

TABLE 5-1: DESIGN STANDARDS IN THE R-5 DISTRICT

1.0 MOBILE (MANUFACTURED) HOME INDIVIDUAL SITES

- 1.1** The required minimum setback from the mobile (manufactured) home to the boundary line of the mobile (manufactured) home site shall be:
- a. Front setback: Twenty-five feet.
 - b. Rear setback: Ten feet.
 - c. Side setback: Ten feet.

Every mobile (manufactured) home lot shall be clearly defined on the ground by permanent markers. They shall be posted and maintained in a conspicuous place on each lot as shown on the plot plan submitted as required herein so that each lot may be easily identified.

- 1.2** The minimum size of a mobile (manufactured) home site shall be four thousand square feet for a single wide unit and five thousand square feet for a double wide unit. Each lot shall have a maximum floor area ratio (FAR) of 0.40.
- 1.3** The minimum lot width shall be forty feet. For any mobile (manufactured) home greater than twelve feet in width, the minimum lot width shall be forty-five feet. The lot width shall be maintained between points ten feet in front of and five feet to the rear of the stand.
- 1.4** A mobile (manufactured) home stand shall be solid continuous concrete slab constructed so as not to shift or settle unevenly under the weight of the mobile home or other forces due to frost, vibration, wind, or water. The mobile (manufactured) shall be secured to the ground with an approved tiedown or anchoring device. The mobile (manufactured) home stand, anchor, and skirting shall be constructed in accordance with local building regulations and applicable State and Federal regulations.
- 1.5** Each mobile (manufactured) home site shall be provided with an outdoor living area. Such area shall either be paved or constructed of masonry or concrete blocks to create a single usable surface adjacent to the mobile (manufactured) home. The area shall be a minimum of one hundred sixty square feet, with a minimum dimension of eight feet.

- 1.6 All mobile (manufactured) homes placed on foundations shall have the entire perimeter enclosed. The enclosure shall be of a material approved by the Village. The metal panels manufactured for mobile (manufactured) home enclosures shall be considered to meet these standards. Any additions or alterations made to a mobile (manufactured) home unit including porches, awnings, and overhangs, shall not exceed one hundred sixty square feet, shall be setback a minimum distance of fifteen from an adjacent mobile (manufactured) home, conform in color with the existing unit and be of compatible material.
- 1.7 For the purpose of this ordinance, the following shall not be considered as obstructions when located in the yards indicated:
- a. In any yards: Chimneys, overhanging roof eaves, open terraces and awnings adjoining the mobile (manufactured) home if they do not exceed ten percent of the depth of the yard; and ornamental light standards and flagpoles, fences, trees and shrubs, except that on corner lots, fences trees and shrubs shall not be higher than three feet above the centerline grade of the intersecting streets if located in that portion of a required front or side yard situated within twenty feet of the lot corner formed by the intersection of any two street lines.
 - b. In front yards: Six feet wide parking bays may occupy that part of the front yard. Driveways are not considered as an obstruction in a front yard. No other obstructions shall be permitted.
 - c. In side yards: Open accessory off-street parking spaces, except in a side yard abutting a street.
 - d. In rear yards: Private garages or carports, if attached or structurally a part of the mobile (manufactured) home, open accessory off-street parking spaces, accessory sheds, tool rooms, or other similar accessory buildings; private swimming pools in accordance with the regulations of the Village. Accessory buildings or structures may occupy not more than thirty percent of a rear yard.

2.0 SERVICE BUILDINGS AND ACCESSORY USES

- 2.1 All mobile (manufactured) home developments shall provide the following service buildings and other community facilities:
- a. A management office.
 - b. Maintenance storage facilities.
 - c. Other facilities required by State Law.

All service buildings shall be permanent structures complying with all applicable laws and ordinances regulating the construction of buildings. All service buildings shall be adequately lighted at all times of day and night, and shall be well-ventilated and with screens on all openings, and shall be constructed of such moisture proof material, including painted woodwork, as shall permit repeated cleaning and washing and shall be maintained at a temperature of not less than sixty-eight degrees F during the period from September 1st through May 15th.

Floors of all service buildings shall be of water-impervious material, shall contain a drain or drains and shall be constructed as to assure efficient drainage to such drain or drains.

All service buildings and the grounds of the park shall be maintained in a clean, sightly condition and kept free of any condition that will menace the health of any occupant or the public or constitute a nuisance or fire hazard.

- 2.2 Laundries, day care, and other permitted uses accessory to the mobile (manufactured) housing development may only be established as part of an approved site plan for the provisional use.

When laundry facilities are provided, such facilities shall conform to the following standards:

- a. Hot and cold water outlets shall equal not less than the number of laundry trays and washing machines.
 - b. An ample number of electrical outlets shall be provided supplying current sufficient to operate each such machine.
 - c. The laundry facilities shall be in a separate service building, or, if in the same building where sanitation facilities are housed, shall be separated from the area housing sanitation facilities by a soundproof wall.
- 2.3 If accessory storage structures are provided for individual mobile (manufactured) home sites, they shall not exceed two hundred fifty square feet in area and shall not be located within ten feet of any edge of the mobile (manufactured) home site.
- 2.4 Storage facilities may be provided in compounds located within a reasonable distance, not more than five hundred feet from each stand and located not closer to private streets and public streets than the mobile (manufactured) home itself. Storage facilities shall be designed in a manner that will enhance the appearance of the court and shall be constructed of suitable weather resistant materials appropriate under the use and maintenance contemplated.

- 2.5 No individual storage facilities for gasoline, oil, gas, liquefied petroleum or other fuels shall be permitted within the mobile (manufactured) home park.
- 2.6 A general parking/storage area for recreational vehicles and boats with trailers may be provided for the use of the mobile (manufactured) home park residents. The size of this parking/storage area shall be based upon the size of the park and the anticipated need. The area shall be screened (per the requirements of Article Nine) and stated setbacks shall be followed.

