

# SPECIAL DISTRICTS

# ARTICLE VIII

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## PART VII -- MIXED RESIDENTIAL AND COMMERCIAL DISTRICTS

### 8-701 PURPOSE

Three mixed residential and commercial districts are provided for commercial uses that are complementary to single or multiple family residential uses. When taken together, the three districts are designed to accommodate high quality developments in a limited land area that bring certain elements of higher density uses to the Village's suburban character through a combination of complementary land uses that are otherwise typically found in various zoning districts in the Village.

The Multiple Family Residential and Commercial District (MFRC) is intended to provide greater interaction between residential, retail, entertainment and other related uses, allowing environments that expand the range of living, entertaining and business opportunities within the Village while not adversely impacting nearby residential areas. Accordingly, the Multiple Family Residential and Commercial District shall be mapped on the zoning map only on property having the following characteristics:

- i. Designated on the comprehensive plan as an area appropriate for mixed use development;
- ii. Convenient access to major arterial highways, expressways, or tollways that are part of the regional transportation network;
- iii. Located only on property adjacent to and bordered on at least one side by an expressway or tollway operated by and under the exclusive jurisdiction of the Illinois Department of Transportation or the Illinois Toll Highway Authority, or their successor agencies, and on at least one other side by a major regional arterial highway operated by and under the exclusive jurisdiction of the Illinois Department of Transportation or a county highway department;
- iv. Sufficient space to accommodate adequate building and parking locations;
- v. Capacity to accommodate safe and efficient internal pedestrian and vehicular circulation;
- vi. Capacity to provide sufficient on-site storm water management facilities; and
- vii. Sufficient distance from adjacent residential and institutional uses to allow for adequate landscape buffering.

The Residential and Limited Commercial District is intended to provide a diversity of residential uses and certain limited community-based commercial uses that complement the Village's Central Business District. Furthermore, it is intended to strengthen the identity and importance of gateways to the Village's downtown by improving the appearance of the existing public rights of ways and parkways to promote pedestrian movement. Accordingly, the Residential and

Limited Commercial District shall be mapped on the zoning map only on property having the following characteristics:

- i. Designated on the comprehensive plan as an area appropriate for mixed use development;
- ii. Convenient access to public transportation, including the commuter train station located in the Village's Central Business District;
- iii. Sufficient space to accommodate adequate building and parking locations;
- iv. Capacity to accommodate safe and efficient internal pedestrian, bicycle, and vehicular circulation;
- v. Capacity to provide sufficient on-site storm water management facilities; and
- vi. Sufficient distance from adjacent residential and institutional uses to allow for adequate landscaped buffering.

The Village Green Residential and Commercial District (VGRC) is intended to provide opportunities for predominantly residential developments in or in close proximity to the Village's central business area. The development standards in the Village Green Residential and Commercial District are based upon pedestrian-oriented design principles that may not be applicable in areas further removed from the central business area. The Village Green Residential and Commercial District is anticipated to be located within the Village Green Overlay (VGO) District to further ensure that all development occurring within the Village Green Residential and Commercial District conforms to the planning and design principles of the central business area, as a whole.

The Village Green Residential and Commercial District is intended to be a means of implementing the objectives of the Village Green Mixed Use and Neighborhood Edge land use classifications identified in the Northbrook Comprehensive Plan. A range of residential uses are allowed in the Village Green Residential and Commercial District, including single family homes, townhomes and other multi-family structures. The development standards recognize that design elements vary depending upon the type of structure. The development standards in the Village Green Residential and Commercial District are tailored to the structure type to ensure that new developments are properly oriented to the street and nearby properties and create a high quality living environment. Compatible non-residential uses may be authorized in the Village Green Residential and Commercial District by special permit.

### **8-702 PERMITTED USES, CONDITIONAL USES, AND SPECIAL PERMIT USES**

The uses in the following table designated by a "P" are permitted as of right in the Mixed Residential and Commercial Districts indicated in the table. Except as specifically limited, the remaining uses listed in the following table may be permitted in the Mixed Residential and Commercial Districts as either 1) a conditional use, which is designated by a "C," and subject to additional standards set forth in this Part VII of Article VIII 2) a special permit use, which is designated by an "S," and subject to the issuance of a special permit as provided in Section 11-602 of this Code and subject to the additional standards set forth in this Part VII of Article VIII. In interpreting the use designations, reference should be made to the Standard Industrial Classification Manual, as amended by the Village (see Appendix A) and Section 11-501 of this Code. Village SIC codes are given before each use listing.

