to establish zoning regulations on the establishment and operation of medical cannabis-related uses (Village of Lincolnshire).

Village Planner Robles presented Staff's memorandum indicating at the June Zoning Board meeting, an initial workshop was held to obtain input and feedback regarding the Compassionate Use of Medical Cannabis Pilot Program Act for potential zoning regulations in Lincolnshire. There were five items that came out of the June Workshop:

The first item regarded appropriate zoning districts, where the Zoning Board agreed dispensing organizations would be most appropriately located in Office/Industrial zoned parcels. Such would be comparable to many Lake County communities which were also limiting these uses to industrial-zoned districts. **Village Planner Robles** presented the Staff prepared maps identifying O/I districts within the Village, with the second map illustrating the available and vacant properties within the O/I districts.

Member Leider questioned if the separation from pre-existing public or private schools could extend beyond 1,000 feet. **Village Planner Robles** clarified the 1,000 foot separation was a requirement of the Compassionate Use of Medical Cannabis Pilot Program Act, and if the Zoning Board sought to increase the separation beyond the State Act, the Zoning Board would need to demonstrate the increase was due to

negative impacts on the community based on such use. **Member Van de Kerckhove** clarified only three dispensary organizations could be located in Lake County, therefore, there might not be a need to add any further separation. **Member Leider** questioned if the Village wanted to encourage such uses in the community. Based on the answer, it would affect how the regulations would be formed. **Chairman Manion** explained the Village does not have the ability to prohibit such uses based on the State Act, therefore, reasonable zoning regulations must be developed.

Following discussion regarding dispensary organization restrictions and the Staff prepared location maps, the Zoning Board concluded the O/Id subdistrict was the most appropriate zoning district for such uses.

Based on the discussion of Item 1, the Zoning Board moved to Item 4 of the Staff memorandum. **Village Planner Robles** explained Staff added draft language to require the 1,000-foot minimum separation between any two dispensary organizations as requested by the Zoning Board at the June workshop. He directed attention to the Available Site Locations Map and explained which available sites would be eliminated based on the draft language and noted the Village Attorney had expressed concern that the separation would eliminate most of the few sites available. **Member Leider** responded if one dispensary would be allowed in the Village, why it would matter if an additional dispensary would locate in the Village. **Member Kalina** noted his preference to have dispensary organizations near each other, rather than being dispersed throughout the Village. **Member Van de Kerckhove** noted his support for removing the added requirement for separation between any two dispensary organizations, which the Zoning Board was in agreement.

Village Planner Robles continued with Item 2 regarding separation from additional land uses and questioned if the additional separation for parks and religious facilities requested by the Zoning Board at the June workshop was necessary. As requested by the Zoning Board, the provided map had been prepared to illustrate the additional 1,000 foot separation from Village parks and religious facilities for Zoning Board analysis.

The Zoning Board unanimously agreed that the location of Village parks and religious facilities extended well beyond the 1,000 foot separation based on the location of O/Id zoned parcels and requested Staff remove the additional separation requirements.

Village Planner Robles proceeded with Item 3 on whether a dispensary should be permitted as a single-tenant or permitted within a multi-tenant building. He also noted Zoning Board requested input from Lincolnshire Police if single-tenant occupancy is preferred over multi-tenant spaces. **Village Planner Robles** noted Chief of Police Kinsey did not believe one building type provided a benefit over the other. However, given the previous discussion of Item 1, which limited these uses to the O/Id subdistrict, the zoning district already prohibited multi-tenancy.

The Zoning Board unanimously agreed to limit dispensary organizations to single-tenant occupancy.

Village Planner Robles moved to Item 5 regarding the prohibition on the sale of non-medical related paraphernalia within dispensary organizations. At the June workshop, the Zoning Board was in agreement with the prohibition on the sale of non-medical related paraphernalia from dispensary organizations and the attached Draft Zoning Regulations included such prohibition.

There being no further comments, there was a consensus amongst the Zoning Board for Staff to schedule a Public Hearing for the August meeting on draft text amendments regarding the establishment of medical cannabis-related uses.

- 4.0 UNFINISHED BUSINESS (None)
- 5.0 NEW BUSINESS (None)
- 6.0 CITIZENS COMMENTS (None)
- 7.0 ADJOURNMENT

There being no further business, **Chairman Manion** sought a motion for adjournment. **Member Kalina** moved, and **Member Leider** seconded the motion to adjourn. The meeting adjourned at 7:48 p.m.

Minutes Submitted by Stephen Robles, Village Planner.

REQUEST FOR BOARD ACTION
Zoning Board
August 12, 2014

Subject:	Compassionate Use of Medical Cannabis Pilot Program Act
Action Requested:	PUBLIC HEARING of proposed Text Amendments to Title 6, Zoning, of the Lincolnshire Village Code to provide zoning regulations for the establishment and operation of medical cannabis-related uses.
Originated By/Contact:	Stephen Robles, Village Planner Department of Community & Economic Development
Referred To:	Zoning Board

Background:

- The Compassionate Use of Medical Cannabis Pilot Program Act was signed into law in August 2013 and became effective on January 1, 2014 (Public Act 98-122). The statute allows for the establishment of medical cannabis dispensaries and cultivation centers, and the prescribing of medical cannabis to registered patients throughout Illinois. The new Act does not permit communities to prohibit these uses through zoning.
- The Zoning Board has conducted workshops on June 10th and July 8th to discuss reasonable zoning regulations on the establishment of such uses in the Village. The attached Draft Code amendments are a result of the workshop meetings.
- To avoid conflicts between the State's then-pending administrative rules and Lincolnshire zoning regulations, a six month moratorium to monitor the rule making progress was enacted by the Village on March 10th (expiring on September 10th).
- The State has since published their Administrative Rules, and these have been taken into account during the Zoning Board's workshop process.

Summary:

- Zoning Definitions (6-2-2): Two definitions are proposed based on the new terminology established by the State Act. These terms replicate the State Act for consistency purposes.
- O/I District Zoning Regulations (6-8-6): The Zoning Board agreed Dispensary Organizations were not comparable to a general retail pharmacy use permissible in the "B" Commercial districts and determined Office/Industrial zoned parcels were better suited to dispensing organization operations (see attached available site locations map). Locating dispensing organizations in the O/I district would compare favorably with many Lake County communities who have also limited these uses to industrial-zoned properties.

Given their unique characteristics, Dispensary Organizations would be a Special Use in the O/Id subdistrict, subject to twelve regulations. The majority of regulations follow the State Act which have the most direct impact on zoning-related matters. These have been repeated in the Zoning Code for Staff unfamiliar with the entirety of the State Act.

- Lot Requirements (6-8-7): Each authorized Special Use in the O/I District includes specific lot requirements. Staff has included Dispensary Organizations to the current list for consistency. The minimum O/Id lot requirements would apply.
- Off-Street Parking (6-11-3): With the inclusion of this new use in the Zoning Code, off-street parking requirements must also be established. It is anticipated Dispensary Organizations will generate similar parking demands to drugstores/pharmacy uses; therefore, the parking requirement of 1 space/175 SF of office/lobby space would apply. Additionally, the storage area of medical cannabis will also generate employee parking. The parking requirements for

warehouse uses of 1 space/2,000 SF of warehouse/storage space would be required in addition to the office/lobby space of these centers.

Recommendation:

Approval of text amendments to Title 6 of the Zoning Code to establish zoning regulations on the establishment and operation of medical cannabis-related uses.

Motion:

Having made findings based on facts covered in a Public Hearing held on August 12, 2014, the Zoning Board recommends approval to the Village Board of amendments to Title 6 of the Lincolnshire Zoning Code to establish zoning regulations on the establishment and operation of medical cannabis-related uses, as presented in Staff's memorandum, and further subject to. . .

{Insert any additional conditions or modification desired by the Zoning Board}

Attachments:

- Draft Zoning Regulations, prepared by Staff.
- Prohibited Site Locations for Dispensing Organizations Map.
- Available Site Locations for Dispensing Organizations Map.

Meeting History	
Initial Referral at Village Board (COW):	January 13, 2014
Zoning Board Workshop:	June 10, 2014
Zoning Board Workshop:	July 8, 2014.
Current Zoning Board (Public Hearing):	August 12, 2014

DRAFT Zoning Regulations

August 12, 2014 Zoning Board

Definitions **(Sec. 6-2-2)**

CULTIVATION CENTER: A facility operated by an organization or business registered by the Department of Agriculture to perform necessary activities to provide only registered medical cannabis Dispensing Organizations with usable medical cannabis. No available parcels in the Village of Lincolnshire permitting Cultivation Centers due to separation requirements of the Compassionate Use of Medical Cannabis Pilot Program Act (Illinois Public Act 098-0122).

DISPENSARY ORGANIZATION: A facility operated by an organization or business registered by the Illinois 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.

Zoning Regulations

6-8-6: SPECIAL USES: ~~ALL SUBDISTRICTS:~~

Unless otherwise stated, the following Special Uses shall be permitted in all sub-districts of this Chapter:

- A. Commercial activities intended to provide service to office and industrial uses established in the district and employees thereof, including but not limited to vehicle fueling stations which may include vehicle washes as a special accessory use, restaurants, private clubs, convention and exhibition halls, motels and hotels, and car rental outlets.
- B. Public utility facilities including transportation facilities, structures and buildings (bus turnarounds, bus waiting shelters, but excluding heliports) telephone exchanges, transmission buildings and equipment, telephone booths, electric distribution substations, natural gas equipment and distribution facilities.
- C. Parking garages.
- D. Meeting and Events Center, as defined in Section 6-2-2 of this Zoning Code. (Ord.14-3309-35)
- E. Clinics (Medical), as defined in Section 6-2-2 of this Zoning Code, excluding urgent care facilities and/or surgical centers; provided that the cumulative off-street parking spaces for all uses operated on or from the premises, shall be provided in accordance with the minimum requirements listed in Section 6-11-3(B) of this Zoning Code, and subject to the following conditions:

1. In the O/Ia subdistrict, in any building on a zoning lot with frontage on an arterial highway (including but not limited to; Aptakisic Road, Half Day Road, and Milwaukee Avenue) there shall be no limitation on the proportion of clinic to non-clinic uses, irrespective of which floor the clinic(s) are located;
2. In the O/Ia subdistrict, in any building on a zoning lot without frontage on an arterial highway, no more than 25% of the gross floor area of a building shall be occupied by clinics, irrespective of which floor the clinics are located; and
3. In all other O/I subdistricts, no more than 25% of the gross floor area of a building shall be occupied by clinics, irrespective of which floor the clinics are located. (Amd. Ord. 07-33011-39, eff. 11/26/07)

F. Dispensary Organization, as defined in Section 6-2-2 of this Zoning Code, subject to the following:

1. Shall be permitted in O/Id subdistrict only.
2. Shall comply with all provisions of the Compassionate Use of Medical Cannabis Pilot Program Act (Illinois Public Act 098-0122), Department of Financial and Professional Regulation, and Illinois Department of State Police.
3. Shall not be located within 1,000 ft. of the property line of a pre-existing public or private preschool or elementary or secondary school, day care center, day care home, group day care home, or part day child care facility.
4. Shall not be permitted in multiple-tenant property and/or structure.
5. Drive-through facilities are prohibited.
6. Shall operate for a minimum of 35 hours a week, between 6:00 AM and 8:00 PM, local time, and shall not operate uninterrupted for a 24 hour period.
7. The display of medical cannabis, medical cannabis infused products, medical cannabis paraphernalia, or similar products shall not be visible for public view from the exterior of the Dispensary Organization.
8. Consumption of cannabis on the property of a Dispensary Organization shall be prohibited.
9. Shall obtain a Registration from the Department of Financial and Professional Regulation. A current copy of such registration shall be submitted to the Lincolnshire Police and Community and Economic Development Departments at all times.
10. A Certificate of Occupancy must be obtained from the Department of Community and Economic Development prior to operation.
11. The sale of paraphernalia that is directly used for the consumption of medical cannabis shall be permitted. The display and sale of non-medical cannabis related paraphernalia is prohibited.

12. Exterior trash containers shall be located within a permanent enclosure that must remain locked at all times, except for disposal/removal of trash containers.

6-8-7: LOT SIZE, SETBACK AND HEIGHT REQUIREMENTS:

A. Lot Size Requirements: (Ord. 80-632-39)

3. Special Uses: (Ord. 85-817-01) (Ord. 14-3309-35)

Special Uses	Minimum Lot Area	Minimum Lot Width
Gasoline Service Stations	1 acre	150 feet
Restaurants	1 acre	150 feet
Private Clubs	1 acre	150 feet
Dispensary Organizations	40,000 S.F.	100 feet
Meeting and Events Center	2 acres	150 feet
Convention and Exhibition Halls	5 acres	220 feet
Motels and Hotels	5 acres	220 feet
Car Rental Outlet	20,000 sq.ft.	
Public Utility Facility	As specified by the Zoning Board	
Commuter Rail Station	As specified by the Zoning Board	

B. Maximum Floor Area Ratio: In the O/I District, the floor area ratio shall not exceed the following:

2. Special Uses:

Car Rental	0.7
Convention and Exhibition Halls	0.7
Gasoline Service Stations	0.7
Meeting and Events Center	0.5
Dispensary Organization	0.5
Motels and Hotels	1.0
Parking Garages	As specified by the Zoning Board
Private Clubs	0.7
Public Utilities and Services	As specified by the Zoning Board
Restaurants	0.7

6-11-3: OFF-STREET PARKING:

B. Specific Requirements: Off-street parking spaces shall be provided in accordance with the minimum requirements listed below. Parking spaces required on an employee basis shall be based on the maximum number of employees on duty or residing, or both, on the premises at any one time. Parking spaces required on an employee basis for which the number of employees is not ascertainable at the time of issuance of the building permit shall be computed on a reasonable estimate of the expected employee population, and shall be increased, if necessary, when the actual number of employees is determined.