3.0 SIZE, DENSITY, AND SETBACKS

- 3.1 The minimum size of a mobile (manufactured) housing park shall not be less than five acres.
- 3.2 The minimum number of spaces which must be completed and ready for occupancy before the first occupancy is permitted is twenty-five spaces.
- 3.3 The setback along the periphery of the mobile (manufactured) housing park shall be as follows:
- a. Distance from the line or corner of a mobile (manufactured) home stand to an Interstate Highway, State Highway, or County Highway right-of-way: Forty-five feet.
 - b. Distance from the line or corner of a mobile (manufactured) home stand to an arterial or collector street right-of-way: Thirty-five feet.
 - c. Distance from the line or corner of a mobile (manufactured) home stand to a local street right-of-way: Twenty-five feet.
 - d. Distance mobile (manufactured) homes can be located relative to a park boundary: Twenty-five feet. [The park boundary is either the lot or parcel line OR the right-of-way line of a public street or road].

4.0 RECREATIONAL OPEN SPACE, LANDSCAPING, AND SCREENING

- 4.1 Not less than ten percent of the gross site area of the mobile (manufactured) housing park shall be devoted to recreational open space.
- 4.2 The area of each parcel designated as recreational open space shall not be less than six thousand square feet in area or less than thirty feet in its smallest dimension.

- 4.3 Recreational open space shall meet the design standards for open space guidelines established for Planned Developments.
- 4.4 Unpaved areas in between mobile (manufactured) homes shall have permanent lawns or ground cover in accordance with the Village's ordinances. Each two thousand square feet of lot area shall require one tree. Each tree shall be a minimum of one inch in diameter.
- 4.5 Mobile (manufactured) housing parks shall meet the requirements for screening. Views to be screened shall include laundry drying yards, garbage areas, trash collection stations, other non-residential uses, and yards of all adjacent properties.

5.0 WASTE DISPOSAL

- 5.1 Corrosion resistive metal garbage cans or other noncombustible containers, with tight fitting covers, shall be provided in quantities adequate to permit disposal of all garbage and rubbish. Each mobile (manufactured) home lot shall have at least one garbage can within one hundred feet of it. The cans shall be kept in a sanitary condition as determined through inspection of Village officials.
- 5.2 Garbage and rubbish shall be collected and disposed of as frequently as may be necessary, but not less than weekly, to insure that the garbage cans shall not overflow.

6.0 STREETS, PARKING, AND LIGHTING STANDARDS

- 6.1 All mobile (manufactured) housing parks shall be provided with adequate, safe, and convenient vehicular access from abutting public streets.
- 6.2 Public street dedications within or abutting mobile (manufactured) home parks shall be constructed in accordance with the Subdivision Regulations.
- 6.3 Entrance drives shall meet the requirements for residential access drives.
- 6.4 The internal circulation system shall meet the requirements for internal circulation contained in Article Six, Planned Unit Developments.

Where private streets are provided within the mobile (manufactured) home park, the minimum private street width on which an individual mobile (manufactured) home fronts shall be twenty-four feet and shall be located approximately in the center of a parcel of property equal to the width of right-of-way for a local residential street.

All future private streets constructed in connection with a mobile (manufactured) home park shall be designed and laid out in accordance with the Subdivision Regulations of this Ordinance. This requirement shall not apply to mobile (manufactured) home parks existing at the time of the passage of this Ordinance.

- 6.5 Individual walkways to each mobile (manufactured) home stand from the parking area is required and shall be a minimum of three feet in width. The walkway shall either be paved or constructed of masonry or concrete blocks to create a single usable surface. Location of the parking area adjacent to the mobile (manufactured) home stand is sufficient to meet this standard.
- 6.6 Common walks, five foot in width, are required at locations where heavy pedestrian traffic is likely to occur, such as at entrances, service facilities, and recreation areas. Common walks should be located through interior areas removed from streets wherever possible and shall be constructed to the same standards as an individual walkway.
- 6.7 Two parking spaces per unit shall be provided within the mobile (manufactured) home development (each eighteen feet six inches in length, nine feet in width). One parking space shall be provided on the individual mobile (manufactured) home site. The second parking space shall either be provided on the mobile (manufactured) home site, on the access drive in front of the site, or in a guest parking area. Parking is not allowed on general circulation drives and streets. The guest parking space shall be located within two hundred feet of the site it is intended to serve.
- 6.8 All entrances, exits and internal access drives shall be lighted between sunset and sunrise. Not less than a one hundred watt electric light shall be provided for each two hundred lineal feet of private street and at each entrance and exit to the mobile (manufactured) home park.

At least one receptacle outlet for each mobile (manufactured) home space shall be provided.

7.0 UTILITIES

- 7.1 Water, sanitary sewer, electrical, telephone, and cable television services shall be provided in accordance with State and Local regulations.
- 7.2 Stormwater management shall be provided in accordance with the Village's Subdivision Ordinance.

7.3 Fire hydrants shall be provided in accordance with State and Local regulations.

END OF TABLE 5-1.