**MIXED RESIDENTIAL & COMMERCIAL DISTRICTS USE  
LIST**

<b>VILLAGE SIC CODE</b>	<b>DESCRIPTIVE TEXT</b>	<b>MFRC</b>	<b>RLC</b>	<b>VGRC</b>
<b>A.</b>	<b>VACANT PROPERTY</b>			
0000.00	Vacant Land	P	P	P
0000.01	Vacant Unit/Building Intended For a Permitted, Conditional, or Special Permit Use		P	
<b>B.</b>	<b>TRANSPORTATION AND PUBLIC UTILITIES</b>			
4300.00	United States Postal Service		S	
4720.00	Arrangement Of Passenger Transportation		S	
4810.01	Personal Wireless Services Antennas, with or without Antenna Support Structures, and Related Electronic Equipment and Equipment Structures (Subject to Standards in Section 9-201 of this Code)	P	S	
4900.02	Electrical Substations	S	S	
<b>C.</b>	<b>RETAIL TRADE</b>			
5230.00	Paint, Glass And Wallpaper Stores		S	
5250.00	Hardware Stores		S	
5261.01	Retail Nurseries, Lawn & Garden Supply Stores Excluding Open Yards		S	
5300.00	General Merchandise Stores		S	
5400.00	Food Stores		S	S
5530.00	Auto And Home Appliance Stores, But Not Including Service Bays-See 7530.00		S	
5600.00	Apparel & Accessory Stores		S	S
5700.00	Home Furniture & Equipment Stores		S	S
5812.01	Eating Places, Except 5812.02, 5812.03, & 5812.04	S	S	S
5812.02	Live Entertainment Accessory to Permitted Eating Places	S	S	
5812.03	Outdoor Seating Accessory to Permitted Eating Places	P	P	S
5812.04	Carry-out Eating Places	S	S	S
5813.01	Drinking Places Accessory to Permitted Eating Places	S	S	S
5813.02	Drinking Places Accessory to Permitted Eating Places with Live Entertainment	S	S	
5912.00	Drug Stores And Proprietary Stores Except 5912.01		S	S
5920.00	Liquor Stores		S	
5930.00	Used Merchandise Stores		S	S
5940.00	Miscellaneous Shopping Goods Stores		S	S
5992.00	Florists	P	S	S
5993.00	Tobacco Stores & Stands		S	

**MIXED RESIDENTIAL & COMMERCIAL DISTRICTS USE  
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<b>VILLAGE SIC CODE</b>	<b>DESCRIPTIVE TEXT</b>	<b>MFRC</b>	<b>RLC</b>	<b>VGRC</b>
5994.00	News Dealers and Newsstands		S	S
5995.00	Optical Goods Stores		S	S
5999.01	Miscellaneous Retail Stores, Not Elsewhere Classified		S	S
5999.03	Architectural Supplies – Retail		S	
5999.04	Art Dealers – Retail		S	S
5999.05	Artificial Flowers – Retail		S	
5999.06	Artist's Supply And Material Stores – Retail		S	S
5999.07	Autograph And Philatelist Supply Stores – Retail		S	
5999.08	Awning Shops – Retail		S	
5999.09	Baby Carriages – Retail		S	
5999.10	Banner Shops – Retail		S	
5999.11	Binoculars – Retail		S	
5999.12	Cake Decorating Supplies – Retail		S	
5999.13	Candle Shops – Retail		S	
5999.14	Coin Shops – Retail, Except Mail Order		S	
5999.15	Cosmetics Stores – Retail		S	S
5999.16	Electric Razor Shops – Retail		S	
5999.17	Flag Shops – Retail		S	
5999.18	Gem Stones, Rough – Retail		S	
5999.19	Hearing Aids – Retail		S	
5999.20	Hot Tubs – Retail		S	
5999.23	Orthopedic And Artificial Limb Stores – Retail		S	
5999.24	Pet Food Stores – Retail		S	
5999.25	Pet Shops – Retail		S	
5999.26	Picture Frames, Ready Made – Retail		S	S
5999.28	Religious Goods Stores (Other Than Books) – Retail		S	S
5999.29	Rock And Stone Specimens – Retail		S	
5999.30	Rubber Stamp Stores – Retail		S	
5999.31	Stamps, Philatelist – Retail: Except Mail Order		S	
5999.32	Stones, Crystalline: Rough – Retail		S	
5999.34	Telephone Stores – Retail		S	S
5999.35	Telescopes – Retail		S	
5999.36	Tent Shops – Retail		S	
5999.37	Trophy Shops- Retail		S	
5999.38	Typewriter Stores – Retail		S	
5999.39	Whirlpool Baths – Retail		S	
<b>D.</b>	<b>FINANCE, INSURANCE AND REAL ESTATE</b>			
6000.01	Depository Institutions Except 6000.02, 6000.03, 6000.04 & 6000.05		S	