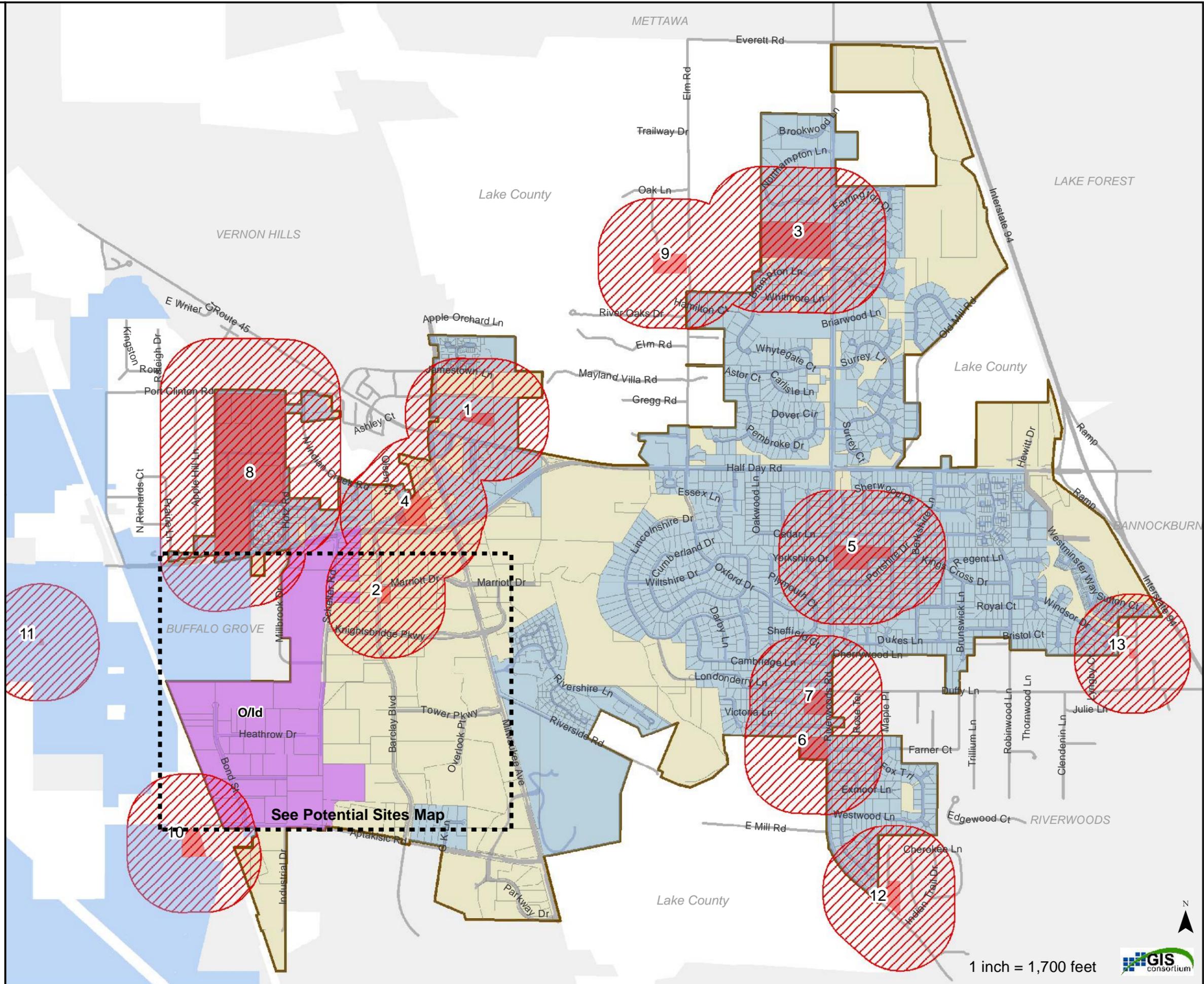
USE	REQUIRED NUMBER OF SPACES
4. Commercial:	
Dispensary Organization	1/175 S.F. of Office Space +1/2,000 S.F. of Warehouse Space

Compassionate Use of Cannabis Act Prohibited Site Locations for Dispensing Organizations

- Residential Zones (Prohibited Site)
- School/Childcare (Prohibited Site)
- 1,000-foot Childcare Zone Buffer
- Village of Lincolnshire

School and Childcare Facilities

1. Bright Stars Kids University
100 Village Green
2. Children's Land
400 Marriott Dr
3. Daniel Wright Middle School
1370 Riverwoods Rd
4. Half Day Elementary School
239 Olde Half Day Rd
5. Laura Sprague Elementary School
2425 Riverwoods Rd
6. Lincolnshire Community Nursery School
30 Riverwoods Rd
7. Lincolnshire Montessori School
1970 Riverwoods Rd
8. Stevenson High School
1 Stevenson Dr
9. Tamarak Day Camp and Country School
23970 N Elm Rd
10. JCYS Northeast Family Center
1700 Weiland, Buffalo Grove
11. Padma Jalasutram
47 Chestnut Ter, Buffalo Grove
12. Deerfield Montessori School
3140 Riverwoods Rd, Riverwoods
13. Helen Koo
2220 Woodland Ln N, Riverwoods



Data source: Parcel boundaries courtesy of Lake County GIS. Some daycare locations courtesy of Lake County Department of Health and the Illinois Department of Child and Family Services. All other data developed by the Village of Lincolnshire GIS. 7/21/2014 - JVD

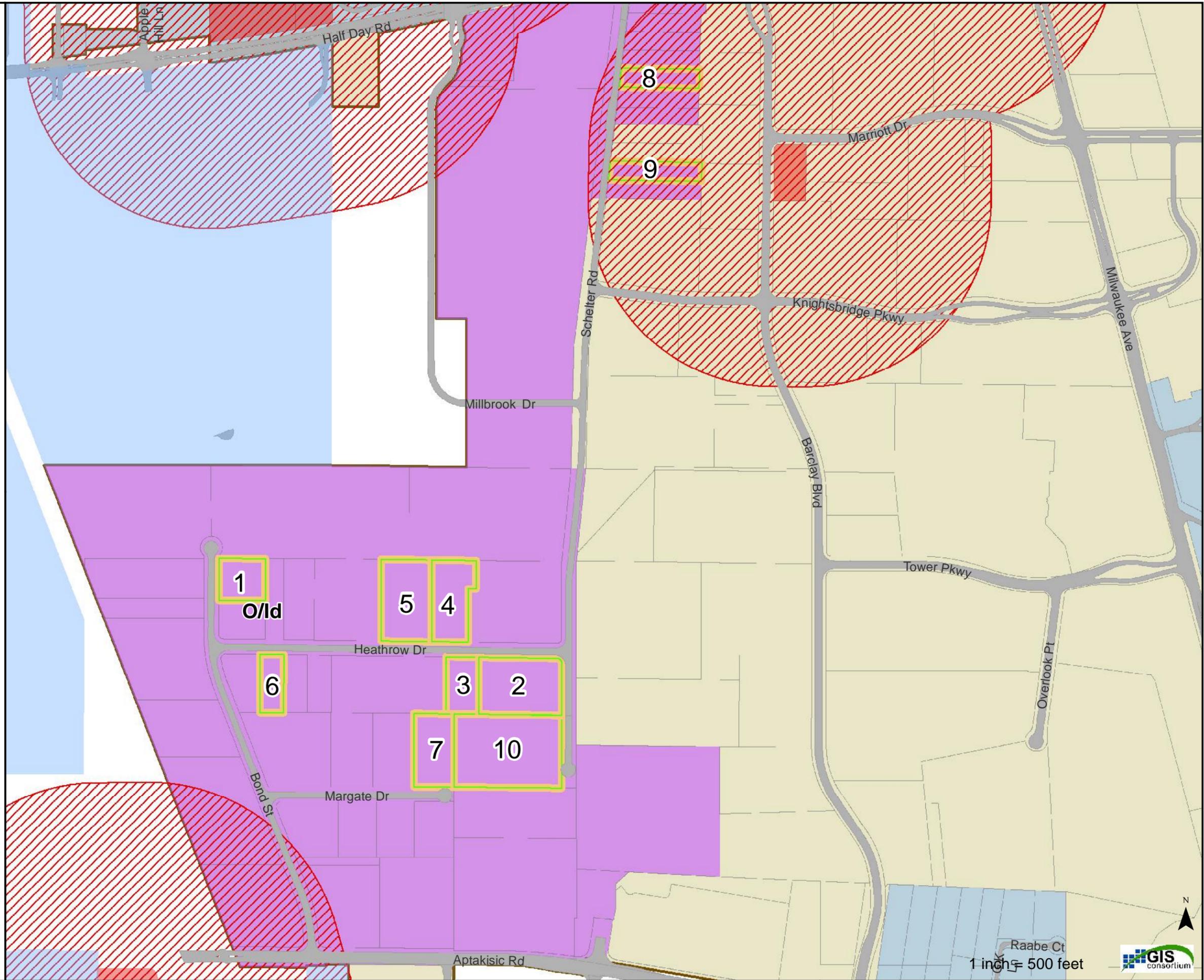
1 inch = 1,700 feet

**Compassionate Use of Cannabis Act
Potential Site Locations for
Dispensing Organizations**

-  Available Sites
-  O/ld District (Per Zoning Board)
-  Residential Zones (Prohibited Site)
-  School/Childcare (Prohibited Site)
-  1,000-foot Childcare Zone Buffer

Potential Sites

1. Available
505 Bond St
2. Available
600 Heathrow Dr
3. Available
612 Heathrow Dr
4. Vacant
615 Heathrow Dr
5. Available
625 Heathrow Dr
6. Vacant
660 Heathrow Dr
7. Vacant
625 Margate Dr
8. Available
109 Schelster Rd
9. Available
121 Schelster Rd
10. Vacant
610 Schelster Rd



Data source: Parcel boundaries courtesy of Lake County GIS. Some daycare locations courtesy of Lake County Department of Health and the Illinois Department of Child and Family Services. All other data developed by the Village of Lincolnshire GIS. 7/21/2014 - JVD

1 inch = 500 feet



REQUEST FOR BOARD ACTION
Zoning Board
August 12, 2014

Subject:	Amending Permitted and Special Uses in Commercial/Office Zoning Districts
Action Requested:	PUBLIC HEARING regarding Text Amendments to Chapter 2, Definitions, Chapter 5D, Mixed Use General Residence District, Chapter 6, Business Districts, and Chapter 8, Office/Industrial Districts, of Title 6 - Zoning of the Lincolnshire Village Code to revise and update the Permitted Uses and Special Uses within the Village's commercial zoning districts
Originated By/Contact:	Stephen Robles, Village Planner Department of Community & Economic Development
Referred To:	Zoning Board

Background:

- At the June 23rd Committee of the Whole, Staff approached the Village Board regarding challenges Lincolnshire's commercial sector faces in maintaining and growing a steady commercial tenant mix throughout the Village.
- As a result of that meeting, Staff was authorized to review the current permitted and special uses in the Village's commercial zoning districts to sustain and encourage commercial development within the Village.

Following, is a general summary of text revisions incorporated into the attached Draft Code (*for specific detail, please see attached Draft Code Sections*):

Summary – R5 Mixed Use General Residence District:

- **Intent & Scope of Regulations & Permitted Uses (6-5D-1 & 6-5D-2):** This district is intended for mixed-uses incorporating multiple-family residential uses adjacent to commercial districts and also accommodates a limited mix of selected retail uses. However, current R5 developments are either entirely commercial or residential. The type of mixed use development envisioned by this district has not been realized. Further, the permitted uses only include single-family attached and community residential homes, which is contrary to the mixed-use intent of the R5 District.

While Staff questions if the R5 District should be reclassified as a Commercial District, with limited mix of residential, this requires greater analysis than the current purpose of improving the Village's commercial uses and should be reviewed at a later time. However, the Permitted Uses list has been updated to more accurately reflect the current development of this District, as well as the trends for continual commercial growth.

- **Special Uses (6-5D-3):** The special uses list more closely resembles the Intent for Permitted Uses in the R5 District, rather than uses with unique characteristics requiring additional Village review. This creates conflicts in achieving the purpose of the R5 District.

As the development pattern of the R5 is predominately commercial, Staff has recategorized many conventional commercial uses as permitted uses. A revamp of this list has also occurred to reduce redundancies of uses, as well as, adding new uses to the list which are compatible with the trend of development and recently approved uses.

- **Bulk Regulations (6-5D-4 and 6-5D-5):** The Lot Sizes and Yard requirements which define the minimum bulk regulations for permitted and special uses will also need to be revised based on the revisions.

Staff will revise these two sections once the permitted and special uses list has been vetted and finalized.

Summary – B1 & B2 Districts:

- **General Requirements (6-6A-2(D) & 6-6B-2(D)):** The current code restricts ground floor uses occupied by non-sales tax generating uses to 25% of gross floor area, except for buildings constructed prior to January 1, 1995. This is to ensure retention of sales tax generating uses on the ground floor in commercial districts, which will help continue providing commercial services and contribute to the Village's sales tax base.

The current 25% restriction is rather limiting and Staff proposes a moderate increase in the restriction to 33% or 1/3 of the of the gross floor area. This is based on the trend of development in which other service/office uses are more frequently incorporated into commercial centers. Requests for an increase in percentage can be sought through Special Use; however, a variation is a more appropriate action to seek relief.

- **Permitted Uses (6-6A-3 & 6-6B-3):** The permitted uses list is an exhaustive list of all permitted commercial uses within the B1 & B2 Districts. The categories of uses require updating to modern terminology and overall clean up to reduce redundancy of similar uses.

The Permitted Uses list has been streamlined to include “overall general retail and services” uses, as well as updating uses to reflect more common terms and inclusion of additional desired uses.

- **Special Uses (6-6A-4 & 6-6B-4):** This section outlines uses containing unique characteristics (based on their operation) requiring additional Village review and authorization prior to operation. Some of the current uses no longer pose as great an impact as previously contemplated and can be relocated to the Permitted Uses section. Additional uses not previously envisioned should be added as Special Uses to stay relevant with current trends.

The Special Uses section has been cleaned up to reflect current uses, terminologies, and changes in categories, where necessary.

- **Bulk Regulations (6-6A-5, 6-5A-6, 6-6B-5, & 6-6B-6):** As with the R5 District, Lot Sizes and Yard requirements which define the minimum bulk regulations for permitted and special uses will also need to be revised based on the revisions.

Staff will revise these two sections once the permitted and special uses list has been vetted and finalized.

Summary – E Small Scale Office District:

- **Permitted Uses (6-6C-2):** The E District contains two subdistricts, Ea and Eb, which are intended to accommodate low density office uses. As a result, commercial uses are limited to low-impact office-related uses. While two subdistricts are present, the Permitted and Special Uses list applies to both, which Staff questions the need for two subdistricts.

Similar to the B District, Staff has updated the categories of uses and conducted an overall clean up to reduce redundancy and incompatible land uses.

- **Bulk Regulations (6-6C-4, 5, 6, 7, & 8):** These Sections define the minimum and maximum bulk regulations for permitted uses in both the Ea and Eb Districts; such as lot size, yard setbacks, floor area ratio, etc. As noted above, Staff recommends one overall E District, rather than two comparable subdistricts, which would require further analysis of these Sections to determine appropriate merging of bulk regulations.

Should the Zoning Board agree, Staff will revise the bulk regulations and present a draft of proposed amendments for further Zoning Board review.

Summary –O/I Office/Industrial Districts:

- **Permitted Uses, O/Ia (6-8-5(A)):** The O/Ia subdistrict accommodates professional offices and corporate headquarters, with no industrial activities.

The current permitted uses list generally aligns with the purpose of this zoning category and only minor revisions are necessary.

- **Permitted Uses, O/Ib (6-8-5(B)):** The O/Ib subdistrict consists of office dominant uses, with restricted (light) industrial uses. Additionally, uses permitted in the O/Ia subdistrict carry through to the O/Ib.

Minor revisions have occurred, with many items removed as already outlined in the preceding O/Ia subdistrict.

- **Permitted Uses, O/Ic (6-8-5(C)):** The O/Ic subdistrict houses the Village's light industrial and warehousing uses, with limited affiliated office space. Uses of the O/Ia and O/Ib are also permitted in this subdistrict. Historically, the industrial/warehouse sector of the Village has been limited to individual use operations (no multi-tenancy). In 2009, in response to a property owner's request seeking to subdivide their large warehouse building, Staff sought a text amendment to permit multi-tenant uses in larger buildings for which it may be difficult to find a single user. Based on concerns regarding multiple smaller units within a single building, the outcome is buildings no less than 100,000 SF may subdivide spaces to no smaller than 50,000 SF. Since the amendment, no such subdivisions have occurred. Staff continues to receive periodic requests for multi-tenant uses for buildings smaller than the minimum permissible and questions if consideration to reduce the multi-tenant requirements would be appropriate.

Should the Zoning Board agree, Staff would conduct further analysis on multi-tenant occupancies within this District, and return with draft amendments. An additional revision to this District is the removal of two subsections which contain prohibited uses. A new "Prohibited Uses", Section 6-8-7, has been established as a more suitable section for prohibited uses.

- **Permitted Uses, O/I d (6-5-(D)):** The O/I d subdistrict permits the most intense uses in the O/I District, permitting light manufacturing, industrial and warehouse uses. Uses of the three previous subdistricts are also permitted in the O/I d. Another purpose of the O/I d subdistrict is the permissibility of uses requiring railroad service from the adjoining rail line along the Village's western boundary. Although rail spur tracks are permitted by Code, no such

business has sought such service. Further, Staff is uncertain if rail access would even be provided by the rail line authority.

General cleanup of the permitted uses list has occurred for consistency purposes. Staff questions if regulations related to rail access are warranted now or in the foreseeable future, and if they should be simply removed from the Code.

- **Prohibited Uses (6-8-7, proposed):** The Permitted Uses section of the O/Ic subdistrict also contains a substantial list of uses the Village generally finds to be incongruent with the trend of development in this district. Generally, prohibited uses should be separated from permitted uses to avoid confusion. Therefore, Staff has created a Prohibited Uses Section to reduce any potential confusion.