ARTICLE FIVE: PROVISIONAL AND SPECIAL USES

Section 5.1 General

- 5.1.1 Purpose: This Article will establish procedures for provisional and special use review. Additionally, this Article establishes design standards for those uses identified as a provisional or special use. The provisional and special use process allows flexibility in the Ordinance by allowing uses in certain districts that would not otherwise be permitted. Such uses may generally be compatible in a district, but depending on how the use is designed and operated, there is a potential that the use could be incompatible with the rest of the neighborhood.
- 5.1.2 Provisional Use: A provisional use is generally compatible with the other uses permitted in a zoning district, but requires individual review of their location, design, operation, configuration, and intensity to mitigate any potential adverse effect on surrounding lands. Such uses need to show information on a site plan to demonstrate compliance. The Zoning Board of Appeals needs to conduct a more thorough review to ascertain that the additional provisions are being met. A valid provisional use permit, authorized by the Zoning Board of Appeals and the Village Board of Trustees in accordance with the procedures stipulated herein, is required before applying for a building permit or a certificate of occupancy.
- 5.1.3 Special Use: A special use is potentially appropriate in and compatible with other uses in its zoning district, but, due to the scale and nature of the use, the special use has a potential to make a major negative impact on its district and the Village as a whole. Such uses necessitate close examination, site plan review, individual regulation and notification of surrounding land owners. The proposed special use must serve a special need or be required at that specific location for the public convenience. A valid special use permit, authorized by the Zoning Board of Appeals and the Village Board of Trustees in accordance with the procedures stipulated herein, is required before applying for a building permit or a certificate of occupancy.
- 5.1.4 Continuance: Permits for provisional uses and special uses do not necessarily run with the property. When a provisional or special property use undergoes a change in ownership, management, or operation that is inconsistent with the initial permit application, and any conditions of approval of that application, said change will require, upon determination by the Zoning Administrator, a review of the provisional or special use by the Zoning Administrator or a new and complete re-application before the Zoning Board of Appeals as required by this Ordinance. All reviews shall determine whether or not the change results in conditions inconsistent with the original requirements mandated at the issuance of the permit. All decisions by the Zoning Administrator may be appealed as provided under this Ordinance.

5.1.5 Existing Provisional and Special Uses: Where a use exists on the effective date of this Ordinance and it is classified as a provisional use or special use by said Ordinance, it shall be considered a lawful use. Additions or alterations to existing buildings or land improvements for expansions of lawful uses may be made within the area of the lot included in the ownership existing at the time of adoption of this Ordinance, but they shall be subject to yard, floor area ratio, and building height requirements set forth in this Ordinance for permitted uses in the districts in which they are located.

[A change in ownership will require conformance to the requirements of 5.1.4.]

Section 5.2 Procedures for Provisional Uses

5.2.1 Submittal Requirements for Provisional Use and Special Use Approval: No use indicated as a provisional use shall receive zoning approval without first submitting to the Zoning Administrator the following items for site plan review:

- A. Application for site plan approval on Village forms. The application must demonstrate that the proposed use is conducive to the public convenience at that location, that the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare, and that the proposed use conforms to the applicable regulations and standards of the district in which it shall be located, including any regulations required in Section 5.3.
- B. A site plan meeting the requirements of this Section 5.2.
- C. An application fee, as determined from time to time by the Village Board of Trustees.

5.2.2 Site Plan Requirements: Each application for site plan approval for a provisional use shall be accompanied by a site and landscape plan which shall not exceed twenty-four by thirty-six inches in size and shall be drawn to a scale no greater than one hundred feet to the inch. Said site plan shall, if appropriate, include the following information:

- A. The location, dimension, material, and configuration of all buildings, structures and other improvements.
- B. The location and extent of all usable open space, and the proposed use of open space.
- C. The location, access and other dimensions of proposed off street parking facilities and the number and configuration of spaces to be provided.

- D. The location, dimensions and materials of sidewalks, driveways and other impervious surfaces.
- E. A landscaping plan, in accordance with Article Nine.
- F. The location of all property lines, utilities and related easements, including electric lines, storm drainage, sanitary sewers, and water services.
- G. An architectural drawing detailing all buildings and structures to depict height.
- H. The lot size in square feet and the dimensions thereof, and the location and extent of required setbacks and yards.
- I. The number and type of dwelling units proposed.
- J. The land uses surrounding the lot(s) for which the site plan approval is being sought.
- K. The date, north arrow, scale, and name of the development, with the permanent parcel number and a legal description for the property.

5.2.3 Site Plan Review: The Zoning Administrator shall receive the site plan and arrange a meeting of the Zoning Board of Appeals to determine if the proposed building, structure, or land improvement complies with the provisional use standards established in this Article. The Zoning Board of Appeals shall determine whether the documentation presented justifies the granting of a provisional use permit and whether the proposed use will be in harmony with the general purpose and intent of this Ordinance. The Zoning Board of Appeals shall forward its determination and recommendation to the Village Board of Trustees which shall then approve, approve with amendment, or deny the granting of the provisional use permit.

5.2.4 Site Plan Recommendation or Denial:

- A. The Zoning Board of Appeals shall recommend or deny the requested provisional use permit, and may also impose such additional conditions and requirements as are appropriate or necessary for the public health, welfare, and safety, and to carry out the purpose of this Ordinance, including but not limited to the following:
 1. Regulate the location, extent, and intensity of such uses;
 2. Require the screening of such uses by means of fences, walls or vegetation;
 3. Stipulate required minimum lot sizes;