**MIXED RESIDENTIAL & COMMERCIAL DISTRICTS USE  
LIST**

<b>VILLAGE SIC CODE</b>	<b>DESCRIPTIVE TEXT</b>	<b>MFRC</b>	<b>RLC</b>	<b>VGRC</b>
6000.03	Automatic Teller Machines Located within a Building, Other Than That of the Institution That Services Them, as a Principal Use	P	P	
6000.04	Limited Financial Services Facilities, Without Drive-in And Exterior Auto Teller Machines		S	
6000.05	Automatic Teller Machines Located or Mounted on the Exterior of a Building	P	P	
6100.01	Credit Agencies Other Than Banks		S	
6200.00	Security And Commodity Brokers, Dealers, Exchanges & Services		S	
6300.00	Insurance Carriers		S	
6400.00	Insurance Agents, Brokers & Services		S	
6500.00	Real Estate		S	
6530.00	Real Estate Agents And Managers		S	
6700.00	Holding And Other Investment Offices		S	
<b>E.</b>	<b>SERVICES</b>			
7000.01	Hotels, Except Residential	S		
7000.02	Extended Stay Hotel (Not Transient Residence)	S		
7212.00	Garment Pressing, And Agents For Laundries And Drycleaners		S	
7215.00	Coin-Operated Laundries And Dry Cleaning		S	
7219.12	Tailor Shops		S	
7220.00	Photographic Studios, Portrait		S	S
7230.00	Beauty Shops	S	S	S
7240.00	Barber Shops	S	S	S
7250.00	Shoe Repair Shops And Shoeshine Parlors		S	S
7291.00	Tax Return Preparation Services		S	
7299.01	Miscellaneous Personal Services, Not Elsewhere Classified		S	S
7299.17	Depilatory Salons		S	
7299.20	Electrolysis (Hair Removal)		S	S
7299.22	Hair Removal (Electrolysis)		S	S
7299.23	Hair Weaving Or Replacement Service		S	S
7299.28	Scalp Treatment Service		S	S
7299.30	Tanning Salons		S	S
7299.31	Tuxedo Rental		S	
7300.01	Business Services Except 7340, 7352, 7353, 7359.01, & 7389.01		S	S
7352.00	Medical Equipment Rental And Leasing		S	
7389.01	Business Services, Not Elsewhere Classified		S	
7600.02	Miscellaneous Repair Services Limited To Household Equipment, Furnishings, And Personal Articles		S	

**MIXED RESIDENTIAL & COMMERCIAL DISTRICTS USE  
LIST**

<b>VILLAGE SIC CODE</b>	<b>DESCRIPTIVE TEXT</b>	<b>MFRC</b>	<b>RLC</b>	<b>VGRC</b>
7840.00	Video Tape Rental		S	
7910.00	Dance Studios, Schools, And Halls		S	S
7991.00	Physical Fitness Facilities			S
7999.03	Yoga Studios			S
8000.01	Health Services Except 8050, 8060, & 8080		S	
8100.00	Legal Services		S	
8240.02	Correspondence Schools		S	
8299.01	Schools And Educational Services, Not Elsewhere Classified		S	
8300.01	Social Services-Excluding 8360		S	
8322.01	Individual And Family Social Services		S	
8600.00	Membership Organizations		S	
8660.00	Religious Organizations		S	S
8660.01	Religious Organizations with Associated Elementary and/or Secondary Schools		S	
8700.01	Engineering, Accounting, Research, Mgmt & Related Services Except 8730		S	
8900.00	Services, Not Elsewhere Classified		S	
<b>F.</b>	<b>PUBLIC ADMINISTRATION</b>			
9100.00	Executive, Legislative, And General Government, Except Finance		S	
<b>G.</b>	<b>MISCELLANEOUS (INCLUDING RESIDENTIAL)</b>			
9800.00	Business And Professional Offices Not Elsewhere Classified		S	
9810.00	Offices Of Communication And Utility Companies		S	
9820.00	Planned Unit Developments	S	S	S
9830.00	Landbanking Of Required Parking Subject To Subsection 9-104 E	S	S	S
9840.00	Required Retention/Detention		S	P
9861.00	Single Family Detached Dwellings		S	S
9862.00	Townhouse Dwellings	S	S	C
9864.00	Multiple Family Dwellings	S	S	P
9866.01	Community Residences			C
9867.00	Independent Senior Living Facility	S	S	
9868.00	Assisted Living Facility	S		
9870.00	Home Occupations Subject To Section 9-102		P	P
9870.01	Home Occupations in Excess of the Limitations Provided in Subparagraphs 9-1021 (b) and 9-102 C6(b)	S	S	S