Recommendation:

Input and direction from the Zoning Board and general public, through the Public Hearing, of proposed text amendments to Chapters 5, 6, and 8 of Title 6, Zoning Code. Staff recommends continuing the Public Hearing to the September Zoning Board meeting, to allow public opportunity to comment on the revised Code language generated from comments at Tuesday night's meeting.

Reports and Documents Attached:

- Draft Chapter 5, Article D, R5 Mixed Use General Residence District, prepared by Staff.
- Draft Chapter 6, Article A, B1 Retail Business District; Article B, B2 General Business District; and Article C, E Small Scale Office Districts, prepared by Staff.
- Draft Chapter 8, Office/Industrial Districts, prepared by Staff.

Meeting History	
Referral at Village Board (COW):	June 23, 2014
Current Zoning Board Public Hearing:	August 12, 2014

CHAPTER 5
RESIDENCE DISTRICTS
ARTICLE D
R5 MIXED USE GENERAL RESIDENCE DISTRICT

SECTION:

- 6-5D-1: Intent and Scope of Regulations**
- 6-5D-2: Permitted Uses**
- 6-5D-3: Special Uses**
- 6-5D-4: Lot Sizes**
- 6-5D-5: Yards**
- 6-5D-6: Building Height**
- 6-5D-7: Signs**
- 6-5D-8: Off-Street Parking and Loading Requirements**
- ~~**6-5D-9: Site Plan Review Board Review Criteria**~~

6-5D-1: INTENT AND SCOPE OF REGULATIONS

The R5 District is primarily intended to accommodate multiple-family residential uses adjacent to commercial districts and to provide reuse potential for older commercial areas. However, as a transitional district between commercial and residential uses this District can also accommodate a limited mix of selected retail uses. Accordingly mixed-use developments incorporating residential and commercial uses in the same or in attached structures may be consistent with this District.

Areas containing unique natural features, transition areas adjacent to residential districts and areas at or near major intersections are identified as being of significant impact to the Village. This is due to the need to protect valued natural resources, the integrity and environment of the Village's residential neighborhoods, and the viability of the downtown area and to optimize traffic safety conditions and to permit flexibility in the planning of key intersections.

The R5 District is also intended to recognize the special complexity and interaction of land uses in and around the Village Green and Milwaukee Avenue; to allow for flexibility in land use and design which allows multiple structures on one lot; to encourage opportunities for mixed use development; to facilitate the creation of a convenient, attractive and harmonious context of buildings and streets, pedestrian ways, parks and open spaces; and to encourage public and private investment that will promote vitality, activity, and safety in the area.

~~Therefore, all petitions for zoning, either permitted or special uses proposed within this District shall be subject to site plan review and approval as specified in Section 6-14-7.~~

6-5D-2: PERMITTED USES

~~No building, structure, or parcel of land shall be used and no building or structure shall be erected, altered, or enlarged which is arranged, intended, or designed for any other than of the following uses:~~
The following uses are permitted in the R5 Mixed Use General Residence District, subject to the regulations contained in this Title:

- A. General retail and service uses.
- B. Office, business and professional.
- C. Separate dwelling units above the ground floor of ~~mixed commercial-use buildings structures and in multiple family structures only.~~
- D. Banks and financial institutions, without drive-thru facility.
- E. Retail pharmacy/drug store, without drive-thru facility.
- F. Convenience store.
- G. Food stores, including candy/confectionary stores, dairy products, and bakeries.
- H. Restaurants, excluding Live Entertainment
- I. Restaurants, Fast Food without drive-thru facility
- J. Any other similar type retail store, office or service establishment not specifically permitted in this Chapter, but which has economic compatibility with uses permitted herein.

~~Single family attached dwellings. (Ord. 86-885-22)~~

Community residential homes of less than four (4) persons. (Ord. 90-1182-66)

~~Memorial Garden, as an accessory use to an assembly use, including, for example, religious institutions or schools; provided the memorial garden is not located in any required yards.
(Amd. Ord. 08-3070-53, eff. 11/24/08)~~

6-5D-3: SPECIAL USES

The following special uses may be permitted in specific situations in accordance with the procedures outlined in Section 6-14-14 of this Code as appropriate:

A. ~~Single-family attached dwellings. (Ord. 86-885-22)~~

~~Separate dwelling units above the ground floor of mixed-use buildings and in multiple family structures only.~~

~~B. Commercial and office uses in mixed-use buildings fronting on Illinois Route 22, U.S. Route 45 or Illinois Route 21. Commercial and office uses are limited to the following and must be part of an approved site development plan in accordance with the 1993 Downtown Redevelopment Implementation Program or provided for as a planned unit development.~~

- ~~Antique stores~~
- ~~Art, office and school supply stores~~
- ~~Book stores~~
- ~~Camera and photographic supply stores
(excluding processing of any kind)~~
- ~~Clothing stores~~
- ~~Custom dressmaking~~

Comment [SMR1]: Need to review plan to confirm current development in compliance. If not, should remove from Code.

- ~~Dry goods stores~~
- ~~Farmers Market~~
- ~~Furniture shops~~
- ~~Furrier shops~~
- ~~Gift shops~~
- ~~Hobby shops~~
- ~~Household goods stores~~
(not including major appliance sales)
- ~~Interior decorating shops~~
- ~~Jewelry stores~~
- ~~Offices, business or professional~~
- ~~Office equipment sales~~
- ~~Other retail and service uses~~
(which the Zoning Board deems suitable for inclusion into mixed use projects and of a size and scale that do not negatively impact the residential uses, the project or adjacent parcels)
- ~~Specialty food stores~~
(no larger than two thousand five hundred (2,500) square foot in size and excluding the consumption of food on the premises)

C. Other Uses as Follows:

- ~~Churches and synagogues~~
- ~~Memorial Assembly Facility: (Amd. Ord. 08-3070-53, eff. 11/24/08)~~
 - ~~1. Shall only be permitted as an accessory use to an assembly use, including, for example, religious institutions or schools.~~
 - ~~2. Shall be permitted~~
 - ~~a. inside the principle structure on the Lot, or~~
 - ~~b. as a accessory structure subject to compliance with the following design and setback standards:~~
 - ~~i. Shall be located not less than one hundred feet (100') from any Lot Line where there is Frontage;~~
 - ~~ii. Shall maintain a minimum distance of one hundred and thirty five feet (135') from any Lot Line where there is no Frontage;~~
 - ~~iii. Shall be located not more than twenty feet (20') from the principle structure on the Lot;~~
 - ~~iv. Shall comprise an area no greater than six hundred (600) square feet;~~
 - ~~v. The structure shall have a height not greater than three feet (3');~~
 - ~~vi. The structure shall be concealed from the adjacent right of way and contiguous residential Lots with vegetation which provides complete screening during the entire year and shall be a minimum of six feet (6') tall at the time of planting, but which vegetation shall not be considered part of the Memorial Assembly Facility for the purpose of measuring the permitted area thereof; and~~

Comment [SMR2]: Churches permitted in R1 Zoning, want to encourage commercial development in Village core.

Comment [SMR3]: Can also remove due to removal of churches.

vii.—The face of the structure into which cremated human remains are interned must substantially face towards the principal structure to which it is accessory.

~~Park and recreation facilities~~

~~Parking lots accessory to uses permitted in the district~~

~~Planned Unit Developments (PUD), as regulated in Section 6-14-12 of this Title.~~

~~Public utilities~~

~~School~~ Private education institution/day care facility, business trade school.

Bank, financial institution with drive-thru facility

Restaurant with Live Entertainment

Restaurant, Fast Food with drive-thru facility

Bar, tavern

Retail drug store, with drive-thru facility

Medical examination office

Comment [SMR4]: While small pocket parks are acceptable, want to encourage commercial development within the Village core.

Comment [SMR5]: Redundant, off-street parking required by Chap. 11

Comment [SMR6]: Proposed text amendment section.

Comment [SMR7]: Permitted by Sec. 6-4-5

Comment [SMR8]: Will need to create definition

6-5D-4: LOT SIZES

Comment [SMR9]: Update based on changes to uses.

Permitted Uses:	Minimum Lot Area	Minimum Lot Width
Single-family attached (maximum 6 units/structure)	4,000 sq. ft.	60 ft. plus 20 additional per unitfeet for each dwelling unit to a maximum required lot width of 160 ft.
<u>Special Uses:</u>		
Dwelling unit on the second floor of mixed-use buildings	2,000 sq. ft. per unit	By Zoning Board
Retail or office uses as part of mixed use buildings	By Zoning Board	
Churches and Synagogues	20,000 sq. ft.	100 ft.
Parks and playgrounds	10,000 sq. ft.	75 ft.
Recreation and community buildings	By Zoning Board	
Public utility uses	By Zoning Board	
Schools and day care	7,500 sq. ft.	50 ft.
Planned unit developments	3 acres	

Farmers Market 45,000 sq. ft. 200 ft.

6-5D-5: YARDS

Comment [SMR10]: Update based on changes in uses.

	<u>Front*</u>	<u>Side**</u>	<u>Corner Side</u>	<u>Rear</u>
<u>Permitted Uses:</u>				
Single-family attached dwelling	25 ft.	16 ft.	20 ft.	25 ft.
<u>Special Uses:</u>				
Mixed-use projects including commercial, retail or office uses	25 ft.	16 ft.	25 ft.	30 ft.
Churches and synagogues	30 ft.	10 ft.***	25 ft.	30 ft.
Memorial Assembly Facility	By Section 6-5D-36-3-5			
Parks and playground	None			
Recreation and community buildings	25 ft.	16 ft.	25 ft.	30 ft.
Public utility uses	By Zoning Board			
School and day care centers	25 ft.	16 ft.	25 ft.	30 ft.
Planned unit developments	By Village Board			

*When adjacent to the Village Green the front yard shall be 0 feet.
 ** When adjacent to a single-family detached district side yard shall be 25 feet.
 *** Plus 1 foot for every 2 feet the structure exceeds 25 feet in height.

6-5D-6: BUILDING HEIGHT

In the R5 District no building or other structure shall exceed three and one-half (3 ½ =) stories or forty (40) feet (40) in height, except steeples for houses of worship.

6-5D-7: SIGNS

Signs shall be subject to the regulations contained in Title 12 of this Code.

6-5D-8: OFF-STREET PARKING AND LOADING REQUIREMENTS

Off-street parking and loading facilities shall be provided as required in Chapter 11 of this Title unless otherwise recommended by the Zoning Board and approved by motion of the Corporate Authorities for projects in the downtown redevelopment area. (Ord. 86-885-22)

~~6-5D-9: SITE PLAN REVIEW BOARD REVIEW CRITERIA~~

~~Recommendations and review comments of the Site Plan Review Board shall be based on a review and analysis of a master development plan demonstrating general compliance with the Downtown Redevelopment Implementation Program, the Lincolnshire Village Center Design Guidelines, the Official Comprehensive Plan, and other policies, plans and ordinances of the Village.~~

Comment [SMR11]: Removed, duplicative of Chap. 14 revisions.

~~Specific criteria for review shall include, but not be limited to the following:~~

- ~~1. Nature of the proposed uses including:
 - a. Ground floor pedestrian traffic patterns;
 - b. Compatibility with adjacent street front uses;
 - c. Compatibility of any proposed residential uses with other uses in the vicinity.~~
- ~~2. The location and adequacy of off-street parking and loading provisions.~~
- ~~3. Traffic generation characteristics and specific design measures to accommodate safe, coordinated vehicular and pedestrian circulation and its relationship to open space.~~
- ~~4. The location, design, landscaping, and other significant characteristics of public and private open space in relation to the site and adjacent sites.~~
- ~~5. Architectural integrity and compatibility with nearby existing buildings both on and off site. Architectural considerations shall include siting, massing, proportion, scale, materials, colors, details, facade treatments, fenestration, parapets, site features, lighting and signage. The openness of ground floor facades which face the Village Green, adjacent roads or circulation routes shall

be maximized to promote pedestrian activity and increase visibility of activity from the interior of the buildings.~~
- ~~6. Building height, setback, and footprint in relation to adjacent and nearby significant structures and open space. Buildings shall be designed and placed so their facade orientation faces and relates to the Village Green, adjacent roads, and circulation routes.~~
- ~~7. Site plans which include more than one building on a site are recommended to encourage compilation of smaller parcels of land and to allow for comprehensive site development in the downtown areas.~~
- ~~8. Parking and loading requirements may be reduced up to 25% of the Village Code requirements provided a comprehensive treatment of the parking site design and layout is proposed.~~

~~9. The Site Plan Review Board may recommend modifications to the review criteria, policies, plans, ordinances and Village Code regulations for acceptable site development plans when such modification is essential to further the intent of objectives of the Downtown Redevelopment Implementation Program. Modifications shall be permitted pursuant to the establishment of findings of fact by the Zoning Board and a motion for approval by the Corporate Authorities.~~

~~(Amend Ord. 95-1394-24)~~

CHAPTER 6

Field Code Changed

BUSINESS DISTRICTS
ARTICLE A
B1 RETAIL BUSINESS DISTRICT

SECTION:

- 6-6A-1: Intent and Scope of Regulations
- 6-6A-2: General Requirements
- 6-6A-3: Permitted Uses
- 6-6A-4: Special Uses
- 6-6A-5: Lot Size Requirements
- 6-6A-6: Yard Requirements
- 6-6A-7: Building Height Limitations
- 6-6A-8: Signs
- 6-6A-9: Off-Street Parking and Loading Requirements

6-6A-1: INTENT AND SCOPE OF REGULATIONS

This District is intended to provide a location suitable to accommodate a combination of retail, service and office uses in an intensive commercial core area. Permitted and special uses can be placed on relatively small zoning lots reflecting the historic development pattern of Half Day and encouraging a pedestrian environment in retail shopping areas.

Areas containing unique natural features, transition areas adjacent to residential districts and areas at or near major intersections are identified as being of significant impact to the Village. This is due to the need to protect valued natural resources, the integrity and environment of the Village's residential neighborhoods, traffic safety conditions and the land use character of key intersections. Therefore, all petitions for zoning, either permitted or special uses proposed within this District shall be subject to site plan review and approval as specified in Section 6-14-7 of this Code.

6-6A-2: GENERAL REQUIREMENTS

The Enforcing Officer shall issue a "cease and desist order" in those cases he finds to be in violation of the following restrictions. (Amd. Ord. 95-1406-36, eff. 10/9/95)

- A. Outdoor Business and Storage: All business, service, storage, merchandise display and repair processing, where allowed, shall be conducted only within a completely enclosed building except for off-street automobile parking, off-street loading, open sales lots, automobile service stations, and drive-thru facilities where such uses are allowed.
- B. Production of Goods: The production of any goods on the premises shall be ~~clearly incidental~~ associated with a Permitted and/or Special Use and incidental to the principal ~~retail or service use, and all such goods shall be sold at retail, primarily on the premises,~~ unless otherwise specifically provided herein.
- C. Performance Criteria: ~~Processes and~~ The use of equipment ~~employed,~~ and goods processed or ~~produced~~ sold, shall ~~be limited to those which are~~ not be objectionable by

reason of odor, dust, smoke, cinders, gas, noise, vibration, refuse matter or water-carried waste.

D. ~~Allowances and~~ Restrictions on Ground Floor Uses:

1. ~~Buildings constructed prior to January 1, 1995 shall be allowed to have unlimited ground floor area utilized for office, clinic, government and non-sales tax-generating uses shall continue in buildings constructed prior to January 1, 1995, subject to Chapter 13, Non-Conforming Buildings & Uses, of this Title.~~
2. ~~Non-sales tax generating uses in B~~ buildings constructed after January 1, 1995 shall be subject to the ~~following~~ restrictions: ~~below. For the purpose of calculating the following percentages, "permitted uses" specifically listed in this Article shall be included in the gross sq. ft. of ground floor area, but not in the office, clinic, government and non-sales tax-generating uses sq. ft.~~
 - a. ~~Gross~~ Floor Area: Not more than ~~25%~~33% of the gross ~~sq. ft. of~~ ground floor area ~~may shall~~ be utilized for ~~office, clinic, government and~~ non-sales tax generating uses, ~~and~~.
 - b. ~~Uses:~~ ~~The percentage of office, clinic, government, and non-sales tax generating uses to total uses on the ground floor in a building shall not exceed 25%.~~
 - c. ~~Special Uses~~ Variance: ~~Requests in excess of~~Any request for an increase in the above ~~percentages~~ restriction for ground floor area or quantity in a building may be granted to an individual owner or operator as a Special Use in accordance with the provisions of this Title, and shall not be transferable. ~~(Amend. Ord. 95-1406-36)~~ shall be subject to the Variance procedures of Section 6-14-9 of this Title.