4. Stipulate vehicular access and volume;
 5. Require conformance to health, safety, and sanitation requirements as necessary;
 6. Increase the required yards;
 7. Any other conditions deemed necessary to effect the purposes of this Ordinance.
- B. Upon the determination that all the criteria have been met, the Zoning Board of Appeals shall approve the site plan. Zoning approval shall be granted in accordance with Article Twelve. A provisional use permit is subject to all the developmental standards applicable to permitted uses in the district in which it is located, unless otherwise stated in the permit. Additionally, provisional uses are also subject to the standards specified in Section 5.3, if applicable. The Zoning Board of Appeals may attach conditions to the approval in accordance with this Article.
- C. If the proposed use does not conform with any one or more of the general standards or the specific requirements of this Ordinance, the Zoning Board of Appeals shall so find and disapprove the site plan. The notification shall be in writing and shall address the relevant and applicable standards that caused the site plan to be denied.
- D. If a site plan is disapproved, the applicant shall be given the opportunity to resubmit the site plan with modifications to specifically address the concerns of the Zoning Board of Appeals. Such modifications shall constitute a new application.
- E. The notification of the findings of the Zoning Board of Appeals shall be within thirty days after the date a complete application for site plan approval is received. Said recommendation shall be forwarded to the Village Board of Trustees in accord with Section 14.3.3.
- 5.2.5 Appeals to the Site Plan for Provisional Use Review: The decision of the Zoning Board of Appeals to disapprove or attach conditions to any site plan, may be appealed to the Village Board of Trustees.
- 5.2.6 Amendments to the Site Plan or Conditions for Provisional Use: The procedure for amendment of a site plan already approved or for a request for a change of conditions attached to the approval of a provisional use, shall be the same as for a new application for provisional use approval.

5.3 Standards for Specific Provisional Uses

5.3.1 General: All provisional uses and categories of provisional uses presented in this Section 5.3 shall comply with the development standards contained herein, unless specifically provided in the permit authorized by the Zoning Board of Appeals. Such uses shall also comply with parking, signage, landscaping, and other regulations required by this Ordinance. In the following requirements, when no zoning districts are specified in the paragraph heading, the standards apply to all zoning districts where the use is allowed. When the zoning districts are specified in the heading, the standards apply only in those zoning districts.

5.3.2 Standards for Accessory Apartments in AG-1, RS, R-1, and R-2 Districts:

- A.** There shall be no more than one accessory apartment unit per existing single family detached dwelling unit. One of the dwelling units shall be owner-occupied and both units shall be owned by the same owner.
- B.** The accessory apartment shall be a complete, separate housekeeping unit that functions as a separate unit from the original unit.
- C.** The lot on which the single family house is located must have a minimum lot size of six thousand five hundred square feet.
- D.** The accessory apartment shall be a subordinate part of the single family dwelling. The gross floor area of the accessory apartment shall not exceed thirty-five percent of the total gross floor area of the existing single family dwelling unit. The usable floor area of the accessory unit shall be a minimum of four hundred square feet.
- E.** Any new entrances shall be located on the rear of the dwelling or on the side, if the landscape setback requirements can be met.
- F.** The owner of the single family dwelling shall file a Deed Restriction with the County Recorder's office limiting the use of the subject property as set forth herein.
- G.** A minimum of one additional accessible parking space shall be provided for the accessory apartment use.
- H.** Signage for an accessory apartment shall be limited to one real estate sign of not more than four square feet advertising the availability of the unit for rent.
- I.** An accessory apartment and accessory office shall not be allowed in the same structure.

5.3.3 Standards for Accessory Offices in RS, R-1, and R-2 Districts:

- A. An accessory office shall only be permitted in association with an existing single family detached dwelling. The accessory office does not require the owner of the structure to work within the office. There shall be no more than one accessory office per existing single family detached dwelling unit. The owner must occupy the residential unit.**
- B. The lot on which the single family house is located must have a minimum lot size of six thousand five hundred square feet.**
- C. The accessory office shall be a subordinate part of the single family dwelling. The gross floor area of the accessory apartment shall not exceed twenty-five percent of the total gross floor area of the existing single family dwelling unit.**
- D. An accessory office shall be established in existing finished living space without exterior structural alterations.**
- E. There shall be no sale of merchandise, no production or storage of merchandise or stock in trade, except written, fine arts, or graphic arts materials customarily incidental to the accessory office use.**
- F. No advertising sign, other than a nameplate, not to exceed one square foot and a real estate sign not to exceed four square feet advertising the availability of the office for rent, shall be displayed in connection with the accessory office use. No display of goods or services pertaining to such accessory office use shall be visible from the outside of the single family dwelling.**
- G. No mechanical or electrical service which requires commercial equipment connections or utilities shall be permitted.**
- H. The number of employees in an accessory office shall be limited to a maximum number of one employee (this is in addition to the homeowner).**
- I. One additional parking space for an employee shall be provided for the accessory office use.**
- J. The owner of the single family dwelling shall file a Deed Restriction with the County Recorder's office limiting the use of the subject property as set forth herein.**
- K. Only office uses and uses allowed as home occupations (Section 3.17.6) are permitted in an accessory office.**

- L. In no case shall an accessory office be open to customers or clients at a time earlier than 8:00 a.m. or later than 8:00 p.m.
- M. An accessory apartment and accessory office shall not be allowed in the same structure.

5.3.4 Standards for Non-Commercial Antennas, Satellite Dishes, and Towers:

- A. Freestanding noncommercial antennas, satellite dishes and towers must meet setback requirements for accessory structures.
- B. Towers must be setback from adjacent residential structures a distance equal to the height of the tower.
- C. Freestanding towers may not exceed fifty feet in height.

5.3.5 Standards for Automobile Salvage Yards in the I-1 District: These uses in an I-1 zoning district shall meet the following standards:

- A. If there is crushing or demolition of any automobile or vehicle, no such use shall be located within five hundred feet of any residential district. If there is only dismantling, disassembly, or storage, these uses shall not be located within three hundred feet of a residential district.
- B. The area used for an outdoor storage site shall be enclosed by an opaque screen fence of not less than eight feet in height. There shall be no outdoor storage between the fence and the street. See Article Nine for screening requirements.