**MIXED RESIDENTIAL & COMMERCIAL DISTRICTS USE LIST**

VILLAGE SIC CODE	DESCRIPTIVE TEXT	MFRC	RLC	VGRC
<b>G.</b>	<b>SPECIFIC STRUCTURES &amp; SIGNS</b>			
9880.00	More Than One Principal Structure on a Zoning Lot	S	S	S
9926.00	Joint Identification Sign Over 20 Feet	S		
9936.00	Identification Sign Over 20 Feet	S		
9967.00	New Buildings and Structures With GFA of 7500 S.F. or More	S	S	
9968.00	Additions to Structures Resulting in GFA of 7500 S.F. or More	S	S	
9970.08	Increased Density of Floor Area for Providing Affordable Housing			S
9980.00	Accessory Drive-Through Facilities	S	S	

**8-703 ACCESSORY STRUCTURES AND USES**

- A. Accessory structures and uses are permitted in the Mixed Residential and Commercial Districts subject to the provisions of Section 9-101 of this Code.
- B. Short-Term Rentals are permitted in those portions of Mixed Residential and Commercial Districts but only in compliance with the provisions of Paragraph 9-101 D(19) of this Code.

**8-704 HOME OCCUPATIONS**

Home occupations are permitted subject to the provisions of Section 9-102 of this Code.

**8-705 TEMPORARY USES**

Temporary uses are permitted in the Mixed Residential and Commercial Districts subject to the provisions of Section 9-103 of this Code.

**8-706 SPECIFIC APPROVAL CRITERIA FOR CONDITIONAL USES AND SPECIAL PERMIT USES**

(See next page)

**SPECIFIC APPROVAL CRITERIA FOR CONDITIONAL USES AND SPECIAL PERMIT USES**

<b>VILLAGE SIC CODE</b>	<b>DESCRIPTIVE TEXT</b>
<b>A.</b>	<b><u>TRANSPORTATION AND UTILITIES</u></b>
4900.02	<p><u>Electrical Substations in the MFRC and RLC Districts</u></p> <ol style="list-style-type: none"> <li><u>Structure Appearance and Screening.</u> All buildings and structures either shall have exteriors which give the appearance of a structure permitted in the district where located or shall comply with the buffer and landscape requirements applicable to nonresidential uses abutting a residential district pursuant to Subsection 9-107 of this Code.</li> <li><u>Safety Fencing.</u> All such uses shall be fenced where any hazard to the safety of human or animal life is present.</li> <li><u>Service and Storage Prohibited.</u> No service or storage yard or building shall be permitted except as permitted for other uses in the district.</li> </ol>
<b>B.</b>	<b><u>RESIDENTIAL</u></b>
9861.00	<p><u>Single Family Dwellings in the VGRC District.</u></p> <ol style="list-style-type: none"> <li>Single family detached dwellings may be authorized, but only as part of a planned development.</li> </ol>
9862.00	<p><u>Townhouse Dwellings in the VGRC District.</u> Authorized townhouse dwellings in the VGRC District shall be designed in accordance with the following criteria, unless a departure is specifically authorized by an ordinance or resolution duly adopted by the Board of Trustees.</p> <ol style="list-style-type: none"> <li>Townhouses in the VGRC District shall be of a rowhome style, with the placement of garages or parking spaces not permitted in front yards that face public streets. Parking spaces located in front of townhouses must be parallel parking and not located within any required yard or setback.</li> <li>The main entrance to each unit shall be accessible directly from and face a public or private street, shared driveway system, or an approved common open space area with sidewalks.</li> <li>No more than ten (10) dwelling units may be constructed in a contiguous series of townhouses.</li> <li>Garage access to townhouses may be from a private parking court. Such parking court may not exceed 150 feet in length.</li> <li>Groups of townhouses shall be separated by a minimum distance of twelve (12) feet.</li> <li>Each townhouse unit shall have its own private landscaped open space area located in the front or rear of each unit.</li> <li>Driveways serving individual units shall be separated by permanent landscaped strips having a width of at least two feet.</li> <li>Each unit shall have an enclosed or fully screened area for the storage of refuse and recycling materials.</li> <li>Townhouse developments shall have at least one landscaped common open space area that serves the entire development and is connected by a system of sidewalks.</li> </ol>