Comment [SMR1]: Redundant with item a, above.

6-6A-3: PERMITTED USES

~~No building, structure, or parcel of land shall be used and no building or structure shall be erected, altered, or enlarged which is arranged, intended, or designed for other than any of the following uses: (Amd. Ord. 95-1406-36, eff.10/9/95)(Amd. Ord. 13-3282-08, eff.03/11/13)~~
The following uses are permitted in the B1 Retail Business District, subject to the regulations contained in this Title:

General retail and services uses

~~Antique shops~~
~~Art galleries, shops and art supply stores~~
~~Banks and financial institutions, without (but not drive-thru facilities)~~
~~Bakeries~~
~~Barber shops~~
~~Beauty shops~~
~~Bicycle sales and repair~~
~~Book stores and stationery shops~~
~~Camera and photographic supply stores~~
Food stores, including ~~C~~candy/confectionary stores, ice cream, frozen yogurt, dairy products and

~~confectionery stores~~[bakeries](#)
~~China, glassware and household goods stores~~
~~Clock stores~~
~~Clothing and clothing/costume rental stores~~
~~Coin and philatelic stores~~
~~Craft supplies~~
~~Dairy products (retail sales only)~~
~~Drapery, curtain, and window covering shops~~
~~Retail pharmacy/~~~~D~~~~drug stores, without drive-thru facility~~
~~Dry cleaning and pressing establishments (retail only)~~
~~Fabric and yarn shops~~
~~Florist shops~~
~~Food stores~~
~~Furrier Shops~~
~~Gift and novelty shops~~
~~Hardware stores~~
~~Hobby shops (not including video game parlors)~~
~~Kitchen, Bath and Cabinet Showrooms~~
~~Interior decorating shops~~
~~Jewelry stores~~
~~Leather goods and luggage stores~~
~~Locksmith shops~~
~~Musical instrument sales and repair,~~~~shops~~[accessory instruction/lessons](#)
~~Newspaper and magazine stands~~
Office, business and professional
(See General Requirements for Allowances and Restrictions on Ground Floor Uses)
~~Office machine, computer, service and supply stores~~
~~Opticians and optometrists (retail sales and service only)~~[Medical examination office](#)
~~Paint, glass and wallpaper stores~~
~~Photograph studios~~
~~Picture framing, when conducted for retail sales on the premises only~~
~~Record, compact disc, cassette tape and sheet music stores~~
Restaurants, excluding Live Entertainment ~~and/or Fast Food w/ drive-thru facility~~ (Amd. Ord. 13-3282-08, eff.03/11/13)
~~Restaurants, Fast Foot without drive-thru facility~~
~~Sewing machine sales and service stores~~
~~Shoe sales and shoe repair stores~~
~~Specialty shops~~
~~Sporting goods~~
~~Tailor and dressmaking shops~~
~~Ticket agencies~~
~~Tobacco shops~~
~~Toy stores~~
~~Travel bureaus and agencies~~
~~Variety stores~~
~~Video rental stores~~
~~(Amend. Ord. 95-1406-36)(Amd. Ord. 03-1875-52, eff. 10/13/03)~~
[Day Spa, without massage services](#)

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Liquor sales, package only
Personal fitness/instruction studio (yoga, martial arts, dance), not including health club/athletic facilities
Convenience store
Any other similar type retail store, office or service establishment not specifically permitted in this Chapter, but which has economic compatibility with uses permitted herein.

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6-6A-4: SPECIAL USES

The following special uses ~~may shall~~ be permitted ~~in specific situations~~ in accordance with the procedures outlined in Section 6-14-14-11 of this ~~Code Title, as appropriate: (Amd. Ord. 95-1406-36, eff.10/9/95) (Amd. Ord. 13-3282-08, eff.03/11/13)~~

~~Bowling alley establishment~~
Catering establishment
~~Clinics, medical and dental~~
(See General Requirements for Allowances and Restrictions on Ground Floor Uses)
Community centers, museums, cultural facilities
~~Convenience food stores which sell prepared food for consumption on or off the premises~~
~~Dance Studio (Ord. 08-3053-36, eff. 8/25/08)~~
Day care centers and nursery schools
Day Spa, with massage services (Ord. 09-3103-26, eff. 06/22/09)
~~Farmers Market (Amd Ord. 97-1538-62, eff. 11/10/97)~~
Banks and Financial Institutions, with drive-through facilities (Amd. Ord. 08-3022-05, eff. 1/28/08)
Fire Stations owned and operated by a unit of local government, as defined in Section 1 of Article VII of the Constitution of Illinois, 1970
Government office buildings, community centers, libraries
(See General Requirements for Allowances and Restrictions on Ground Floor Uses)

Comment [SMR2]: Doesn't align with intent of "pedestrian environment in retail shopping area". Relocated to B2.

Comment [SMR3]: Moved to Permitted Uses
Comment [SMR4]: Moved to Permitted Uses

~~Liquor sales (package goods only)~~
~~Office, business and professional~~
(See General Requirements for Allowances and Restrictions on Ground Floor Uses)
~~Open sales lots for the sale of Christmas trees during the months of November and December or farm produce if such use has been issued a permit for temporary use~~
~~Parking lots and structures where such uses are the principal use on the zoning lots~~
Pet shops, with limited boarding and/or sale of live animals
Planned ~~u~~Unit ~~D~~evelopments (PUD), as regulated in Section 6-14-12 of this Title
Printing, publishing, blueprinting and photocopying establishments with retail sales only
~~Radio and television stations but excluding transmission towers~~
Repair or servicing of any article, the sale of which is from a permitted use in this District
Restaurants, Fast Food with drive-thru (Amd. Ord. 13-3282-08, eff.03/11/13)
Restaurants with Live Entertainment (Amd. Ord. 13-3282-08, eff.03/11/13)
~~Schools~~Educational institution, public or private
~~Shopping centers~~
Theaters, performance or cinema
Vehicle Fueling Station, may include convenience store (Amend Ord. 97-1494-18 eff. 6/9/97) (Amend. Ord. 95-1406-36)
Funeral home

Comment [SMR5]: Moved to Permitted Uses, State Statutes on minimum separation from schools, which exceed Code requirements.
Comment [SMR6]: Already a Permitted Use

Comment [SMR7]: Not appropriate in B1, moved to B2.

6-6A-5: LOT SIZE REQUIREMENTS

The minimum lot sizes required in the B1 District shall be as follows:

Comment [SMR8]: Need to update based on revised Uses list.

	Minimum Lot <u>Area</u>	Minimum Lot <u>Width</u>
<u>Permitted Uses:</u>	15,000 sq. ft.	100 ft.
<u>Special Uses:</u>		
Automobile service stations	15,000 sq. ft.	100 ft.
Farmers Market	45,000 sq. ft.	200 ft.
Financial institutions with drive-thru	40,000 sq. ft.	150 ft.
Funeral parlors <u>home</u>	30,000 sq. ft.	200 ft.
Planned unit developments	10,000 sq. ft.	100 ft.
Shopping centers	60,000 sq. ft.	250 ft.
Theaters	20,000 sq. ft.	150 ft.
All others	7,500 sq. ft.	100 ft.

Unless otherwise required by the Zoning Board

6-6A-6: YARD REQUIREMENTS

The minimum yard requirements in the B1 District shall be as follows:

- A. Front and corner side yards shall be a minimum of twelve feet (12'); shall contain no parking and be fully landscaped with provisions for pedestrian access all across the zoning lot.
- B. Rear yards; fifteen feet (15').
- C. Side yards; eight feet (8').
- D. Transitional yards which abut any residential district or an E or O/I District shall be required to conform with the yard requirements of any such abutting district. Screening by fences or landscaping of at least seventy five percent (75%) opacity shall be provided within such yards.
- E. Where a front, corner side or rear yard is located across an existing or proposed right of way from any residential district or an E or O/I District, such yard requirement shall be not less than twenty five feet (25'). In front and corner side yards so located, said yards shall not contain parking or other obstructions except driveways and sidewalks and shall be fully landscaped.

In rear yards so located, fencing or landscaping of at least seventy five percent (75%) opacity shall be required.

6-6A-7: BUILDING HEIGHT LIMITATIONS

In the B1 District no building shall exceed two and one-half (2-1/2) stories or thirty feet (30') in height including rooftop equipment.

6-6A-8: SIGNS

Signs shall be subject to the regulations contained in Title 12 of this Code.

6-6A-9: OFF-STREET PARKING AND LOADING REQUIREMENTS

Off-street parking and loading facilities shall be provided as required in Chapter 11 of this Title.
(Ord. 86-885-22)

CHAPTER 6
BUSINESS DISTRICTS
ARTICLE A
B2 GENERAL BUSINESS DISTRICT

SECTION:

- 6-6B-1: Intent and Scope of Regulations**
- 6-6B-2: General Requirements**
- 6-6B-3: Permitted Uses**
- 6-6B-4: Special Uses**
- 6-6B-5: Lot Size Requirements**
- 6-6B-6: Yard Requirements**
- 6-6B-7: Building Height Limitations**
- 6-6B-8: Signs**
- 6-6B-9: Off-Street Parking and Loading Requirements**

6-6B-1: INTENT AND SCOPE OF REGULATIONS

The intent of the B2 District is to accommodate those uses which require substantial land area, are major travel destinations, require substantial support parking and draw their clientele or employees from the regional market. Often times such uses require a high degree of access and roadside visibility or exposure from major thoroughfares.

Areas containing unique natural features, transition areas adjacent to residential districts and areas at or near major intersections are identified as being of significant impact to the Village. This is due to the need to protect valued natural resources, the integrity and environment of the Village's residential neighborhoods - traffic safety conditions and the land use character of key intersections. Therefore, all petitions for zoning, either permitted or special uses proposed within this District shall be subject to site plan review and approval as specified in Section 6-14-7 of this Code.

6-6B-2: GENERAL REQUIREMENTS

The Enforcing Officer shall issue a "cease and desist order" in those cases he finds to be in violation of the following restrictions. (Amd. Ord. 95-1406-36, eff.10/9/95)

- A. Outdoor Business and Storage: All business, service, storage, merchandise display and repair processing, where allowed, shall be conducted only within a completely enclosed building except for off-street automobile parking, off-street loading, open sales lots, automobile service stations, and drive-thru facilities where such uses are allowed.
- B. Production of Goods: The production of any goods on the premises shall be ~~clearly incidental to~~ associated with the principal retail or service ~~Use~~ Permitted and/or Special and ~~all such goods shall be sold at retail, primarily on the premises~~ shall be incidental to the principal use, unless otherwise specifically provided herein.
- C. Performance Criteria: ~~Processes and~~ The use of equipment ~~employed,~~ and goods processed or ~~sold~~ produced, shall ~~be limited to those which are~~ not be objectionable by reason of odor,

dust, smoke, cinders, gas, noise, vibration, refuse matter or water-carried waste.

D. ~~Allowances and~~ Restrictions on Ground Floor Uses:

1. ~~Buildings constructed prior to January 1, 1995 shall be allowed to have unlimited ground floor area utilized for office, clinic, government and non-sales tax-generating uses shall continue in buildings constructed prior to January 1, 1995, subject to Chapter 13, Non-Conforming Buildings & Uses, of this Title.~~
2. ~~Non-sales tax generating uses in B~~ buildings constructed after January 1, 1995 shall be subject to the ~~following~~ restrictions: ~~below. For the purpose of calculating the following percentages, "permitted uses" specifically listed in this Article shall be included in the gross sq. ft. of ground floor area, but not in the office, clinic, government and non-sales tax-generating uses sq. ft.~~
 - a. ~~Gross~~ Floor Area: Not more than ~~25%~~33% of the gross ~~sq. ft. of~~ ground floor area ~~may shall~~ be utilized for ~~office, clinic, government and~~ non-sales tax generating uses, and
 - ~~b. Uses: The percentage of office, clinic, government, and non-sales tax generating uses to total uses on the ground floor in a building shall not exceed 25%.~~
 - ~~e. b. Special Uses Variance: Requests in excess of Any request for an increase in the above percentages restrictions shall be subject to the Variance procedures of Section 6-14-9 of this Title for ground floor area or quantity in a building may be granted to an individual owner or operator as a Special Use in accordance with the provisions of this Title, and shall not be transferable. (Amend Ord. 95-1406-36)~~

Comment [SMR9]: Redundant with item a, above.

6-6B-3: PERMITTED USES

~~The following uses are permitted in the B2 General Business District, subject to the regulations contained in this Title:~~

~~No building, structure, or parcel of land shall be used and no building or structure shall be erected, altered, or enlarged which is arranged, intended, or designed for other than any of the following uses: (Amd. Ord. 95-1406-36, eff. 10/9/95) Amd. Ord. 13-3282-08, eff. 03/11/13)~~

Any ~~p~~Permitted ~~u~~Use in the B1 Retail Business District.

~~Bowling alley establishment~~

~~Artists Studios~~

~~Carpet, rug and tile stores~~

~~Catering establishments~~

Clubs and lodges (nonprofit), fraternal or religious institutions

Convalescent, sheltered care facilities and group or nursing homes

~~Day care centers and nursery schools~~

~~Department stores~~

~~Financial institutions and services, with or without drive-thru facilities~~

~~Furniture stores~~

~~Garden landscape or patio stores~~

~~Home appliance stores~~

~~Kitchen or bath showrooms (including cabinets)~~

Comment [SMR10]: Special Use in B1, so must remain Special Use in B2.

Comment [SMR11]: See Comment 10 above

Comment [SMR12]: Already listed in B1

~~Office, business, professional and corporate headquarters~~
~~(See General Requirements for Allowances and Restrictions on Ground Floor Uses)~~

Comment [SMR13]: Already listed in B1

~~Orthopedic and medical appliance stores (retail sales only)~~

~~Parks and playgrounds and forest preserves~~

Comment [SMR14]: Forest preserve not appropriate in B2

~~Printing, publishing, blueprinting and photocopying establishments (retail sales only)~~

~~Retail shopping centers of not less than fifty thousand (50,000)~~

Comment [SMR15]: Special Use in B1

~~square foot of gross leasable area and which may include all uses permitted in the B1 District. (Amend Ord. 95-1406-36)~~

Comment [SMR16]: No reason to establish a minimum.

Any other similar type retail store, office or service establishment not specifically permitted in this Chapter, but which has economic compatibility with uses permitted herein.

6-6B-4: SPECIAL USES:

The following special uses may shall be permitted ~~in specific situations~~ in accordance with the procedures outlined in Section 6-14-~~14~~ 11 of this ~~Code Title~~, as appropriate:

Any ~~s~~Special ~~u~~Use in the B1 Retail Business District.

Automotive ~~repair establishments~~service/repair facility

Colleges, universities, or vocational schools (where all instruction and training is carried out in fully enclosed buildings or structures)

~~Community centers, museums, philanthropic and other cultural institutions~~

Comment [SMR17]: Already listed in B1

~~Farmers Market~~

~~Funeral parlors~~

Comment [SMR18]: Special Use in B1

Health/~~and~~ athletic club facilities

~~Hospitals and medical treatment facilities~~

Comment [SMR19]: B2 not appropriate for hospitals. This may be a good location for clinics.

Urgent care clinic

Hotels

Comment [SMR20]: May need to establish a definition

Meeting halls/banquet center

Motor vehicle sales establishments intended primarily for the sale and service of new vehicles

~~Postal facilities~~

Comment [SMR21]: Included in Government office buildings as SU in B1.