5.3.6 Standards for Bed and Breakfasts Homestays: A bed and breakfast homestay in the AG-1, RS, R-1, R-2, R-3 and R-4 districts shall meet each of the following standards:

- A. The property shall be owner-occupied and the owner shall be the operator of the establishment.
- B. The maximum length of stay for any guest for any consecutive period of time shall be seven days.
- C. The maximum number of bedrooms for a bed and breakfast shall not exceed three.
- D. No cooking facilities shall be permitted in any of the rented rooms.
- E. Breakfasts may be served to overnight guests only. No other meals shall be served to guests and no other food service is allowed.

F. No advertising sign, other than a nameplate, which does not exceed three square foot in total face area, shall be displayed in connection with the bed and breakfast facility.

G. All bed and breakfast establishments shall meet all applicable requirements of the Illinois Compiled Statutes.

5.3.7 Standards for Day Care Centers: All day care centers shall meet each of the following criteria:

A. Day care centers shall show all approved valid permits required by the State of Illinois and any other applicable Village, County, State, or Federal agency prior to occupancy.

B. A minimum of four stacking spaces for off-street drop-off parking and loading of children shall be provided to accommodate customers.

C. If located within a RS, R-3, R-4, or R-5 district, day care centers shall be developed, maintained, and operated that the building and yards have the appearance of a single family residence. The size of the building shall not exceed four thousand square feet.

D. Such facility shall be designed and used so that there is no play equipment or care of children in the front or side yard setback.

E. Outdoor activities shall only be permitted between 8:00 a.m. and 6:00 p.m.

5.3.8 Standards for Financial Institutions in the CN and I-1 Districts: Financial institutions in the CN and I-1 districts shall meet each of the following standards:

A. The floor area of a financial institution in these districts shall not exceed five thousand square feet.

B. The number of drive-up lanes at a financial institution in these districts shall not exceed three lanes.

C. Financial institutions in these districts shall be separated by a minimum of five hundred feet.

D. Financial institutions in these districts shall not be open between the hours of 9:00 p.m. and 7:00 a.m. Automatic teller machines are excluded from the hours of operation requirements, as long as the facility is inside the principle structure.

5.3.9 Standards for Hospitals in the AG-1 and Residential Districts:

A. The signage shall be in accordance with the CN district.

- B. The sideyard and landscape setback requirements shall apply.
- C. Access shall be provided from an arterial or collector street as identified in the Village's Land Use plan.

5.3.10 Standards for Residential Care Facilities in the AG-1, R-3, and R-4 Districts: Residential care facilities shall meet the following standards:

- A. The sideyard and landscape setback of a non-residential land use applicable to the district in which the residential care facility is located shall be met.
- B. The residential care facility shall be located with direct access to an arterial or collector street as identified in the Village's Land Use plan.
- C. A minimum lot area of six hundred square feet per bed shall be maintained.
- D. The use shall meet all applicable State and Federal requirements.

5.3.11 Standards for Stadiums, Arenas and Outdoor Assembly Facilities:

- A. Facilities with permanent outdoor seating for less than two hundred people are not further regulated.
- B. Facilities with permanent outdoor seating for more than two hundred people and less than one thousand people shall be located a minimum of two hundred feet from the property line of any residentially zoned lot.
- C. Facilities with permanent indoor and outdoor seating equal to or greater than one thousand people shall be located a minimum of five hundred feet from the property line of any residentially zoned lot.
- D. For purposes of this Section, the distance separating the facility from residential zoned lots shall be measured from the nearest point of a lot line of a residential zoned lot to the nearest point of the fence, structure, bleachers, or other portion of the structure comprising the stadium, arena, or outdoor assembly facility.

5.3.12 Standards for Taverns and Bars in the CN District: Taverns and bars in the CN District shall meet each of the following standards:

- A. No activity of the tavern or bar may be conducted outdoors, without special permission from the Village Board of Trustees.
- B. The total floor area of the establishment shall not exceed three thousand square feet.

- C. All lights related to advertising signs for the bar or tavern, or any products sold on site, visible from outside the establishment shall be turned off at the close of business hours. Lights for purposes of security are not subject to this provision.
- D. No accessory parking for a bar or tavern may be located in a residential district.
- E. For purposes of determining landscaping requirements, a bar or tavern in the CN district shall be considered a medium impact use.
- F. There shall be no amplified sounds or speakers outside the establishment, without special permission from the Village Board of Trustees.

5.3.13 Standards for Recycling Centers and Waste Haulers:

- A. The processing of materials shall be completely indoors.
- B. No solid waste may be stored on-site.
- C. Any recyclable or related materials to be stored outdoors shall be stored in containers, dumpsters, or similar apparatus that can be covered when not in use. Any outside storage area for recyclable materials or processed materials shall be enclosed by a minimum eight foot high opaque fence or solid wall.
- D. Screen requirements for said use shall be equal to Type E Screening in the front yard. Screening in the side and rear yard shall only be required with the use adjacent to the property is a less intense use that would normally require screening.
- E. Parking and storage of all vehicles related to the business shall be on approved surfaces.
- F. Such use shall be located a minimum of four hundred feet from any lot in a residential zoning district.
- G. Such use shall provide the Zoning Administrator with evidence that it has complied with all Federal and State licenses, certifications, and other regulations.
- H. There shall be a plan for regular shipping or reprocessing of recyclable materials, such that the size of the storage yard is minimized in relationship to the amount of recyclable materials estimated to be received. In no event shall recyclable materials remain on-site for a period exceeding one year. This plan shall be part of the provisional plan approval.

- I. Any drop-off areas for recyclable materials shall meet the stacking requirements for drive through uses. Each dumpster is equivalent to a drive through window. Any dumpsters for drop-off materials must be screened on three sides by an eight foot high opaque fence or solid wall.