**SPECIFIC APPROVAL CRITERIA FOR CONDITIONAL USES AND SPECIAL PERMIT USES**

<b>VILLAGE SIC CODE</b>	<b>DESCRIPTIVE TEXT</b>
9866.01	<p><u>Community Residences in the VGRC District.</u></p> <ol style="list-style-type: none"> <li>1. Number of Residents. Community Residences shall have no more than eight (8) residents.</li> <li>2. Location. A Community Residence may be located no less than 1,500 feet from any other community residence, and</li> <li>3. Registration. A Community Residence must be registered as a Community Residence with the Village Manager.</li> <li>4. Prior to occupancy, the owner or operator must demonstrate the Community Residence's compliance with the Municipal Code standards for maximum occupancy and the Zoning Code standards for off-street parking. The Community Residence shall be maintained in compliance with such standards at all times.</li> </ol>
9867.00	<p><u>Independent Senior Living Facility in the MFRC and RLC Districts</u></p> <ol style="list-style-type: none"> <li>1. <u>Special Design Requirements.</u> Every dwelling in an independent senior living facility shall be so designed and constructed as to be convertible to a dwelling allowed as a permitted use in the district in which the independent senior living facility is located. This requirement shall not be satisfied by a design for conversion to an assisted living or nursing facility.</li> <li>2. <u>Community Need.</u> No special permit for independent senior living facility shall be granted except on evidence satisfactory to the Board of Trustees that there is, and will for the foreseeable future continue to be, a ready market demand among current area residents for all of the dwelling units in the independent living facility development.</li> <li>3. <u>Location.</u> Every independent senior living facility development shall be located in an area of the Village that is conducive to the special needs of senior citizens. This will typically require a location with convenient access to public transportation, retail stores, and medical services.</li> <li>4. <u>Facilities and Staff.</u> Every independent senior living facility development shall provide such on-site facilities and staff as may be necessary and appropriate to satisfy the social, cultural, recreational, and, where appropriate, medical needs of its residents. The name and telephone number of at least one person having direct responsibility for the operation of the development shall be kept on file with the Village Manager.</li> <li>5. <u>Required Approvals.</u> If an facet of the activity of the proposed facility requires licensing, certification or other approval of public agencies the owner shall provide to the Village, prior to commencing operation of the independent senior living facility, proof of such licensing, certification, or approval.</li> <li>6. <u>Financial Stability.</u> When considering whether to grant a special permit for an independent senior living facility, the Board shall consider whether there exists a reasonably certain source of continuous and sufficient funds to provide for the operation and maintenance of such facility in accordance with the representations of the application and the various standards applicable to such facility by reason of this Code and other laws and regulations.</li> <li>7. <u>Reporting.</u> The owner of an independent senior living facility shall furnish to the Village, upon request, but not more than once a year, a report</li> </ol>

**SPECIFIC APPROVAL CRITERIA FOR CONDITIONAL USES AND SPECIAL PERMIT USES**

<b>VILLAGE SIC CODE</b>	<b>DESCRIPTIVE TEXT</b>
	<p>demonstrating the development's compliance with the foregoing standards and with this Code's definition of an independent senior living facility.</p>
<p>9868.00</p>	<p><u>Assisted Living Facility in the MFRC Districts</u></p> <ol style="list-style-type: none"> <li>1. Supervision. Every assisted living facility shall provide qualified and experienced supervisory personnel, in sufficient numbers and during sufficient and appropriate hours of the day, to meet all standards of any agency responsible for the licensing or regulation of the assisted living facility and such additional services as may be required by the Board of Trustees in the special permit. The name and telephone number of at least one person having direct responsibility for the operation of the facility shall be kept on file with the Village Manager.</li> <li>2. Availability of Facilities. Every assisted living facility shall include on-site facilities and services appropriate to the needs of its residents for activities of daily living. In addition, assisted living facilities shall be provided with, or reasonable means of access to, facilities and services necessary and appropriate to the needs of its residents for active and passive recreation; medical care; educational, cultural and religious activities; consumer goods and services; and transportation.</li> <li>3. Required Approvals. If any facet of the activity of the proposed assisted living facility requires licensing, certification or other approval of public agencies the owner shall provide to the Village, prior to commencing operation of the assisted living facility, proof of such licensing, certification or approval.</li> <li>4. Financial Stability. When considering whether to grant a special permit for an assisted living facility the Board of Trustees shall consider whether there exists a reasonably certain source of continuous and sufficient funds to provide for the operation and maintenance of such facility in accordance with the representations of the application and the various standards applicable to such facility by reason of this Code and other laws and regulations.</li> </ol>