~~Public and private utility facilities~~

~~Schools~~

Comment [SMR22]: Permitted by Sec. 6-4-5

~~Vehicle Service Station (Amend Ord. 97-1494-18 eff. 6/9/97)~~

Comment [SMR23]: Special Use in B1

~~(Ord. 90-1139-23)~~

Comment [SMR24]: Already listed in SU in B1

Bar, tavern with Live Entertainment

Radio and television station, excluding transmission towers

6-6B-5: LOT SIZE REQUIREMENTS

Comment [SMR25]: Update based on changes to uses.

The minimum lot sizes required in the B2 District shall be as follows:
(Amd. Ord. 13-3282-08, eff.03/11/13)

	Minimum Lot Area	Minimum Lot Width
<u>Permitted Uses:</u>	30,000 sq. ft.	200 ft.

Special Uses:

Automobile service stations	30,000 sq. ft.	100 ft.
Financial institutions with drive-thru facilities	60,000 sq. ft.	300 ft.
Farmers Market	45,000 sq. ft.	200 ft.
Fast food restaurants with drive-thru facilities	60,000 sq. ft.	250 ft.
Funeral parlors	30,000 sq. ft.	200 ft.
Planned unit developments	3 acres	300 ft.
Motor vehicle sales	30,000 sq. ft.	300 ft.
Hospitals	3 acres	300 ft.
Medical, dental clinics	20,000 sq. ft.	200 ft.

All other special uses shall conform to the square footage requirements for permitted uses in the ~~82-B2~~ District unless otherwise required by the Zoning Board.

6-6B-6: YARD REQUIREMENTS

The minimum yard requirements in the B2 District shall be as follows:

Comment [SMR26]: Update based on changes to uses.

	<u>Front and Corner Side</u>	<u>Interior Side</u>	<u>Rear</u>
<u>Permitted Uses:</u>	50 ft.	20 ft.	25 ft.
<u>Special Uses:</u>	By Zoning Board		

In rear yards which abut or are located across an existing or proposed right of way from any residential district ~~or an E or O/I District~~, fencing or landscaping of at least seventy five percent (75%) opacity shall be required in all seasons.

6-6B-7: BUILDING HEIGHT LIMITATIONS

In the B2 District no building shall exceed three and one-half (3-1/2) stories or forty two feet (42') in height including rooftop equipment.

6-6B-8: SIGNS

Signs shall be subject to the regulations contained in Title 12 of this Code.

6-6B-9: OFF-STREET PARKING AND LOADING REQUIREMENTS

Off-street parking and loading facilities shall be provided as required in Chapter 11 of this Title. (Ord. 86-885-22)

CHAPTER 6
~~BUSINESS DISTRICTS~~
ARTICLE C
E SMALL SCALE OFFICE DISTRICTS

SECTION:

- 6-6C- 1: Intent and Scope of Regulations
- 6-6C- 2: Permitted Uses
- 6-6C- 3: Special Uses
- 6-6C- 4: Lot Size Requirements
- 6-6C- 5: Yard Restrictions
- 6-6C- 6: Building Height
- 6-6C- 7: Floor Area Ratio
- 6-6C- 8: Impervious Surface Coverage
- 6-6C- 9: Signs
- 6-6C-10: Off-Street Parking and Loading Requirements

6-6C-1: INTENT AND SCOPE OF REGULATIONS

The E Districts are intended to provide low density office uses in areas that are dominated by or may influence single-family residential areas of Lincolnshire. These districts are designed to attract the user who desires spacious surrounding characterized by lands endowed with unique natural features or residential settings as opposed to more intensely developed business center.

Areas containing unique natural features, transition areas adjacent to residential districts and areas at or near major intersections are identified as being of significant impact to the Village. This is due to the need to protect valued natural resources, the integrity and environment of the Village's residential neighborhoods, traffic safety conditions and the land use character of key intersections. Therefore, all developments proposed within these districts shall be subject to site plan review and approval as specified in Section 6-14-7 of this Code.

6-6C-2: PERMITTED USES

The following uses are permitted in the E Small Scale Office District, subject to the regulations contained in this Title:

~~No building, structure, or parcel of land shall be used and no building or structure shall be erected, altered, or enlarged which is arranged, intended, or designed for other than any of the following uses:~~

Banks and Financial institutions, without ~~(but not including~~ drive-thru facilities)
Museums, libraries or performing art centers
Office, ~~professional and~~ business and professional
~~Parks and forest preserves~~
Medical examination office

Any other similar type office or service establishment not specifically permitted in this Chapter, but which has economic compatibility with uses permitted herein.

6-6C-3: SPECIAL USES

The following special uses ~~may shall~~ be permitted ~~in specific situations~~ in accordance with the procedures outlined in Section 6-14-~~14-11~~ of this ~~Code Title, as appropriate;~~

Animal Clinic/Hospital

~~Auxiliary retail~~

~~Churches and Synagogues~~ Religious Institution

Banks and Financial institutions with drive-thru facilities

~~Medical or dental clinics (but not including facilities devoted primarily to emergency medical services)~~

~~Private or public schools~~ Educational institution, public or private

Private recreational clubs

~~Restaurants~~

Day care centers and nursery schools

Hotel

Memorial Assembly Facility, as regulated in Section 6-3-5 of this Title

Comment [SMR27]: Doesn't align with intent of District.

Comment [SMR28]: Moved to Permitted Use

Comment [SMR29]: Doesn't align with intent of District

6-6C-4: LOT SIZE REQUIREMENTS

The minimum lot sizes required in the ~~Ea and Eb~~ Districts are as follows:

Comment [SMR30]: Unclear of the existence of 2 "E" districts if same uses are permitted in each. Consider combining into 1 "E" district.

A. Minimum Lot Area:

1. Ea District:

Permitted and Special Uses: The minimum lot area shall be forty thousand (40,000) sq. ft. plus an additional ten thousand (10,000) sq. ft. for each one half (1/2) story the building exceeds one and one-half (1-1/2) stories in building height.

Comment [SMR31]: Allowed 3.5 stories in Ea per 6-6C-6

2. Eb District:

Permitted Uses: The minimum lot area shall be thirty thousand (30,000) sq.ft.

Special Uses: The minimum lot area shall be as follows:

Medical or dental clinics 30,000 sq. ft.

Churches and Synagogues 2 acres

Private or public schools 30,000 sq. ft.

Table service restaurants 30,000 sq. ft.

Planned unit developments	60,000 sq. ft.
Financial institutions with drive-thru facilities	60,000 sq. ft.
Private recreational club	40,000 sq. ft.
Auxiliary retail	40,000 sq. ft.
Animal Clinic/Hospital	30,000 sq. ft.

B. Minimum Lot Width:

1. Permitted Uses:

- a. Ea District: The minimum lot width shall be one hundred fifty feet (150') plus an additional twenty five feet (25') for each one story in building height above one and one-half (1-1/2) stories.
- b. Eb District: The minimum lot width shall be one hundred twenty-five feet (125').

Comment [SMR32]: See Comment 56 on previous page.

2. <u>Special Uses</u>	<u>Ea District</u>	<u>Eb District</u>
Medical or dental clinics	150 ft.	150 ft.
Churches and Synagogues	150 ft.	150 ft.
Private recreation clubs	200 ft.	150 ft.
Private or public schools	150 ft.	150 ft.
Table service restaurants	300 ft.	200 ft.
Auxiliary retail	150 ft.	150 ft.
Planned unit developments	200 ft.	150 ft.
Financial institution with drive-thru facilities	200 ft.	150 ft.
Animal Clinic/Hospital	130 ft.	130 ft.

6-6C-5: YARD RESTRICTIONS

The minimum yard restrictions shall be as follows:

A. Front Yard and Corner Side Yard:

1. Ea District: The minimum front yard setback shall be fifty feet (50') plus one foot (1') of added setback for any one foot (1') of building height in excess of eighteen feet (18').
2. Eb District: The minimum front yard setback shall be thirty five feet (35').

Comment [SMR33]: See Comment 56 on previous page.

B. Interior Side Yard:

1. Ea District: The minimum interior side yard shall be twenty five feet (25') plus one foot (1') of added setback for every one foot (1') of building height in excess of eighteen feet (18').
2. Eb District: The minimum interior side yard shall be twenty feet (20').

Comment [SMR34]: See Comment 56 on previous page.

C. Rear Yard:

1. Ea District: The minimum rear yard setback shall be thirty feet (30') plus two feet (2') of added setback for every one foot (1') of building height in excess of eighteen feet (18').
2. Eb District: The minimum rear yard setback shall be thirty feet (30').

6-6C-6: BUILDING HEIGHT

The maximum building height for the Ea and Eb Districts shall be as follows:

- A. Ea District: The maximum building height shall be three and one-half (3-1/2) stories or forty two feet (42') including rooftop equipment but except church steeples.
- B. Eb District: The maximum building height shall be two and one-half (2-1/2) stories or thirty feet (30') including rooftop equipment but except church steeples.

6-6C-7: FLOOR AREA RATIO

The maximum floor area ratio (FAR) shall be as follows:

- A. Ea District: The maximum floor area ratio (FAR) shall be 0.25 except that the FAR may be increased by 0.0045 for each foot in height the building exceeds eighteen feet (18') in height up to a total height of thirty feet (30'); and by 0.0025 for each foot the building then exceeds thirty feet (30') up to the maximum allowable building height of forty two feet (42').
- B. Eb District: The maximum allowable floor area ratio (FAR) shall be 0.36.

6-6C-8: IMPERVIOUS SURFACE COVERAGE

The maximum impervious surface coverage on any individual zoning lot in an E District shall be as follows:

- Ea District: 45 percent
- Eb District: 55 percent

All other areas on any zoning lot in an E District shall be landscaped and maintained as open space.

6-6C-9: SIGNS

Signs shall be subject to the regulations contained in Title 12 of this Code.

6-6C-10: OFF-STREET PARKING AND LOADING REQUIREMENTS

Off-street parking and loading facilities shall be provided as required in Chapter 11 of this Title.
(Ord. 86-885-22)

**CHAPTER 8
OFFICE/INDUSTRIAL DISTRICT**

SECTION:

- 6-8-1: Intent and Purpose**
- 6-8-2: Subdistricts Established**
- 6-8-3: General Requirements and Restrictions**
- 6-8-4: Performance Standards**
- 6-8-4-1: Noise**
- 6-8-4-2: Vibration**
- 6-8-4-3: Air Pollution**
- 6-8-4-4: Toxic Substances**
- 6-8-4-5: Water Pollution**
- 6-8-4-6: Fire and Explosion Hazards**
- 6-8-4-7: Deleted by Ordinance 08-3049-32, eff. 08/11/08**
- 6-8-4-8: Additional Restrictions**
- 6-8-5: Permitted Uses**
- 6-8-6: Special Uses; All Subdistricts**
- 6-8-7: Lot Size, Setback and Height Requirements**
- 6-8-8: Yard Requirements**
- 6-8-9: Signs**

6-8-1: INTENT AND PURPOSE

The O/I (Office/Industrial) District is intended to accommodate office buildings and highly restrictive industrial and warehousing uses in a mutually compatible environment. Uses permitted in the O/I District shall be restricted to those which require a pleasant, hazard-and- nuisance-free environment and do not create either an appreciable nuisance or hazard to other property, individuals, or the public in general.

6-8-2: SUBDISTRICTS ESTABLISHED

The District is divided into four (4) subdistricts for the purpose of accommodating office-industrial developments of different bulk character.

- A. The O/Ia, a subdistrict, is intended to be located along State Highways 21 and 22 and shall be for office use with no industrial or warehousing uses or activities whatsoever permitted.
- B. The O/Ib subdistrict is intended primarily to accommodate office dominant uses where combinations of office/restricted light industrial or office-warehousing uses are to be accommodated as long as twenty five percent (25%) of the gross floor area of the original principal structure on the zoning lot is devoted to office activities.
- C. The O/Ic subdistrict is a restricted light industrial district. It is meant to be located off of secondary roads which are within industrial park developments. Uses permitted in the O/Ia and O/Ib subdistricts are encouraged in the O/Ic subdistrict.
- D. The O/I d subdistrict is designed to accommodate uses similar in character to those permitted in the O/Ic, and in addition, to industrial users who require rail service, which requires a special use permit, while maintaining a controlled structural and activity

environment which meets the criteria of bulk regulations, performance standards and other design standards and regulations as contained herein. It is further intended to permit such uses to occur on smaller lots than those permitted in the O/lc subdistrict. O/lc subdistrict is appropriate for areas along and adjacent to railroad lines which offer rail access to industrial users. Uses permitted in the O/lc, O/lb, and O/lc subdistricts are also encouraged in the O/lc subdistrict.

6-8-3: GENERAL REQUIREMENTS AND RESTRICTIONS

A. Permitted uses ~~of land or buildings as hereinafter~~ listed in Section 6-8-5 of this Chapter, shall be permitted ~~in~~ the districts indicated under and subject the conditions specified. No building or zoning lot shall be devoted to any use other than ~~a-~~uses permitted hereinafter in the zoning district in which such building or zoning lot shall be located, with the exception of the following:

1. Uses lawfully established on the effective date of this Chapter.

2. Special uses allowed in accordance with the provisions hereof.

~~2.~~
~~—~~

3. Uses ~~already~~ established prior on-to the effective date of this Chapter ~~and shall be~~ rendered nonconforming ~~by the provisions thereof, shall be~~ and subject to the regulations of Chapter 13 of this Title in this Zoning Code covering Nonconforming Buildings, Structures and Uses.⁴ (Ord. 85-817-01)

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B. Dwelling units are not permitted, unless otherwise specifically permitted ~~otherwise~~ in this Zoning Code Chapter.

C. Special uses, ~~as hereinafter listed, may~~ shall be ~~allowed~~ permitted in the zoning districts indicated, subject to ~~the issuance of a special use permit~~ procedures outlined in Section 6-14-11 of this Title.

D. All activities including ~~all types of~~ manufacturing, storage, merchandise display, business operations and service or maintenance shall be conducted within completely enclosed buildings, except ~~that~~ areas specifically set aside for refuse collection or pick-up ~~may be open to the sky~~. All ~~such~~ refuse collection or pick-up areas shall be completely screened by permanent construction material on all sides, as regulated in Section 6-15-3(B)(4).

~~Loading docks and berths fronting on any public or private street or opening onto a yard which is adjacent to a residential district shall be within completely enclosed buildings. All~~ loading berths on zoning lots ~~which contain industrial or warehousing uses or activities~~ in the O/lb District shall be within completely enclosed buildings. All utilities shall be placed underground. (Ord. 80-632-89)

Comment [SMR1]: Repeated in 6-11-2(A)(4)

E. All drives, loading dock aprons, parking areas, and walkways throughout the site shall be paved with asphalt or concrete material. Areas not covered by impervious materials shall be

⁴See Chapter 13 of this Title.

fully landscaped and maintained with grass, groundcover, trees and shrubs.