5.3.14 Standards for Mini-marts and Service Stations in the CN District:

- A. Fuel pumps shall be set back at least fifty feet from the right-of-way line or from any residential property line, and at least eighty-five feet from any school, hospital, church, or other place of public assembly.
- B. No part of the operation, including the queuing of vehicles at the fuel pump, or display of merchandise, shall encroach within the public right-of-way, buffer yard, or required area for parking spaces and aisles.
- C. All auto repair and service functions shall take place in an enclosed area. No inoperable vehicles may be stored on-site for more than one week.
- D. Outdoor storage and display of merchandise associated with the use is permitted in the CN district, but may not exceed a total area of one hundred fifty square feet or five foot in height, and must be set back a minimum of twenty-five feet from any property line.

5.3.15 Requirements for Adult Entertainment Uses:

- A. No building shall be constructed or developed for the purposes of operating an adult bookstore, adult motion picture theater, adult mini-motion picture theater, adult drive-in motion picture theater, adult cabaret or massage parlor unless a provisional use permit has been granted by the Zoning Board of Appeals.
- B. Any place of business which changes so as to be considered an adult bookstore, adult motion picture theater, adult mini-motion picture theater, adult drive-in motion picture theater, adult cabaret, or massage parlor, as defined in paragraph C of this Section 5.3.15, may not operate without first obtaining a provisional use permit from the Zoning Board of Appeals.
- C. Definitions:
 1. **Adult Bookstore:** Any premises from which minors are excluded and in which the retail sale of books, magazines, newspapers, movie films, devices, slides, or other photographic or written reproductions is conducted as a principal use of the premises, or as an adjunct to some other business activity, but which constitutes the primary or a major attraction to the premises.

2. **Adult Motion Picture Theater:** An enclosed building, with a capacity for fifty or more persons, used for presenting material distinguished or characterized by an emphasis on matters depicting, describing or relating to “specified sexual activities” or “specified anatomical areas” (as defined in sub-sections 9 and 10 of this section) for observation by patrons therein.
3. **Adult Mini-Motion Picture Theater:** An enclosed building, with a capacity for less than fifty persons, used for presenting material distinguished or characterized by an emphasis on matters depicting, describing, or relating to “specified sexual activities” or “specified anatomical areas” (as defined in sub-sections 9 and 10 of this section) for observation by patrons therein.
4. **Adult Drive-In Motion Picture Theater:** A drive-in theater for presenting material distinguished or characterized by an emphasis on matters depicting, describing, or relating to “specified sexual activities” or “specified anatomical areas” (as defined in sub-sections 9 and 10 of this section) for observation by patrons.
5. **Cabaret:** A cafe or restaurant where patrons are entertained by performers who dance or sing or play musical instruments.
6. **Adult Cabaret:** A cabaret which features go-go dancers, exotic dancers, strippers, male or female impersonators, or similar entertainers.
7. **Massage Establishment:** Any establishment having a fixed place of business where any person, firm, association, or corporation engages in, or carries on, or permits to be engaged in or carried on any of the activities of the practice.
8. **Massage or Practice of Massage:** Any method of pressure on or friction against or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating of the external soft parts of the body with the hands or with the aid of any mechanical or electrical apparatus or appliance, with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointments, or other similar preparations.
9. **Specified Sexual Activities:**
 - a. Human genitals in a state of sexual stimulation or arousal.
 - b. Acts of human masturbation, sexual intercourse or sodomy.
 - c. Fondling or other erotic touching of human genitals, pubic region, buttock or female breasts.

10. Specified Anatomical Areas:

- a. Less than completely and opaquely covered human genitals and pubic region; buttocks and; female breasts below a point immediately above the areola; and
 - b. Human male genitals in a discernibly turgid state even if completely and opaquely covered.
- D. Those establishments listed in paragraph A of this Section 5.3.15 shall not be located within one thousand feet of any residential zoning districts or land used as a church, park, playground, school, or other area where large numbers of minors regularly travel or congregate.
- E. Those establishments listed in paragraph A of this Section 5.3.15 shall not be located within five hundred feet of any other establishment listed in paragraph A of this Section 5.3.15, the distance being measured between the nearest lot lines.
- F. Buildings used by any of the establishments listed in paragraph A of this Section 5.3.15 shall meet all safety standards adopted by the various Ordinances of the Village of Tolono.
- G. Off-street parking shall be provided in accordance with Article Seven of this Ordinance and all parking areas shall be lighted.
- H. No signs or other structures shall be placed, erected or used on the premises without prior approval of the Zoning Board of Appeals. The buildings shall not be painted in garish colors or such other fashion as will effectuate the same purpose as a sign or signs.
- I. All off-site improvement such as curbs, gutters and sidewalks shall be provided as required by the various Ordinances of the Village of Tolono.
- J. Advertisements, displays, or other promotional materials shall not be shown or exhibited so as to be visible to the public, from pedestrian sidewalks or walkways, or from other areas public or semi-public; and such displays shall be considered signs.
- 5.3.16 Requirements for Community Living Facilities:** No community living facility shall be located or established within one thousand feet of another community living facility when located in an R-3 or R-4 zoning district, except by special use permit.

5.3.17 Requirements for Livestock Sales Facilities and Stockyards in the AG-1 and I-1 Districts:

- A. No livestock sales facilities and stockyards shall be located within five hundred feet from an adjoining property line of a non-agricultural or non-industrial district.
- B. All livestock facilities and stockyards shall be screened on four sides by a Type F screen, as defined in Article Nine.

5.3.18 Requirements for Animal Clinics, Kennels, and Veterinary Hospitals:

- A. The outdoor facilities for the care and keeping of animals at animal clinics, kennels, and veterinary hospitals shall be located a minimum of fifty feet from the property lines of any adjoining residential districts.
- B. All outdoor facilities for the care and keeping of animals at animal clinics, kennels, and veterinary hospitals shall be screened on four sides by a Type A screen, as defined in Article Nine.