**SPECIFIC APPROVAL CRITERIA FOR CONDITIONAL USES AND SPECIAL PERMIT USES**

<b>VILLAGE SIC CODE</b>	<b>DESCRIPTIVE TEXT</b>
9820.00	<p><u>Planned Developments in the VGRC District.</u></p> <ol style="list-style-type: none"> <li>1. In connection with, and as part of, a special permit granting approval of a planned development containing both residential and non-residential uses in the VGRC District, any non-residential uses may only be located on the ground floor facing a public street with residential units above or behind the non-residential units.</li> <li>2. In connection with, and as part of, a special permit granting approval of a planned development, the otherwise applicable required parking stall dimensions may be reduced by the Village as part of the process established for planned developments in Section 11-603 of this Code. The minimum circulation aisle width may not be reduced; however, the minimum parking stall dimensions may be reduced as follows:               <ol style="list-style-type: none"> <li>a. The length of a standard parking stall may be reduced to 18 feet.</li> <li>b. The width of a standard parking stall may be reduced to 8 feet.</li> </ol>               Such reductions in stall dimensions may be authorized only where the applicant or owner establishes that: (a) the reduced parking stall dimensions are appropriate for the land use proposed; and (b) the requested reduction in parking stall dimensions would not have a detrimental impact on the surrounding area given the uses proposed.             </li> </ol>
9980.00	<p><u>Accessory Drive-Through Facilities in the MFRC &amp; RLC Districts</u></p> <ol style="list-style-type: none"> <li>1. <u>Traffic Management and Queuing.</u> Every accessory drive-through facility shall be designed and constructed so as to have on-site adequate queuing area for motor vehicles. No special permit for an accessory drive-through facility shall be granted except on evidence satisfactory to the Board of Trustees that the queue will not obstruct parking areas or major travel aisles. Stacking areas may not back-up onto public streets or impede emergency access to buildings.</li> <li>2. <u>Pedestrian Movement.</u> No special permit for an accessory drive-through facility shall be granted except on evidence satisfactory to the Board of Trustees that the accessory drive-through facility will not be hazardous to pedestrians and cyclists. A safe and convenient pedestrian circulation system shall be maintained both onsite and on adjoining public right-of-ways.</li> <li>3. <u>Enhanced Architectural and Landscape Features.</u> No special permit for an accessory drive-through facility shall be granted except on evidence satisfactory to the Board of Trustees that the proposed facility incorporates appropriate architectural and landscape features. All accessory drive-through facilities shall provide screening from any nearby residential activities.</li> <li>4. <u>Hours of Operation &amp; Noise Restrictions.</u> As a condition of approving a special permit for any accessory drive-through facility, the Board of Trustees may restrict the hours of operation of the facility or establish other use limitations to ensure compatibility with surrounding land uses.</li> </ol>

## **8-707 PARKING AND LOADING REQUIREMENTS**

The parking and loading requirements applicable in the Mixed Residential and Commercial Districts are set forth in Sections, 8-709, 9-104, and 9-105 of this Code.

## **8-708 SIGN REGULATIONS**

Sign regulations applicable in the Mixed Residential and Commercial Districts are set forth in Section 9-106 of this Code, and as may be modified for the Village Green Residential and Commercial District when also located in the Village Green Overlay District.

## **8-709 BUFFERS AND LANDSCAPING**

Requirements relating to buffering and landscaping of certain uses and structures in the Mixed Residential and Commercial Districts are set forth in Section 9-107 of this Code, except where otherwise provided for planned developments in Article XI of this Code.

## **8-710 USE LIMITATIONS**

- A. Off-Street Loading; Authority to Waive. The Plan Commission may recommend and the Board of Trustees may authorize the waiver or modification of the off-street loading requirements of Section 9-105 when approving a special permit upon a finding that:
  - 1. Such a waiver or modification is justified, given the proposed use or uses; and
  - 2. Adequate receiving areas for delivered goods are provided on the property, without hampering on-site circulation.
- B. Commercial Uses. All commercial uses shall be subject to the standards in this Subsection:
  - 1. Manufacturing Limited. No manufacturing, processing, or treatment of products shall be conducted on the premises except those that are incidental to a principal retail business use. At least 75 percent of all products produced on the premises shall be sold at retail on the premises.
  - 2. Storage Limited. No storage or warehousing of any product shall be permitted except such as is incidental to a principal retail use.
  - 3. Above Ground Tanks. No above ground tanks designed or used for the storage of flammable or combustible liquids shall be located less than 600 feet from the lot line of any lot on which a fire station is located.

## **8-711 BULK, SPACE AND YARD REQUIREMENTS**

The building height, lot, yard, setback, and floor area ratio requirements applicable in the Mixed Residential and Commercial Districts are set forth in the following table. Footnote references appear in Subsection 8-711 F at the end of the table.