F. To the extent of any conflict between the provisions of this Chapter and the provisions of any applicable Village building, subdivision or fire codes, the most strict provision shall prevail and be applicable. (Ord. 80-632-89; and. Ord. 82-742-49)

6-8-5: PERMITTED USES

Uses in the O/I District are regulated as follows:

A. The following uses are permitted in the O/Ia District, subject to the regulations contained in this Title:

~~A. In the O/Ia subdistrict, the following uses are permitted:~~

~~Uses are restricted to office uses, financial institutions, and auxiliary retail as herein defined (Section 6-8-5B5). Office, business, professional and corporate headquarters, Bank and financial Institutions~~

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~~1. Auxiliary retail or other uses, which are incidental to and to service the principal use or for the convenience of the employees, and located within the principal building. No exterior display of the auxiliary use shall be permitted.~~

~~Accessory uses, and structures, including storage and service areas within structures, garages for delivery trucks, central heating and air conditioning plants, maintenance shops, machine shops, medical facilities, yards, shops and similar facilities that are used solely for operating, servicing or maintaining the activities and improvements within the district, and which are located within a principal building located on a the same zoning lot in the district, and also fences in rear yards only and not in excess of eight feet (8') in height, dog runs in rear yards only and not in excess of eight feet (8') in height, and enclosed structures for refuse collection and pick-up (as regulated in Section 6-8-3E of this Zoning Code). All fences and dog runs shall be fully landscaped in accordance with plans to be submitted to and approved by the Village so as to provide visual relief throughout the year. Except as specifically provided herein regarding the height of such fences and dog runs, such fences and dog runs shall, in addition, be subject to the requirements of Section 6-5-4 of this Zoning Code, including subsections A, B, C and D thereof. (Ord. 80-632-39)~~

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~~2. Product showroom, accessory to a principal use and shall be limited to twenty five percent (25%) of the gross leasable space.~~

~~3. Attached or detached structured parking garages, subject, however, to the following conditions requirements:~~

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- a. That the height of all structured parking garages shall not exceed ~~thirty three percent (33%)~~ fifty percent (50%) of the height of the principal building.
- b. That structured parking garages shall not be closer to the front lot line of the property than the principal building.
- c. ~~That structured~~ Attached parking garages ~~will~~ shall be of the same architectural design ~~as the principal building~~ and ~~shall be~~ constructed ~~out of~~ the same exterior materials as the principal building, ~~with the exception of~~

for a glass curtain-walled principal building, where ~~upon an~~ alternate but compatible exterior materials may shall be substituted ~~with the prior approval of the Board of Trustees of the Village. Structured parking garages shall also include screening of all parked vehicles. Detached parking garages shall be compatible in architectural design as the principal building.~~

d. That all areas surrounding the structured parking garage shall be landscaped as if it were a principal building.

~~e. That the minimum~~ In no instance shall the structured parking garage exceed the gross floor area of the principal building, ~~shall be at least one hundred thousand (100,000) sq. ft. The minimum lot size for the principal building and parking structure shall be at least five (5) acres.~~

~~e.~~ f. That the maximum number of parking spaces which would be allowed in a structured parking garage would be equal to the total maximum number of spaces which could be constructed at ground level plus fifteen percent (15%). (Ord. 86-876-13)

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4.2. Testing of materials, subject to the following conditions:

- a. Testing shall be conducted only in the interior of a building;
- b. Testing shall be accessory to the primary business operations;
- c. Testing shall occupy no more than 25% of the gross building area (if a building is occupied by one user) or gross tenant space area (if a building is occupied by multiple users);
- d. Testing of and on animals shall be prohibited;
- e. Testing of hazardous or combustible materials shall be prohibited; and
- f. All Performance Standards outlined in this Chapter, inclusive of Section 6-8-4 and all subparts thereof, shall apply separately to each individual tenant space and/or building, wherein testing of materials is performed. (Amd. Ord. 10-3132-09, eff. 4/12/10)

B. In the O/lb subdistrict, the following uses are permitted:

- 1. Any Permitted Use As in the OQ/la subdistrict ~~under the standards and conditions set forth in this O/lb subdistrict.~~
- 2. ~~The following permitted uses must contain office space at least equal to twenty five percent (25%) of the gross floor area of the original principal and accessory buildings on the lot:~~
 - a. ~~Any establishment, the principal use of which is restricted to~~ Light manufacturing; fabricating; processing; assembly; repairing; storing; servicing; or testings testing of materials, goods or products, ~~provided that~~

~~said operations shall contain office space at least twenty five percent (25%) of the gross leasable area and in conformance with the performance standards provided in Section 6-8-4 of this Zoning Code Chapter, and all other applicable ordinances and regulations of the Village. (Ord. 80-632-39)~~

~~Provided, however, that not more than one business entity (user) shall be permitted to operate in an individual building.~~

~~A business entity shall be construed to include any parent company and any related companies which fall within the definition of "affiliated group" as defined in section 1504(a) of the Internal Revenue Code of 1954 as amended, and any parent company and any related companies which fall within the definition of "affiliated service group" as defined in section 414(m) of the Internal Revenue Code of 1954 as amended. (Ord. 83-764-18)~~

b. ~~Laboratories and other research and development facilities, including basic, applied or development, or technical services, whether public or private, shall contain office space at least twenty five percent (25%) of the gross leasable area and in conformance with Section 6-8-4 if this Chapter.~~

c. ~~Offices; business, professional or governmental.~~

Comment [SMR2]: Permitted use in O/Ia

d. ~~Notwithstanding the foregoing, if a use is under said performance standards permitted only as a special use, such shall not be allowed as a permitted use.~~

3. ~~Agricultural or farming uses; dwelling unit shall be permitted on a lot devoted to said uses provided that the occupants are actively engaged in agricultural activities on the premises.~~

4.2. ~~Financial institutions; banks, savings and loan associations, mortgage houses, brokerage houses, and general finance institutions.~~

Comment [SMR3]: Permitted use in O/Ia

5. ~~Auxiliary retail or other uses which are incidental to and servicing only the principal use or for the convenience of the employees. Such uses shall be wholly within the principal building and there shall be no exterior display of the auxiliary function.~~

Comment [SMR4]: Permitted in O/Ia

6. ~~Accessory uses and structures; as in the O/Ia subdistrict. (Ord. 80-639-39)~~

C. In the O/Ic subdistrict, the following uses are permitted:

1. ~~Any Permitted Use As in the O/Ia and O/Ib subdistricts under the standards and conditions set forth in this O/Ic subdistrict.~~

2. ~~Any establishment, the principal use of which is restricted light manufacturing; fabricating; processing; assembly; repairing; storing; servicing; or testing of materials, goods or products, provided that said operations in conformance with the provisions of Section 6-8-3 and Section 6-8-4 (Performance Standards) of this Chapter, and all other applicable~~

~~provisions of this Zoning Code and other ordinances and regulations of the Village.~~

2. Laboratories and research and development facilities, weather public or private, in conformance with Section 6-8-3 and Section 6-84 of this Chapter.

~~3. Even if shown to conform with the provisions of Section 6-8-3 and Section 6-8-4 (Performance Standards) no lot, parcel, or tract of land shall be used, and no building or structure shall be erected, altered, or remodeled for any of the following uses: abattoirs; arsenals, blast furnaces; boiler works; cartage except where incidental to a permitted principal use; coke ovens cement and stone mason contracting yards; crematories; manufacture or storage of fireworks or explosives; dumping, reduction, or other processing of garbage, dead animals, or offal; the processing of refuse, except as customarily incidental to a permitted principal use; ore reduction; petroleum processing or refining; pyroxylin manufacture; natural or synthetic rubber, coutchouc, or gutta-percha manufacture or treatment; packing plants; salt works; sauerkraut manufacture; soap manufacture; smelters; stock yard or slaughter of animals or fowls processing of fish oil; tallow, grease or lard manufacture or treatment; tanning; curing, or storage of raw hides or skins; tar distillation or manufacture; or cement manufacturing; concrete or asphaltic concrete mixing plants.~~

Comment [SMR5]: Relocated to new Prohibited Uses Section 6-8-7

~~4. No activities involving the storage, utilization, or manufacture of materials or products which decompose by detonation shall be permitted, except such as are specifically licensed by the Village or are used as customarily incidental to the operation of a principal use in such quantities, and in a manner conforming with applicable performance standards set forth hereafter under subsection A of this Section. Such materials shall include, but shall not be confined to; all primary explosives such as lead ozide, lead styphnate, fulminates and tetracene; all high explosives such as TNT, RDX, HMX, PETN and picric acid; propellants and components thereof such as nitrocellulose, black powder, boron hydrides, hydrazine and its derivatives; pyrotechnics and fireworks such as magnesium powder, potassium chlorate and potassium nitrate; blasting explosives such as dynamite and nitroglycerine; unstable organic compounds such as acetylides, tetrazoles, perchloric acid, perchlorates, chlorates, hydrogen peroxide in concentrations greater than thirty five percent (35%); and nuclear fuels, fissionable materials and products and reactor elements such as Uranium 235 and Plutonim 239.~~

Comment [SMR6]: Relocated to new Prohibited Uses Section 6-8-7

5. Warehouses and storage, within a completely enclosed structure. Warehouses and storage do not include motor freight terminals or cartage firms which are not permitted uses in this zoning district.

6. Printing and reproduction services, graphic and photo-stating services, office machine sales and repair, office supply sales, and other similar uses.\

7. Municipal services activities, including but not limited to water supply facilities, public works facilities, or other Municipal facilities.\

~~8. Notwithstanding the foregoing, if a use is under said performance standards permitted only as a special use, such shall not be allowed as a permitted use.~~

~~9.8.~~ Notwithstanding the forgoing list of permitted uses only one business entity (user) shall be permitted to operate a permitted use in an individual building; more than one user in a single building (Multi-User Building) is hereby prohibited in this O/Ic subdistrict; provided, however, that the forgoing limitation shall not apply to buildings that contain only offices and ancillary services, or office/warehouse buildings that are under a single ownership, with a gross floor area of no less than 100,000 square feet, and further subject to each user occupying a minimum of 50,000 square feet. (Amd. Ord. 09-3106-29, eff. 7/13/09)

Comment [SMR7]: Consider reducing?

~~10.9. Accessory uses and structures, as in the O/Ia subdistrict.~~

D. In the O/Ic subdistrict, the following uses are permitted:

~~1. As Any Permitted Use in the O/Ia, O/Ib and O/Ic subdistricts under the standards and conditions set forth in this O/Ic subdistrict.~~

~~2. Any establishment, the principal use of which is manufacturing, fabricating, processing, assembly, repairing, storing, servicing, testing of materials, goods or products, provided that said operations conform with the provisions of Section 6-8-4, Performance Standards, and all other applicable provisions of this Zoning Code and other ordinances and regulations of the Village.~~

Comment [SMR8]: Permitted in O/Ic.

~~3. Warehousing and distribution centers when storage is within a completely enclosed structure. Warehousing and distribution centers do not include motor freight terminals or cartage firms which are not permitted uses in this zoning district.~~

Comment [SMR9]: Permitted in O/Ic.

~~4. Printing and reproduction services, graphic and photostating services, office machine sales and repair, office supply sales, and other similar uses.~~

Comment [SMR10]: Permitted in O/Ic

~~5.2.~~ Municipal service activities, including but not limited to water supply facilities, public works facilities, or other Municipal buildings or facilities.

~~6. Accessory uses as in the O/Ia subdistrict as set forth in Section 6-8-5A-2.~~

~~7. Notwithstanding the forgoing list of permitted uses only one business entity (user) shall be permitted to operate a permitted use in an individual building; more than one user in a single building (Multi-User Building) is hereby prohibited in this O/Ic subdistrict; provided, however, that the forgoing limitation shall not apply to buildings that contain only offices and ancillary services, or office/warehouse buildings that are under a single ownership, with a gross floor area of no less than 100,000 square feet, and further subject to each user occupying a minimum of 50,000 square feet. (Amd. Ord. 09-3106-29, eff. 7/13/09)~~

Comment [SMR11]: Permitted in O/Ic

E. In the O/Ic subdistrict railroad lead and spur tracks shall be authorized by the Board of Trustees only as special uses. No special use for a lead or spur track shall be granted by the Board of Trustees unless the following standards are met:

Comment [SMR12]: Should this be located in Special Use Section below or removed?

1. Except for the present lead track running in an easterly direction from the Soo Line main line track, any new lead tracks must run parallel to the Soo Line main line track and within twenty five feet (25') from the right of way line of said Soo Line or as otherwise provided for herein.
 2. No new lead track running parallel to the Soo Line main track shall be located less; than one hundred feet (100') of the center line of Aptakisic Road.
 3. The present lead track running in an easterly direction from the Soo Line main line track along the south line of the property presently occupied by Aluminum Mills shall not be extended eastward from its present terminus.
 4. Only spur tracks required to serve specific industries or users contiguous to a lead track shall be permitted and such spur tracks shall run parallel to the present lead track running in an easterly direction from the Soo Line main line track or to a lead track parallel to running parallel to the Soo Line main line track.
 5. All spur tracks installed to serve any users in this subdistrict shall only be permitted in the rear yard as defined in Section 6-8-5 of this Zoning Code, and must terminate within five feet (5') of the edge of the building.
 6. No railroad spur track shall be constructed or made available for public use or to any user(s) not immediately abutting upon such spur track.
 7. On zoning lots in the O/Id subdistrict which have spur tracks on the zoning lot, the coupling and uncoupling of railroad cars is prohibited between the hours of ten o'clock (10:00) P.M. and seven o'clock (7:00) A.M.
 8. Zoning lots in the O/Id subdistrict which are contiguous to any lead track must have a minimum two (2) acre lot area (eighty thousand [80,000] square feet) and a two hundred foot (200') minimum lot width.
 9. In the O/Id subdistrict only one rail user will be allowed for each five hundred (500) lineal feet of lead track. (Ord. 85-817-01)
- F. In the O/Id subdistrict only Fire Stations owned and operated by a unit of local government shall be permitted and only as a special use. (Ord. 94-1325-10)

6-8-6: SPECIAL USES: ALL SUBDISTRICTS:

- A. Commercial activities ~~intended to provide service to office and industrial uses established in the district and employees thereof~~, including but not limited to vehicle fueling stations which may include vehicle washes ~~as a special accessory use~~, restaurants, private clubs, convention and exhibition halls, motels and hotels, and car rental outlets.
- B. Public utility facilities including transportation facilities, structures and buildings (bus turnarounds, bus waiting shelters, but excluding heliports) telephone

exchanges, transmission buildings and equipment, telephone booths, electric distribution substations, natural gas equipment and distribution facilities.

C. Parking garages as a principal use.

D. Meeting and Events Center, as defined in Section 6-2-2 of this Zoning Code. (Ord.14-3309-35)

E. Hospital and/or medical campus

~~D.F.~~ Pet day care facility, excluding overnight boarding/kenneling

~~E.G.~~ Clinics (Medical), as defined in Section 6-2-2 of this Zoning Code, excluding urgent care facilities and/or surgical centers; provided that the cumulative off-street parking spaces for all uses operated on or from the premises, shall be provided in accordance with the minimum requirements listed in Section 6-11-3(B) of this Zoning Code, and subject to the following conditions:

1. In the O/la subdistrict, in any building on a zoning lot with frontage on an arterial highway (including but not limited to; Aptakasic Road, Half Day Road, and Milwaukee Avenue) there shall be no limitation on the proportion of clinic to non-clinic uses, irrespective of which floor the clinic(s) are located;
2. In the O/la subdistrict, in any building on a zoning lot without frontage on an arterial highway, no more than 25% of the gross floor area of a building shall be occupied by clinics, irrespective of which floor the clinics are located; and
3. In all other O/I subdistricts, no more than 25% of the gross floor area of a building shall be occupied by clinics, irrespective of which floor the clinics are located. (Amd. Ord. 07-33011-39, eff. 11/26/07)

6-8-7: PROHIBITED UES: ALL SUBDISTRICTS:

A. ~~Even if shown to conform with the provisions of Section 6-8-3 and Section 6-8-4 (Performance Standards) no~~ No zoning lot, parcel, or tract of land shall be used, and no building or structure shall be erected, altered, or remodeled for any of the following uses: abattoirs; arsenals, blast furnaces; boiler works; cartage except where incidental to a permitted principal use; coke ovens cement and stone mason contracting yards; crematories; manufacture or storage of fireworks or explosives; dumping, reduction, or other processing of garbage, dead animals, or offal; the processing of refuse, except as customarily incidental to a permitted principal use; ore reduction; petroleum processing or refining; pyroxylin manufacture; natural or synthetic rubber, coutchouc, or gutta percha manufacture or treatment; packing plants; salt works; sauerkraut manufacture; soap manufacture; smelters; stock yard or slaughter of animals or fowls processing of fish oil; tallow, grease or lard manufacture or treatment; tanning; curing, or storage of raw hides or skins; tar distillation or manufacture; or cement manufacturing; concrete or asphaltic concrete mixing plants.

