Plan Commission Agenda

Sandra "Sandy" Frum Board Room
1225 Cedar Lane Northbrook, IL 60062
Tuesday, July 15, 2025

7:30 PM

1. **ROLL CALL**
2. **MINUTES APPROVAL**
   A. Minutes for Approval - June 17, 2025
   Review and approve June 17, 2025 Plan Commission meeting minutes.
3. **COMMUNITY PLANNING REPORT**
4. **PUBLIC COMMENT TIME**

This agenda item is reserved for members of the public who desire to address the Public Body on a topic that is within purview and jurisdiction of the Public Body, but that is not listed in another location on the agenda. If you would like to speak about a matter that is listed on the agenda, we ask that you wait until that agenda item is called, and we will give you an opportunity to speak then. Anyone desiring to speak should fill out a written speaker form (located in the back of the meeting room) and submit it to the Staff Liaison. “Public Comment Time” is not a forum for open dialogue or engagement with members of the Public Body. Rather, it is intended as an opportunity for you to make comments to the Public Body. While the Public Body will not immediately respond to public comments at this meeting, or engage in a back and forth discussion during the meeting, please be assured that the Public Body is actively listening to all comments, thoughts, and suggestions. All speakers will be limited to a total of three minutes. We request that everyone be respectful, civil, and non-repetitive; and we ask that members of the audience refrain from applauding or making any other comments during or after any speaker. Thank you for your understanding and taking the time to contribute to the success of our community.

5. **PUBLIC HEARING**
   A. DOCKET NO. PCD-25-09: NEW ZONING CODE (Public Hearing). An application by the President and Board of Trustees of the Village of Northbrook (the â€œApplicantâ€) to consider a comprehensive amendment to the current Zoning Code of the Village of Northbrook by repealing and replacing the existing Zoning Code in its entirety and adopting a new Zoning Code with the following components: Article 1: General Provisions, Article 2: Ordinance Administration and Enforcement, Article 3: Single-Family Residential District Standards, Article 4: Multi-Family Residential and Mixed-Use Standards, Article 5: Office District Standards, Article 6: Commercial District Standards, Article 7: Industrial District Standards, Article 8: Institutional and Open Space District Standards, Article 9: Overlay District Standards, Article 10: General Development Standards, Article 11: Sign Standards, Article 12: Nonconformities, Article 13: Inclusionary Housing in New Development, and Article 14 Definitions.
   The Village Plan Commission will hold a public hearing to receive input on the proposed draft New Zoning Code. The current Zoning Code was adopted in 1988. The Zoning Code Review and Modernization initiative began in 2023 with three community goals to guide the process including: to preserve community

identity, prioritize user experience, and promote sustainable initiatives. While this is the formal public hearing, the draft plan has been reviewed in depth at 5 public meetings, two open houses and has been available for public on the Village website.

B. DOCKET NO. PCD-25-10: 2890 and 2990 DUNDEE ROAD - REZONING REQUEST (Public Hearing). An application by the President and Board of Trustees of the Village of Northbrook to eliminate the O-5 Restricted Office District as a zoning district classification within the Village and to rezone the properties located at 2890 and 2990 Dundee Road from O-5 Restricted Office District to the O-2 Limited Office District.

The Village Plan Commission will hold a public hearing to receive input on the proposed draft New Zoning Code and associated rezoning of two properties from O-5 to O-2. The current Zoning Code was adopted in 1988. The Zoning Code Review and Modernization initiative began in 2023 with three community goals to guide the process including: to preserve community identity, prioritize user experience, and promote sustainable initiatives. While this is the formal public hearing, the draft plan has been reviewed in depth at 5 public meetings, two open houses and has been available for public on the Village website.