(See next page)

<b>BULK, SPACE AND YARD REQUIREMENTS</b>	<b>MFRC</b>	<b>RLC</b>	<b>VGRC</b>
<b>A. Maximum Height (whichever is less)</b>			
1. Feet			
a. Single Family Detached Dwelling	N/A	65	30
b. Townhouse Dwelling	50	65	45
c. Multiple Family Residential	55	65	45
d. Planned Developments	50	65	45
e. Other Uses	50	65	45
2. Stories			
a. Single Family Detached Dwelling	N/A	4	2
b. Townhouse Dwelling	3	4	4
c. Multiple Family Residential	4	4	4
d. Planned Development	4	4	4
e. All Other Uses	3	4	4
<b>B. Minimum Lot Area and Dimensions (1) (2) (3) (4) (10)</b>			
1. Total Lot Area (square feet)			
a. Planned Development	700,000	100,000	25,000
b. Multiple Family Residential	460,000	45,000	25,000
c. All Other Uses	40,000	45,000	25,000
2. Lot Area Per Dwelling Unit (sq. ft.) (2) (11)			
a. Single Family Detached Dwelling	N/A	4150	3,630
b. Townhouse Dwelling	6,000	4,150	2,720
c. Multiple Family Residential	6,000	4,150	1,815
d. Planned Developments	6,000	4,150	1,815
e. All Other Residential Uses, excluding assisted living facilities	6,000	4,150	N/A
3. Lot Depth (feet)			
All Uses	300	N/A	N/A
4. Lot Width (feet)			
a. Single Family Detached Dwelling	N/A	N/A	40
b. Townhouse Dwelling	N/A	N/A	18
c. Multiple Family Residential	N/A	N/A	100
d. Planned Developments	N/A	N/A	60
<b>C. Minimum Yard and Setback Requirements (feet) (1) (3) (4) (5) (6) (7) (8) (9) (12)</b>			See Footnote #12
1. Front and Corner Side			
a. Yard	20	100	
b. Setback	40	100	

<b>BULK, SPACE AND YARD REQUIREMENTS</b>	<b>MFRC</b>	<b>RLC</b>	<b>VGRC</b>
2. Interior Side			
a. Yard	30	6	
b. Setback	75	6	
3. Rear			
a. Yard	30	25	
b. Setback	40	25	
<b>D. Maximum Floor Area Ratio (11)</b>			
1. Planned Development	50%	65%	N/A
2. Multiple Family Residential	55%	65%	N/A
3. All Other Uses	45%	65%	N/A
4. Planned Developments containing non-residential uses in the VGRC District	N/A	N/A	150%
<b>E. Maximum Lot Coverage (% of Lot)</b>			
1. Single Family Detached Dwelling	N/A	70	60
2. Townhouse Dwelling	50	70	80
3. Multiple Family Residential	50	70	75
4. Planned Developments	50	70	75
5. All Other Uses	50	70	N/A

F. Explanatory Notes.

1. Nonconforming Lots. See Section 10-105 for lot requirements with respect to nonconforming lots of record.
2. Clustering in Planned Developments. In planned developments, minimum lot size per dwelling unit requirements are intended only as a limit on overall development density and not as a requirement that each individual unit be placed on a lot of specified size. In other words, dwelling units may be clustered together so long as sufficient common space is provided within the development to meet the average minimum lot size requirement of the development taken as a whole.
3. Lot Dimensions, Setbacks, and Yards in Planned Developments.
  - a) Authority to Waive. The Plan Commission may recommend and the Board of Trustees may authorize the waiver of the lot dimension, setback, and yard requirements of the district when approving special permits for planned developments.
  - b) Special Requirements: Limitation of Waiver Authority. Special perimeter open space, and spacing requirements for planned developments are set forth in Article XI of this Code. Such requirements shall not be waived under any circumstances; provided, however, that in the event of a conflict with Section 9-107 of this Code, the provisions of Article XI of this Code shall control.