B. No activities involving the storage, utilization, or manufacture of materials or products which decompose by detonation shall be permitted, except such as are specifically licensed by the Village or are used as customarily incidental to the operation of a principal use in such quantities, and in a manner conforming with applicable performance standards set forth

hereafter under subsection A of this Section. Such materials shall include, but shall not be confined to: all primary explosives such as lead ozide, lead styphnate, fulminates and tetracene; all high explosives such as TNT, RDX, HMX, PETN and picric acid; propellants and components thereof such as nitrocellulose, black powder, boron hydrides, hydrazine and its derivatives; pyrotechnics and fireworks such as magnesium powder, potassium chlorate and potassium nitrate; blasting explosives such as dynamite and nitroglycerine; unstable organic compounds such as acetylides, tetrazoles, perchloric acid, perchlorates, chlorates, hydrogen peroxide in concentrations greater than thirty five percent (35%); and nuclear fuels, fissionable materials and products and reactor elements such as Uranium 235 and Plutonim 239.

6-8-78: LOT SIZE, SETBACK AND HEIGHT REQUIREMENTS:

A. Lot Size Requirements: (Ord. 80-632-39)

1. Permitted Uses 0/1a, b and c Subdistricts: Each permitted use shall be located on a lot with a minimum area of two (2) acres (87,120 square feet) and a minimum lot width of two hundred twenty feet (220'), except that uses specified in Section 6-8-5C4 and 5, commercial and governmental service activities, shall be required to have a minimum lot area of one acre (43,560 square feet) and a minimum lot width of one hundred fifty feet (150'). (Ord. 80-632-39; amd. Ord. 85-817-01)

Multiple uses in a single building are not permitted unless such multiple uses are made by a single business entity (user).

A business entity shall be construed to include any parent company and any related companies which fall within the definition of "affiliated group" as defined in section 1504(a) of the Internal Revenue Code of 1954 as amended, and any parent company and any related companies which fall within the definition of "affiliated service group" as defined in section 414(m) of the Internal Revenue Code of 1954 as amended. (Ord. 83-764-18)

2. Permitted Uses 0/1d Subdistrict: Each permitted use shall be located on a zoning lot with a minimum area of forty thousand (40,000) square feet of area (one acre) and a minimum lot width of one hundred feet (100').
3. Special Uses: (Ord. 85-817-01) (Ord. 14-3309-35)

Special Uses	Minimum Lot Area	Minimum Lot Width
Gasoline Service Stations	1 acre	150 feet
Restaurants	1 acre	150 feet
Private Clubs	1 acre	150 feet
Meeting and Events Center	2 acres	150 feet
Convention and Exhibition Halls	5 acres	220 feet
Motels and Hotels	5 acres	220 feet

Car Rental Outlet	20,000 sq.ft.	150 feet
Public Utility Facility	As specified by the Zoning Board	
Commuter Rail Station	As specified by the Zoning Board	

B. Maximum Floor Area Ratio: In the O/I District, the floor area ratio shall not exceed the following:

1. Permitted Uses:

Commercial Service Uses	0.7
Industrial or Warehouse Uses	0.5
Office and Financial Institutions	1.0
Research and Development Facilities	0.5
All Other Permitted Uses	0.5

2. Special Uses:

Car Rental	0.7
Convention and Exhibition Halls	0.7
Gasoline Service Stations	0.7
Meeting and Events Center	0.5
Motels and Hotels	1.0
Parking Garages	As specified by the Zoning Board
Private Clubs	0.7
Public Utilities and Services	As specified by the Zoning Board
Restaurants	0.7

3. Accessory Uses: In the O/I District, the floor area of the accessory buildings shall be included in the total allowable floor area permitted on the zoning lot; however, any floor area devoted to off-street parking or loading facilities shall be exempt from floor area ratio requirements.
(Ord. 14-3309-35)

C. Maximum Building Height:

1. O/Ia Subdistrict: Maximum allowable height of all structures, including all mechanical equipment, shall be eighty five feet (85') or six (6) stories (and two (2) levels of underground parking), whichever is less. (Ord. 80-632-39)
2. O/Ib and O/Ic and O/Id Subdistricts: Maximum allowable height of all industrial, warehouse, or manufacturing structures, including all mechanical equipment, and other permitted uses, shall be forty five feet (45') or three (3) stories, whichever is less. Office buildings constructed in the O/Ib and O/Ic and O/Id subdistricts will be permitted to the heights set forth in paragraph 1 above. (Ord. 85-817-01)

6-8-8: YARD REQUIREMENTS:

A. Yards shall be provided in accordance with the regulations hereinafter indicated under each zoning district. Yards shall be unobstructed from ground level to the sky except that identification signs shall be permitted in accordance with the provisions governing signs in the applicable Village ordinances. All accessory buildings which are attached to principal buildings shall comply with the yard requirements of the principal buildings. Parking shall not be permitted in the required front yard or in required corner side yards. The outside edge of interior and rear yards shall not be covered with impervious material and shall be landscaped. Such landscaped area shall have a minimum width as is hereinafter dictated. (Ord. 80-632-39)

B. Yard Requirements Are as Follows: (Measured from lot lines of each zoning lot)

	Front Yard	Interior Side Yard	Corner Side Yard	Rear Yard
O/la & O/lb	50 feet*	30 feet**	50 feet*	30 feet**
O/lc & O/ld	35 feet***	20 feet***	35 feet***	25 feet***

* Increased by 1 foot for each 1 foot by which the building height exceeds 45 feet, up to 72 feet, including roof-top mechanical equipment. For that portion over 72 feet, including roof-top mechanical equipment, the front yard shall be increased by two feet for every 1 foot in height over 72 feet. Said increase shall be cumulative.

** Increased by 1 foot for each 1 foot by which the building height exceeds 45 feet, including roof-top mechanical equipment.

*** Increased by 1 foot for each 1 foot by which the building height exceeds 20 feet in the O/lc subdistrict and 30 feet in the O/ld subdistrict. In cases where an O/la or O/lb use is the principal permitted use on a zoning lot, yard requirements of the O/la and O/lb subdistricts shall apply.

However, where the side or rear yard of any zoning lot in the O/I District is adjacent to a zoning lot in any residential district such yard shall be considered a transitional yard. Transitional yards shall be 50 feet in depth where the building height is under 5 feet in height. This yard shall be increased by 2 feet for every 1 foot by which the building height exceeds 45 feet in height.

C. Landscaping; Required Yards; All Subdistricts: All areas of required yards not in use as drives, parking or a permitted accessory use shall be fully landscaped and maintained with grass, groundcover trees and shrubs.

D. Parking; Required Yards; Landscaping Buffer: Parking spaces shall be permitted in required rear and interior side yards, and there shall be no parking in the required front yards and corner side yards. Further, there shall be, at a minimum, a fully

landscaped and maintained strip of at least fifteen feet (15') in the O/la and O/lb subdistricts and eight feet (8') in the O/lc and O/lb subdistricts extending continuously along the perimeter of all rear and interior side yards (excluding driveway or sidewalk entrances, or railroad track frontage). (Ord. 85-817-01)

6-8-9: SIGNS: Signs shall be ~~allowed~~ permitted in the O/I Districts in accordance with ~~the regulations established in the applicable Village ordinances~~ Title 12, Sign Control. (Ord. 80-632-39)

**Zoning Board
August 12, 2014 Meeting**

Subject:	Comprehensive Plan - Amendments
Action Requested:	Preliminary discussion regarding proposed amendments to five Focus Areas in the Comprehensive Plan.
Originated By/Contact:	Steve McNellis, Director Department of Community & Economic Development
Referred To:	Zoning Board

Background:

In March, 2012, the Village Board approved the latest comprehensive update to the Village's Comprehensive Plan. That update was the result of nine months of workshop discussions with the Zoning Board and Village Board. The 2012 Update addressed land use recommendations in three Sector Areas, including; the East Sector (encompassing all land east of the Des Plaines River), the South Sector (encompassing land west of the Des Plaines River and south of Marriott Drive) and the Village Core Sector (encompassing land within the proximity of the Milwaukee Avenue and Half Day Road intersection). Critical Areas were defined within each sector. Those Critical Areas were researched, analyzed and recommendations formulated for their future land use.

On June 23, 2014, Staff met with the Village Board in a wide-ranging discussion on the challenges and opportunities for commercial properties and uses in the Village. One of several recommendations made by Staff was to revisit Comprehensive Plan recommendations for four key focus areas, which have been or soon will be receiving development pressure. Those Focus Areas include: 1) the Aon/Hewitt Tollway Campus at the northwest corner of Rt.22 and the Tollway, 2) Southwest Corner of Rt 22 (Half Day Road) and Rt. 21 (Milwaukee Avenue), 3) Southeast Corner of Rt. 22 and Rt. 21, and 4) Newly-platted North Sedgebrook Property. Staff believes these Focus Areas should be revisited given the recommended land Uses and how they could be affected by the changing commercial environment.

Summary of Focus Areas:**Area 1 – Aon Hewitt Tollway Campus:**

(Current) Land Use Recommendation: Professional Office. "The planning area's proximity to the nearby Tri-State International Office Center and adjacent Interstate Tollway 94 could foster future development pressure for commercial support services based on the high visibility and traffic generated by the surrounds. However, the "Professional Office" land use classification has been designated for this Critical Area to reinforce that professional office uses remain as the most appropriate land use classification for this planning area."

Staff Comments – Staff's 2012 recommendation was to designate this parcel to permit services such as restaurants, hotels, and other support services for the corporate office community. Staff further noted the adjacent Interstate Tollway promotes the opportunity to expand commercial land uses based on the high visibility and traffic generated by the interstate. While the "Professional Office" future land use classification was designated for this Critical Area, and could remain appropriate under a single land use development, any redevelopment of this planning area should consider introducing additional commercial land uses that compliment/support professional office uses.

Staff continues to believe that a mixed-use development is appropriate for this large, visible site at the gateway to the community. Mixed-use could include a large corporate office building, limited commercial (either a unique commercial development or support for the immediate area), hotel and possibly even multi-family housing. As an example, the northwest corner of Willow Road and Interstate Tollway 294 in Glenview contains a mixed-use development anchored by a large corporate office headquarters (Astellas). It is important this Focus Area have limited commercial, unless it is a very unique type of commercial development (entertainment or unique shopping experience), so it does not pull customers from the Village's existing commercial corridor on Milwaukee Avenue. Along with a re-consideration of the land use recommendation, the Zoning Board may wish to recommend a rezoning to a more appropriate zoning district (ie. B2 Commercial or R5 Mixed-Use) be undertaken.

Note - This property is currently For-Sale and is expected to transfer ownership this Fall.

Area 2 – Southwest Corner of Rt. 22 and Rt. 21:

(Current) Land Use Recommendation: Planned Commercial Development “is recommended for this area to highlight the feasibility of the highest and best land use for this critical area. Any such commercial development must be executed in a unified manner with unique architectural character and detail to complement the commercial character outlined for Critical Area 4.”

Staff Comments – As with Area 1, Staff recommends consideration be given to designation of this parcel as Mixed-Use, with an emphasis on commercial, and permissibility for support uses such as hotel and multi-family uses. Development pressure on this site over the past several years has focused on commercial development with the possibility of a corporate office building(s), entertainment uses and multi-family housing units (from condos to rental apartments). With an adjacent large office employment center (Lincolnshire Corporate and Business Centers), support uses and services are appropriate. In addition, the large employment base makes a case for the inclusion of multi-family housing to serve those employees interested in working close to home. Along with a re-consideration of the land use recommendation, the Zoning Board may wish to recommend a rezoning to a more appropriate zoning district (ie. R5 Mixed-Use) be undertaken.

Area 3 – Southeast Corner of Rt. 22 and Rt. 21:

(Current) Land Use Recommendation: Corridor Commercial “This planning area has been placed within the “Corridor Commercial” land use classification in recognition of its location along a major traffic intersection and to supplement the mixed-use commercial development forecasted for Critical Area 4 (Downtown, Northeast corner of Rt. 22 & 21). Due to the environmental constraints, land size and accessibility limitations of this planning area, a Commercial planned unit development (PUD) typical of Village Green, etc. cannot be expected for this area. However, any retail development should be complimentary to the development qualities and character of the Village Core. Creative site planning and design is necessary to ensure that any development of this area is not executed hastily in order to avoid the occurrence of a traditional commercial retail “strip” center at this highly visible intersection.”

Staff Comments – Staff recommends consideration of additional uses on this corner. Limited accessibility may continue to limit the commercial possibilities for this parcel. Per IDOT's current position, there would be no opportunity for full-access driveways to this site on either Rt. 22 or Rt. 21. This significantly reduces the possibility for the type of commercial uses the Village would like to see at this high-profile location. A restrictive land use recommendation tied only to

commercial uses could produce only marginal commercial uses that don't meet the Village's vision for this intersection.

Area 4 – North Sedgebrook property:

(Current) Land Use Recommendation: Attached Residential “While there are approximately 26 acres remaining for development in the approved retirement community site development plans, this area could generate additional land use interests that are consistent with the “Attached Residential” land use classification, but are not compatible with the adjacent Sedgebrook development land use. The land use recommendation focuses on the current continuing care retirement community land use as most appropriate for this planning area. Any deviations should not be permitted in order to prevent incompatible land uses that could jeopardize the existing Sedgebrook Retirement Community.”

Staff Comments – As the Zoning Board may be aware, Sedgebrook recently subdivided their property, resulting in a new 20-acre lot at their northern limits, along Riverside Road. The property was subdivided in anticipation of selling the 20-acre parcel and developing only the remaining 70 acres to the south. During Village Board Consideration of this subdivision, the subject of permissible land uses was discussed. It was determined the zoning should remain R4, Single-Family Attached Residence, same as the Sedgebrook Retirement Community, in order to provide the Village maximum control over any proposed use. The Comprehensive Plan designation and zoning are consistent with a Sedgebrook type facility, and limited to such a use. However, it is clear the parcel will not develop as an attached-unit retirement community, nor is it likely the preferred use. Staff recommends the Zoning Board and Village Board take the opportunity to clearly define the permissible land use for this parcel, in order to provide clear direction to interested developers. Uses from commercial to multi-family to a mixed-use development with commercial along Milwaukee Avenue and multi-family behind the commercial have been discussed.

Recommendation:

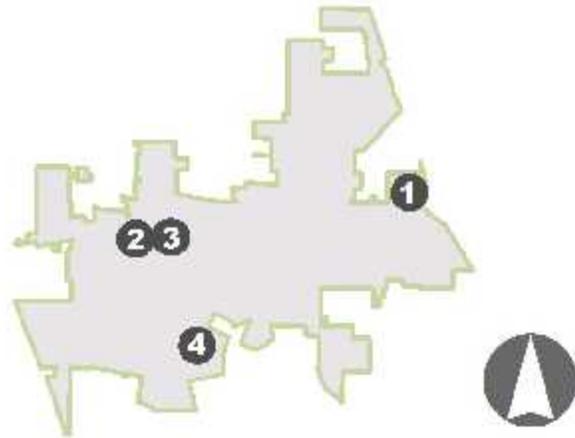
Consideration and discussion of proposed amendments to the 2012 Update of the Comprehensive Plan, and placement on the September Zoning Board for Public Hearing.

Reports and Documents Attached:

- Focus Area's Location Map, prepared by Staff.

Meeting History	
COW Discussion & Referral	June 23, 2014
Current Zoning Board Discussion	August 12, 2014

- Excerpts from the 2012 Update to the Comprehensive Plan.