5.4 Procedures for Special Uses

5.4.1 Uses Permitted through Special Use Permit: Some uses of land, for one or more of the following reasons cannot normally appear as uses permitted as a matter of right, or provisional use in a particular district, but may be permitted through approval of a special use permit:

- A. The use may involve a great deal of land.
- B. The use may be of a public or semi-public character, and as such be important in the development of the Village as a whole.
- C. The use may be reasonably approved as to a particular location on account of factors or reasons not applicable to the zoning district as a whole.

5.4.2 Application for Special Use: No use indicated as a special use or any use not indicated as a permitted or provisional use shall receive zoning approval without applying for and receiving special use approval from the Zoning Board of Appeals and the Village Board of Trustees. The application for a special use permit shall be made to the Zoning Administrator and shall demonstrate:

- A. That the proposed use is conducive to the public convenience at that location;

- B. That the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or detrimental to the district in which it shall be located, or otherwise injurious or detrimental to the public welfare;
- C. That the proposed use conforms to the applicable regulations and standards of, and preserves the essential character of, the district in which it shall be located.
- D. Each application for a special use permit shall include each of the following items:
 - 1. Application for a special use permit on forms provided by the Village, evidence of ownership and fee.
 - 2. Site plan meeting the requirements for a site plan for a provisional use (Section 5.2.2)
 - 3. Architectural elevations and drawings showing all buildings and improvements, including signs.
 - 4. A development schedule for the proposed development.
 - 5. Any other information requested by the Zoning Board of Appeals to determine if the conditions for the special use will be met.

5.4.3 Procedure for Special Use Review:

- A. Upon receipt of a complete application, the Zoning Administrator shall schedule the item to be reviewed by the Zoning Board of Appeals at a public hearing.
- B. The Zoning Board of Appeals shall conduct the hearing and make a recommendation to the Village Board of Trustees on the application for a special use permit. The recommendation shall include findings and recommended conditions as provided for in this Article.
- C. The Village Board of Trustees shall make the final determination to grant or deny the special use permit application.

5.4.4 Findings for Granting the Special Use: Before making any recommendation to the Village Board of Trustees to approve or deny the application for a special use permit, the Zoning Board of Appeals shall make a determination, based solely upon the evidence presented at a public hearing conducted by the Zoning Board of Appeals, on whether the application satisfies all of the following criteria:

- A. That the proposed use meets some public or neighborhood need at the specific location.

- B. That the proposed use is designed, located, and proposed to be operated so that it will not be unreasonably injurious or unreasonably detrimental to the district in which it may be located or otherwise injurious to the public welfare.

[This may include concerns such as drainage on neighboring properties, containing effects of operation on the subject site, increase in the danger for fire or crime, visual impact, or impairment of adequate light and air to adjacent properties.]

- C. That the proposed use conforms to all applicable regulations and standards of the district in which it shall be located that are reasonably possible.
- D. That the proposed use preserves the essential character of the district in which it shall be located.

[Essential character refers to overall intensity, style, appearance or form already established in the area.]

- E. That adequate measures have been or will be taken to minimize potential increase in traffic congestion or possible situations that would create poor traffic circulation including access issues.

5.4.5 Conditions for Special Uses: The Zoning Board of Appeals shall make recommendations to the Village Board of Trustees to approve, approve with additional conditions, or to deny the proposed special use permit. The additional conditions may be recommended as appropriate or necessary for the public health, safety, and welfare, and to satisfy the findings required for granting a special use. Such conditions may include but are not limited to the following:

- A. Regulate the location, extent, business hours, and intensity of such uses.
- B. Require adherence to an approved site plan.
- C. Require additional landscaping or screening of such uses by means of fences, walls, and vegetation.
- D. Stipulate required minimum lot sizes, minimum yards, maximum height of buildings and structures.
- E. Regulate vehicular access and traffic volume, and design and location of parking and loading areas and structures.
- F. Require conformance to health, safety, and sanitation requirements, as necessary.

- G. A time limit on the use to allow for review of the use and reapproval.
 - H. Regulate signs, architectural features, and outdoor lighting to be more compatible with the surrounding neighborhood.
 - I. Require that certain covenants or dedications for public streets be designed and recorded in accordance with the regulations in the Subdivision Ordinance. [Such dedication must be specifically and uniquely attributable to the proposed use. Any requirements for dedication should contain documentation to demonstrate this relationship.]
 - J. Any other conditions deemed necessary to effect the purposes of this Ordinance.
- 5.4.6 Special Use Permit: A special use permit shall be included as an attachment to the Village Board of Trustees Resolution approving the special use application. The permit shall contain the following information:
- A. A legal description, permanent parcel index number, and common address of the subject property.
 - B. The type of special use being granted.
 - C. A statement for each finding summarizing how such finding has been satisfied.
 - D. Any conditions imposed on the special use as a condition of approval.
 - E. A list of any element of the special use site plan which may be subject to flexible requirements during the permit approval stage and the degree of flexibility allowed.
 - F. The date the special use permit becomes effective and the expiration date for establishing the special use. Also the date of expiration of the special use, if one is recommended.
 - G. Any exhibits, including the site plan and elevation, shall be attached to the special use permit with a statement that the special use approval is conditioned on the project being built in accordance with such plans unless specific exceptions are stated in the special use permit.