6. REVIEW OF DRAFT RESOLUTIONS

7. DISCUSSION TOPICS

8. REMARKS FOR THE GOOD OF THE ORDER

9. ADJOURN

The Village of Northbrook is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe or participate in this meeting, or who have questions regarding the accessibility of the meeting or facilities, are requested to promptly contact the Village of Northbrook at (847) 272-5050, or the Illinois Relay Center at (800) 526-0844, to allow the Village of Northbrook to make reasonable accommodations for those persons.

MEMORANDUM

To: Plan Commission
From: Deputy Director of Development & Planning Services Michaela Kohlstedt
Date: 2025-07-15
Subject: Minutes for Approval - June 17, 2025

Overview
Review and approve June 17, 2025 Plan Commission meeting minutes.

Fiscal Impact
N/A.

Recommendation
Review and Approval.

Background

MEMORANDUM

To: Plan Commission
From: Deputy Director of Development & Planning Services Michaela Kohlstedt
Date: 2025-07-15
Subject: DOCKET NO. PCD-25-09: NEW ZONING CODE (Public Hearing). An application by the President and Board of Trustees of the Village of Northbrook (the "Applicant") to consider a comprehensive amendment to the current Zoning Code of the Village of Northbrook by repealing and replacing the existing Zoning Code in its entirety and adopting a new Zoning Code with the following components: Article 1: General Provisions, Article 2: Ordinance Administration and Enforcement, Article 3: Single-Family Residential District Standards, Article 4: Multi-Family Residential and Mixed-Use Standards, Article 5: Office District Standards, Article 6: Commercial District Standards, Article 7: Industrial District Standards, Article 8: Institutional and Open Space District Standards, Article 9: Overlay District Standards, Article 10: General Development Standards, Article 11: Sign Standards, Article 12: Nonconformities, Article 13: Inclusionary Housing in New Development, and Article 14 Definitions.

Overview
The Village Plan Commission will hold a public hearing to receive input on the proposed draft New Zoning Code. The current Zoning Code was adopted in 1988. The Zoning Code Review and Modernization initiative began in 2023 with three community goals to guide the process including: to preserve community identity, prioritize user experience, and promote sustainable initiatives. While this is the formal public hearing, the draft plan has been reviewed in depth at 5 public meetings, two open houses and has been available for public on the Village website.

Fiscal Impact
N/A.

Recommendation
Conduct a Public Hearing.

Background
See Attachments.

A - Staff Report - Zoning Code Public Hearing 7-15-25
B - Open House Public Comments
C - Public Correspondence
D - Duplex Research on Pricing and Gentrification

E - Additional Articles Regarding Duplex Development
Plan Commission Public Hearing Presentation
01 - General Provisions
02 - Ordinance Administration and Enforcement
03 - Single-Family District Standards
04 - Multi-Family and Mixed Use District Standards
05 - Office District Standards
06 - Commercial District Standards
07 - Industrial District Standards
08 - Institutional and Open Space District Standards
09 - Overlay District Standards
10 - General Development Standards
11 - Sign Standards
12 - Nonconformities
13 - Inclusionary Housing in New Developments
14 - Definitions

MEMORANDUM

To: Northbrook Plan Commission
From Deputy Director of Development & Planning Services Michaela Kohlstedt
Cc: Director of Development & Planning Services Amy McEwan
Date: July 15, 2025
Subject: New Zoning Code – Review of Entire Draft Zoning Code

On July 15, 2025 the Plan Commission will conduct a public hearing to discuss the draft of the new Northbrook Zoning Code. This is an application by the President and Board of Trustees of the Village of Northbrook to consider a comprehensive amendment to the current Zoning Code of the Village of Northbrook by repealing and replacing the existing Zoning Code in its entirety and adopting a new Zoning Code with the following components:

- Article 1: General Provisions
- Article 2: Ordinance Administration and Enforcement
- Article 3: Single-Family Residential District Standards
- Article 4: Multi-Family Residential and Mixed-Use Standards
- Article 5: Office District Standards
- Article 6: Commercial District Standards
- Article 7: Industrial District Standards
- Article 8: Institutional and Open Space District Standards
- Article 9: Overlay District Standards
- Article 10: General Development Standards
- Article 11: Sign Standards
- Article 12: Nonconformities
- Article 13: Inclusionary Housing in New Development
- Article 14: Definitions