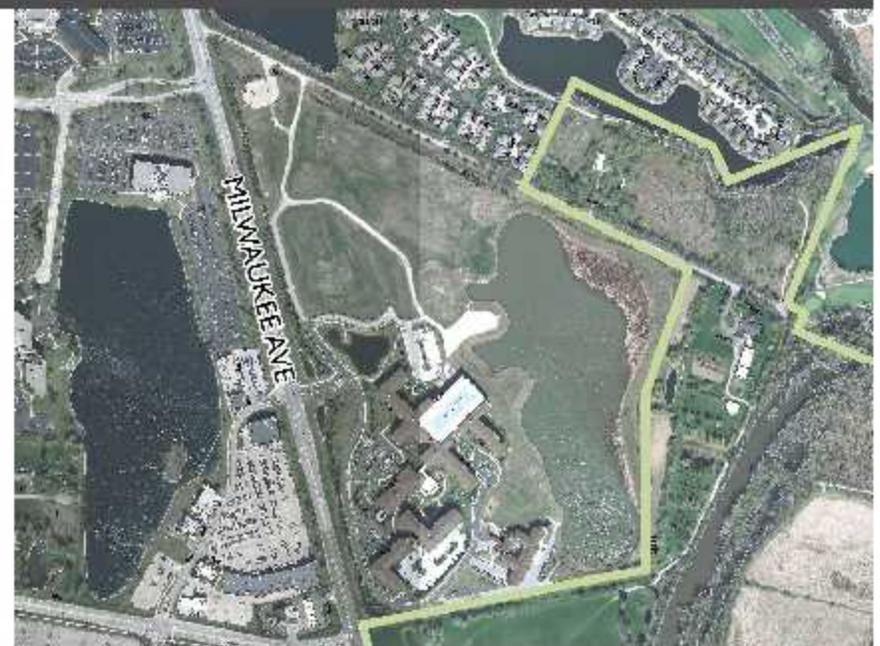
1 Aon Hewitt Tollway Campus



2 & 3 SE & SW Corners of Rt. 22 & 21



4 Subdivided Sedgebrook Parcel



Berkshire Lane. The section of Old Mill Road between Half Day Road and Fallstone Drive should be removed in its entirety to permit the design of the subdivision and the reconfiguration of these roadways. The newly created intersection will provide the improved traffic flow necessary for the anticipated increase in residential traffic in this area.

* **Critical Area 4** (see map on page 24)

Area 4 consists of approximately 38 acres and contains three office buildings and off-street parking areas for the AonHewitt Half Day Road Campus located along the north side of Half Day Road, immediately west of Interstate Tollway 94. The campus was developed around the environmental features present in this Area through the preservation of significant woodlands and incorporation of required stormwater detention facilities. This planning area has long served as the Half Day Road Office Campus for Hewitt Associates, which was merged with Aon Corporation in 2010 and currently remains an active center of the restructured AonHewitt company. Access to the site is maintained by a divided four-lane entrance/exit from Half Day Road, directly north of Westminster Way.

Land Use Recommendation: Professional Office

As the improvements of this planning area consist of an aging office campus developed under outdated corporate office design standards, the ability for the site to sustain its current development design may not be reasonable in its existing form. In the latter years of the 2000's, corporations have streamlined internal operations and no longer operate under the surplus employee workforce as was standard prior. As a result, the overall planning area may be too expansive for one corporation, current or future, and future redevelopment of this area may be likely. The planning area's proximity to the nearby Tri-State International Office Center and adjacent Interstate Tollway 94 could foster future development pressure for commercial support services based on the high visibility and traffic generated by the surrounds. However, the "Professional Office" land use classification has been designated for this Critical Area to reinforce that professional office uses remain as the most appropriate land use classification for this planning area.

Any future redevelopment of this planning area should continue to be done so in a manner that mitigates any impacts on adjacent residential neighborhoods. Critical Area 3 is located to the north and west of this Area and is classified for future single-family residential development.

Therefore, the dense woodlands along the perimeter to Area 3 should remain to provide a naturalized buffer for any such future residential development. The presence of wetlands along Half Day Road supports the preservation of the substantial tree coverage along this frontage and would also continue the semi-rural character of the Half Day Road corridor. In addition to the significant tree coverage, the West Fork of the North Branch of the Chicago River traverses the eastern boundary of the planning area and development is subject to the North Branch Chicago River Watershed Plan to ensure preservation and restoration of this waterway. Furthermore, the existing stormwater detention ponds constructed from the expansion of the AonHewitt Center should be reconditioned to current Best Management Practices (BMP's) and incorporate native plantings to further retain the natural setting of the campus.

Vehicular access to the site will remain at the current four-lane entrance to the Area, which provides signalization from the intersection to Half Day Road. Due to the recent reconstruction of the Half Day Road overpass of Interstate Tollway 94 in 2010, the intersection to this planning area can sustain an increase in traffic volumes that could be associated with any potential future office redevelopment.

Critical Area 5 (see map on page 26)

This planning area is composed of approximately 11 acres of land within the Village's corporate boundary and is zoned for the single-family residential land uses of the R-2 and R-3 residential zoning districts in consideration of the eight single-family homes that have existed in this area prior to the Village's annexation of this land area. With some exception, the majority of the existing residences are characterized as older rural-remnant structures that do not maintain any specific historical architectural significance.

This Area is nestled between the Tri-State International Office Center to the north and east,

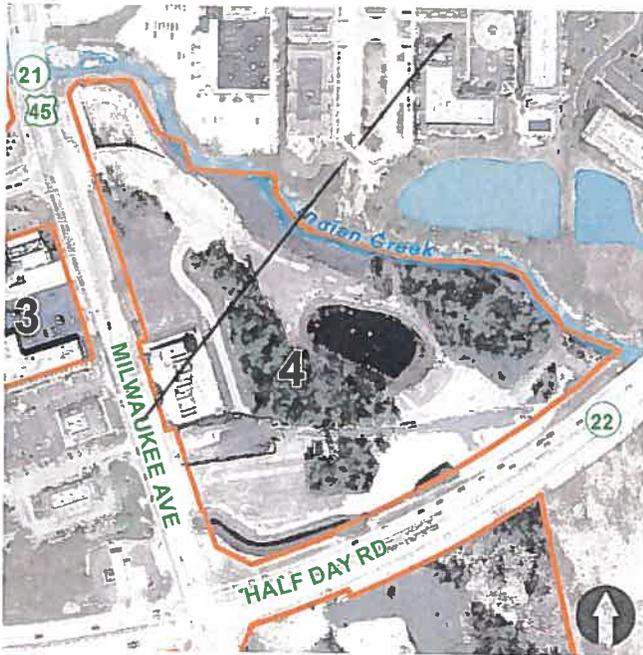
VILLAGE CORE SECTOR

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tent with traditional downtown development. Continued ingress and egress to the planning area from Milwaukee Avenue and Olde Half Day Road remains acceptable, however, consolidation of curbs along Milwaukee Avenue should be strongly encouraged to reduce traffic conflicts.

Critical Area 4

This planning area is composed of approximately 12.8 acres of the Village's Downtown Redevelopment Area established at the northeast corner of Milwaukee Avenue and Half Day Road. Although this planning area previously contained several deteriorated commercial retail and residential structures, including a former Lincolnshire-Riverwoods Fire Protection District station, the village has removed all the remnant structures and prepared the area to construction ready condition.



As a result of the Village's progression in preparing the site for future construction, the majority of the existing low-quality scrub trees have been removed. Furthermore, the village has also performed substantial improvements to the banks of Indian Creek, including the planting of additional trees and aquatic vegetation. Included in the site preparation work was construction of a stormwater detention basin and compensatory stormwater storage facility. Additional environmental considerations include the ongoing environmental remediation work at the site

of former and current gas stations. It is important to note that the current remediation work must be completed prior to any future development of the planning area.

Ingress and egress to this planning area has been re-established on Half Day Road as a restricted, right-in/right-out configuration and at the reconfigured Milwaukee Avenue/Olde Half Day Road signalized intersection, pursuant to IDOT restrictions and approval.

Land Use Recommendation: Mixed Use Village Core

This planning area has been placed within the "Mixed Use Village Core" land use classification to permit its redevelopment in conformance with the Village's Downtown Redevelopment Plan. The redevelopment of this area should be characterized by human-scale buildings with street frontage facades and rear or interior parking areas. Architectural characteristics of this design should include four-sided buildings employing high-quality design and building materials, with pedestrian connectivity to the greatest extent possible. Furthermore, the design of this area should convey a unique sense of place.

Land uses acceptable within this planning area include retail, service-oriented, and entertainment-based uses as a convenience and destination point for village residents and visitors. Access to the site should be provided via the recently constructed curbs along Milwaukee Avenue and Half Day Road.

* **Critical Area 5** #3 SE CORNER of RT. 22 & 21.

Area 5 is partially made up of a collection of four parcels consisting of approximately 7 acres. This vacant planning area is located at the southeast corner of Milwaukee Avenue and Half Day Road, south of Critical Area 4.

Although the trees within this planning area do not exhibit the level of superior quality found throughout other areas of the village, additional environmental considerations within the area include the presence of wetlands and a small portion of the Indian Creek 100-Year Floodplain at the eastern boundary.

Even though the site maintains frontage on both Milwaukee Avenue and Half Day Road, access to the vacant site is currently not provided.



Land Use Recommendation: Corridor Commercial

This planning area has been placed within the “Corridor Commercial” land use classification in recognition of its location along a major traffic intersection and to supplement the mixed-use commercial development forecasted for Critical Area 4. Due to the environmental constraints, land size and accessibility limitations of this planning area, a commercial planned unit development (PUD) typical of the Village Green, CityPark, and Lincolnshire Commons cannot be expected for this area. However, any retail development should be complementary to the development qualities and character of the Village Core. Creative site planning and design is necessary to ensure that any development of this area is not executed hastily in order to avoid the occurrence of a traditional commercial retail “strip” center at this highly visible intersection. Architectural design consistent with that of Critical Areas 2 and 4 is strongly encouraged in order to visually unite the entire area by way of strong architectural elements, features and high-quality building materials. Further, site design should orient building facades facing the Milwaukee Avenue and Half Day Road frontages and locate parking areas in the rear of any development.

The limited frontage of this planning area along Milwaukee Avenue and proximity to the Half Day Road intersection creates a unique challenge for vehicular access. Ingress and egress on Milwaukee Avenue and Half Day Road will be limited to a single right-in/right-out/left-in curb-cut design. Opportunities for a full access curb-cut on Half Day Road to align with Critical Area 4 to the north have been denied by IDOT and further reinforced through the positioning of the Half Day Road curb-cut to Critical Area 4. Full access to the area can be achieved via a northern extension of Knightsbridge Parkway from its current terminus at Marriott Drive. This roadway extension would extend northerly to connect to Half Day Road.

Stormwater detention facilities should be established at the southeastern portion of the area, between the existing Courtyard by Marriott hotel and the future extension of Knightsbridge Parkway. This location would result in minimal disruption of the nearby wetlands and provide a naturalized separation to the hotel from the extended roadway. Pedestrian connectivity should also be required along the Knightsbridge Parkway extension and to the neighboring hotel to facilitate pedestrian access for nearby hotel guests and employees of the surrounding office buildings.

#2 SW CORNER OF RT. 22 & 21

* **Critical Area 6** (see map on page 48)

This planning area is composed of two vacant parcels at the southwest corner of Milwaukee Avenue and Half Day Road totaling approximately 21 acres, located within the Lincolnshire Corporate Center. Although the area is situated adjacent to the most visible intersection in the village, development of this land area has yet to occur.

Currently there are no access points to this vacant site. However, Marriott Drive provides opportunity for multiple curb-cuts into the planning area. No environmental constraints are present in this area, however, an existing stormwater detention pond is located at the southeast corner of the planning area.

Land Use Recommendation: Planned Commercial Development

Although this planning area is located within the Lincolnshire Corporate Center and currently zoned

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O/la – Office/Industrial Zoning District, the highly visible location at the Milwaukee Avenue and Half Day Road intersection (situated diagonally from the Village’s Downtown Redevelopment Area) makes it viable to support commercial land uses. The land use classification of “Planned Commercial Development” is recommended for this area to highlight the feasibility of the highest and best land use for this critical area. Any such commercial development must be executed in a unified manner with unique architectural character and detail to complement the commercial character outlined for Critical Area 4.



Primary vehicular access should be limited to Marriott Drive and align with the existing driveway curb-cuts of Walker Bros. Original Pancake House restaurant and the Spring Hill Suites hotel on the south side of Marriott Drive. Limited right-in/right-out access could be accommodated off Half Day Road based on site design and authorization from IDOT. Pedestrian paths should also be incorporated along the perimeter of the planning area and incorporated into the development site design to provide alternative transportation means and recreational amenity to village residents and employees in the nearby corporate center.

Expansion of the stormwater detention facilities may be necessary depending on the proposed development of the planning area and should be integrated as an extension of the existing pond located along

Milwaukee Avenue. The existing stormwater pond has experienced significant shoreline erosion and any future improvements to the site should require restoration to the banks, including the introduction of native and aquatic vegetation.

Critical Area 7

Critical Area 7 consists of a single parcel encompassing slightly under one acre within the Village’s corporate boundary, located at the northeast corner of Half Day Road and Hotz Road. Single-family residential is located north and west of the area, with the neighboring Lincolnshire Animal Hospital to the east. The area is currently vacant and is heavily wooded, with elements of a wetland present.

Land Use Recommendation: Professional Office

Although quite small in land area, this site has been identified as a result of its high level of visibility within the Half Day Road corridor and the sensitivity of future land uses to the adjacent properties. The heavily wooded nature and wetland qualities further contribute to the difficulty of appropriate land use development for this planning area. Residential land use, regardless of its form, is not suitable and should be discouraged due to the area’s Half Day Road frontage and lack of opportunities for the incorporation of proper buffer yards as a result of the land area’s minimal size. As a result, this area has been placed in the “Professional Office” land use classification to accommodate small-scale office uses consistent with the neighboring Lincolnshire Animal Hospital to the east. As any form of development of this planning area will cause some impact to the surrounding residences, future development should be limited to a single-story structure, with sufficient landscape screening along the northern boundary of the area to provide a natural buffer to mitigate any such impacts. Architectural design consistent with that of the prevalent residential character surrounding this area is strongly encouraged to visually unify by way of architectural elements and features, as well as through the use of high-quality building materials. Furthermore, site design should include building facades oriented to the Half Day Road frontage and rear parking areas in a manner consistent with traditional downtown development.

current trail to allow future residents of this planning area quick and easy access to recreational opportunities.

*** Critical Area 5**

Critical Area 5 distinguishes itself from the other focus areas of the South Sector, as well as all other critical areas of this Plan as a result of its status as the largest parcel of intact acreage within Lincolnshire's municipal boundary (approximately 90.4 acres). The property is located at the southern most end of the current municipal boundary, along the east side of Milwaukee Avenue. Historically used for agricultural crop growth, the planning area was annexed into Lincolnshire and construction began on the development of the Sedgebrook Retirement Community in 2004. The Village's approval of the Sedgebrook residential development substantially altered the character of the Milwaukee Avenue corridor in this area. Pursuant to that approval, the first of three total "neighborhoods" in Sedgebrook was completed in 2009, with the construction of the remaining two neighborhoods yet to occur.

As a result of the scope of the Sedgebrook development, careful consideration was taken to ensure ingress and egress to the site was managed to avoid causing traffic conflicts along Milwaukee Avenue, a four-lane primary arterial under the authority of IDOT. In order to achieve this, access was confined to a single location in-line with the Milwaukee Avenue access for Lincolnshire Commons retail center to establish a fully signalized intersection.

Land Use Recommendation: Attached Residential

Although development of this planning area is one-third complete and Village Board approvals have been granted to the conceptual development plans for the remaining Planned Unit Development (PUD), the site remains as a critical area. Typically, phased development projects that have not reached completion would not evoke the need to be included in a focus area. However, the effects of the economic downturn set off in 2008 have stalled the progress of the Sedgebrook development and resulted in the property being acquired by a new corporation from the original developer of the campus. As the weakened economy has largely affected residential home

sales, further expansion of the residential retirement campus has been placed on hold. While there are approximately 26 acres remaining for development in the approved retirement community site development plans, this area could generate additional land use interests that are consistent with the "Attached Residential" land use classification, but are not compatible with the adjacent Sedgebrook development land use. The land use recommendation focuses on the current continuing care retirement community land use as most appropriate for this planning area. Any deviations should not be permitted in order to prevent incompatible land uses that could jeopardize the existing Sedgebrook Retirement Community. Furthermore, since the current owner/operator of the Sedgebrook development was not the original developer of the community, any future expansion must be carefully considered in order to maintain the quality and character that identifies the currently built area of the Sedgebrook campus.



Critical Area 6

This planning area consists of 18 acres and is bound by Area 5 to the west and the Des Plaines River to the east. Much like Critical Area 4, this site exists as a former farmstead, which has been well maintained to date.

Natural features in this planning area consist of a combination of mature coniferous and deciduous