5.4.7 Special Use Amendments - Minor:

- A. A special use shall be developed in compliance with the special use permit. Minor amendments to the approved special use permit are allowed as follows:
1. The applicant shall apply for the minor amendment to the approved special use permit on forms provided by the Village.
 2. The Zoning Administrator shall review the application, which will be approved by the Zoning Board of Appeals. Minor amendments include the following:
 - a. Changes that have been allowed through an amendment to the special use permit which are not listed as a major amendment as defined below.
 - b. Minor changes in location, siting and height of the buildings that are not a major amendment as defined below. Such change may only be authorized if engineering or other physical limitations of the site, not foreseen at the time the special use permit was approved, warrant such a change.

5.4.8 Special Use Amendments - Major: Major amendments to an approved special use permit may only be requested by application of a new special use permit, in accordance with Section 5.4.2., unless additional flexibility is provided for in the original special use permit. Otherwise, the following constitutes major amendments:

- A. An increase in overall lot coverage of the structure by more than ten percent.
- B. An increase in height that results in an additional story on any building.
- C. A reduction of overall amount of usable open space or a reduction of any area designated as common open space.
- D. A reduction in off-street loading and parking spaces by ten percent.
- E. The change in location of any structure by more than ten feet in any direction.
- F. An overall reduction in the area designated for landscaping treatment in any one phase.
- G. A change in the circulation pattern that would reduce or increase points of access, change access to another street, or increase projected traffic volumes.
- H. A combination of three or more changes classified as minor amendments, which have not been specifically allowed by the special use permit.

I. A major amendment to an approved special use permit shall not be requested in order to obtain a variation from the minimum requirements of the applicable zoning standards. The Zoning Administrator reserves the right to determine that the application for a major amendment is requesting a variation from the applicable development standards.

5.4.9 Special Use Expiration and Violations: Once a special use is established under the terms of the special use permit, the special use may continue as approved under the following conditions:

A. The special use permit may be suspended in accordance with the provisions of Article Fourteen, if work authorized by the special use permit is not commenced within six months of the date of the Village Board of Trustees action approving the special use application or within six months of the date of an approved development plan.

B. In any case where a special use permit has been approved, and the special use has been established, a change in use from the approved special use to another use shall cause the special use permit to expire.

C. When a special use is discontinued for twelve consecutive months, the special use permit shall expire.

D. The removal or destruction of a structure containing a special use shall cause the special use permit to expire. Destruction for the purpose of this subsection, is defined as damage to an extent of more than fifty percent of its fair market value immediately prior to the time of destruction.

E. The construction of a special use in variation with the approved site plan, elevation, or conditions of the special use permit, shall be considered a violation of this Ordinance and shall be subject to enforcement as specified in Article Twelve.

5.5 Standards for Specific Special Uses

5.5.1 Requirements for Slaughterhouses in the I-1 District:

A. No slaughterhouse shall be located within five hundred feet from an adjoining property line of a non-industrial district.

B. All slaughterhouses shall be screened on four sides by a Type F screen, as defined in Article Nine.

5.5.2 Requirements for Commercial Breeding Facilities in the AG-1 District:

- A. No slaughterhouse shall be located within five hundred feet from an adjoining property line of a non-industrial district.
- B. All slaughterhouses shall be screened on four sides by a Type F screen, as defined in Article Nine.

5.6 Special Procedures and Standards for the R-5 Mobile Home District

5.6.1 Site Plan Submittal Requirements: All mobile (manufactured) home parks must receive provisional use approval in accordance with the procedures provided for in this Ordinance. The following information is required, in addition to the materials required to be submitted with a provisional use application.

A. Site Plan Requirements. The following information must be contained on the site plan.

- 1. The plan must contain all information required on a site plan for a provisional use, in accordance with Section 5.2.2.
- 2. Existing structures, vegetation and an indication of items to be removed or retained.
- 3. All proposed buildings, sidewalks and individual mobile (manufactured) homes.
- 4. Internal circulation system.
- 5. Exterior dimensions, dimensions of interior drives and mobile (manufactured) home sites.

B. Project Data.

- 1. Total number of mobile (manufactured) homes to be in the park.
- 2. Total area and gross density of the park.
- 3. Usable open space in terms of total acres and percent of the park.
- 4. Total number of parking spaces.
- 5. Development schedule.

C. Any proposed covenants, dedications, or other documents that may require recording.

5.6.2 Design Standards for Mobile (Manufactured) Home Parks: Developments in the R-5 District shall comply with the design standards published by the Illinois Department of Public Health as Title 77 Part 860 of the Illinois Administrative Code; "Manufactured Home Community Code," and in Table 5-1 of this Article. In case of conflict, the more restrictive standard shall apply.

5.6.3 Requirements for Existing Mobile (Manufactured) Home Parks:

- A. Mobile (manufactured) home parks in existence on the date of adoption of this Ordinance, may be altered to bring such parks into greater conformity with this Article upon approval of a provisional use in accordance with this Ordinance. In no case shall an existing mobile (manufactured) home park be altered to increase the non-conformity for any standard or increase density above that permissible in this Ordinance.**
- B. Additions made to mobile (manufactured) housing parks in existence on the date of adoption of this Ordinance, shall only be allowed in conformity with the provisional use approval and design requirements of this Article.**
- C. Mobile (manufactured) housing parks in existence on the date of adoption of this Ordinance and at least three acres in area and which do not make any alterations or additions, may continue to operate without a provisional use permit. Such housing developments less than three acres in size shall be considered non-conforming uses and shall comply with the requirements for Article Eleven.**
- D. If any site in a mobile (manufactured) housing park is designed to accommodate a single wide unit, it shall not be replaced by a double wide unit unless all applicable setbacks and area requirements for a double wide unit are met and the stand is modified to accept the double wide unit. The modification of a site or combination of two sites to make this change shall be considered a minor amendment to the provisional use.**

END OF ARTICLE FIVE TEXT.