- c) Standards for Waiver. No such waiver shall be recommended or authorized except on the basis of the development's achieving the purposes for which planned developments may be approved pursuant to Article XI of this Code and satisfying the standards applicable to such developments as set forth in Article XI of this Code.
4. Lot Dimensions and Yards for Electrical Substations.
- a) Authority to Waive. The Board of Trustees may authorize the waiver of the lot dimension and yard requirements of the underlying district when approving special permits for electrical substations.
  - b) Standards for Waiver. No such waiver shall be recommended or authorized except on the basis of need and impact on the surrounding properties.
5. Yard Requirements for Uses Without Structures. On any lot occupied by a use without structures, the minimum yards that would otherwise be required for such lot shall be provided and maintained.
6. Visibility Across Corners. Any other provision of this Code to the contrary notwithstanding, on any corner lot nothing shall be erected, placed, planted, allowed to grow or maintained above a height of 2-1/2 feet from grade within the area of a sight triangle as defined in Section 12-206 of this Code.
7. Special Setbacks for Signs. Special setbacks are established for some signs by Subsections 9-106 F, 9-106 H, and 9-106 I of this Code; those setbacks shall control over the yards and setbacks established in the table.
8. Specified Structures and Uses in Required Yards. The following structures and uses, except as limited below, may be located in any required yard:
- a) Accessory uses, subject to the limitations of Section 9-101.
  - b) Statuary, arbors, trellises, and ornamental light standards, and ornamental entry features in an entry area or other common space where approved pursuant to a special permit, having a height of ten feet or less.
  - c) Awnings, canopies, eaves and gutters projecting not more than three feet from an exterior wall.
  - d) Bay windows and balconies projecting not more than three feet from an exterior wall for a distance not more than 1/3 of the length of a side wall and 1/2 of the length of a front or rear yard; provided that such projections shall come entirely within the planes drawn from the main corners of the building at an interior angle of 45 degrees with the wall in question.
  - e) Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, cornices and the like projecting not more than two feet from an exterior wall.
  - f) Outside stairways projecting from an exterior wall, but not extending beyond the property line.
  - g) Flagpoles, except in the Village Green Residential and Commercial (VGRC) District.

- h) Non-mechanical laundry drying equipment, but not in front yards nor in any yards of the VGRC District.
  - i) Off-street parking and loading of vehicles, but only as expressly authorized and regulated in Sections 9-101, 9-104 and 9-105 of this Code.
  - j) Terraces.
  - k) Recreational devices, but not in front yards nor in any yards of the VGRC District.
  - l) Fences, walls, and hedges, subject to the limitations of Section 9-107 of this Code.
  - m) In the VGRC District, unenclosed porches that are open on three sides may project up to five feet into any required yard.
  - n) In the VGRC District, decks of three feet or less in height.
  - o) Air conditioner and other mechanical equipment up to four (4) feet in height that are fully screened from the view of adjoining properties, may project up to four feet into a required side or rear yard,
9. Platted Building and Setback Lines. See Subsection 12-101 F of this Code.
10. Dwelling Unit Sizes in Independent Senior Living Facilities. The minimum dwelling unit size for independent senior living facility dwelling units shall be 625 square feet.
11. Opportunity for Increased Density of Floor Area in the VGRC District for Providing Affordable Housing. Subject to the procedures and standards set forth in Article 11 of this Code, the Plan Commission may recommend and the Board of Trustees may authorize in the VGRC District an increase in the maximum residential density for structures by up to twenty-five (25) percent or an increase of up to twenty-five (25) percent in the absolute maximum floor area ratio. No such adjustment in the density or floor area ratio shall be recommended or authorized except on the basis of a finding that the adjustment will not result in any undue congestion in, or adverse impact on, the surrounding area. The standards for determining affordability shall be established in the special permit ordinance. The special permit ordinance shall also include an agreement, suitable for recording as a covenant, obligating the owners and all successors in interest to: (a) maintain a specific number of dwelling units designated for affordable housing; (b) the number of years such affordable dwelling units will be made continuously available; (c) the rental rates or sales prices of the affordable units; and (d) the means by which the rents or sales prices of the affordable units may be adjusted over the term of the agreement.
12. Setbacks & Yards in the Village Green Residential and Commercial District. The minimum yard and setback requirements in the Village Green Residential and Commercial District shall be as listed in the following table; however, whenever a building in the VGRC District in excess of 30 feet in height is located on a zoning lot adjoining a zoning lot located in any Single Family Residential District, the minimum setback along all applicable lot lines shall increase to one (1) foot of setback for each one (1) foot of building



height, as measured to the point of that building with that height. For example, the portion of a building that is 35 feet in height must be setback a minimum of 35 feet.

Minimum Yard & Setback Requirements	Single Family Detached Residential	Town-house	Multiple Family Residential	Planned Developments and All Other Uses
a. Front and Corner Side				
(1) Yard	20	10	25	10
(2) Setback	20	10	25	10
b. Interior Side				
(1) Yard	5	5	12	5
(2) Setback	5	5	12	5
c. Rear				
(1) Yard	20	15	20	20
(2) Setback	20	15	20	20