The Plan Commission hearing was properly noticed in the June 26, 2025 edition of the Northbrook Star. In addition to the code-required legal notice being published, the Village has also provided notice of the public hearing, as well as the past public meetings and open houses for the drafting of a new Zoning Code in the following sources:

- Village webpage
- Project webpage
- Print Village newsletters
- Village E-newsletters
- Social Media posts
- Physical postings of flyers at the Village Hall
- Verbal announcements at other public meetings

Public Comments

Staff has received the attached public comments regarding the application with a majority of the comments centered around introducing Duplexes and Cottage Court residences into the R-5 Single Family Residential District, and as well as several letters stating concerns regarding the proposed elimination the O-5 Restricted Office District and the associated rezoning of the only two properties in that district into the O-2 Limited Office District.

In addition to written correspondence received by staff, there were two open houses conducted on June 10 and June 11 whereupon over 45 attendees were able to provide verbal and written commentary on the proposed draft Zoning Code. The Village's consultant, Houseal Lavigne, has compiled all the written comments received in the attached Open House Comments document. The summary of those comments included 19 comments supporting increased housing options (Accessory Dwelling Units, duplexes, and density), 8 comments in opposition to increasing housing options and density, and approximately 8 additional comments pertaining to overall terminology and proposed modifications to the Zoning Code.

Goals for the New Zoning Code

The three following goals were established at the onset of the process to draft a new Zoning Code:

- Preserve Community Identity
- Prioritize User Experience; and
- Promote Sustainability Initiatives.

The drafting of the new Zoning Code has always maintained those three elements in the forefront when determining how to best address the process and regulations being proposed. While some bulk standards and use allowances have remained consistent with current code, the process for seeking zoning relief has been streamlined, and the regulations have been assessed through a sustainable lens for best industry practices.

Summary of Previous Meetings

Since beginning the process of drafting a new Zoning Code in the spring of 2023, the Village has hosted several different opportunities to gather community input and staff provided Houseal Lavigne with notes regarding needs and expectations for the new Zoning Code. The earlier stages of information gathering included an open house, meetings with various key stakeholders, round table discussions, a community survey, interviews with various Village departments, and five joint public meetings of the Plan Commission and Board of Trustees to review the proposed language. The staff reports for those meetings can be viewed by clicking on the date of each past meeting, and the minutes for each of the joint meetings can also be referenced by clicking on "approved minutes" next to each meeting date.

February 27, 2024 (approved minutes):

- Diagnostic Memo Discussion

August 13, 2024 (approved minutes):

- Article 3: Single Family District Standards
- Article 4: Multi-Family and Mixed Use District Standards
- Article 5: Office District Standards
- Article 6: Commercial District Standards
- Article 7: Industrial District Standards
- Article 8: Institutional and Open Space District Standards
- Article 9: Overlay District Standards
- Article 10: General Development Standards
- Article 11: Sign Standards

December 3, 2024 (approved minutes):

- Article 10: General Development Standards
- Article 11: Sign Standards

December 17, 2024 (approved minutes):

- Article 2: Ordinance Administration and Enforcement
- Article 12: Nonconformities

June 3, 2025 (approved minutes):

- Review of the full Draft new Zoning Code

In addition to the five joint meetings, the Plan Commission also conducted two public meetings for more detailed review of the various district articles.

September 3, 2024 (approved minutes):

- Article 3: Single Family District Standards
- Article 4: Multi-Family and Mixed Use District Standards

October 1, 2024 (approved minutes):

- Article 5: Office District Standards
- Article 6: Commercial District Standards
- Article 7: Industrial District Standards
- Article 8: Institutional and Open Space District Standards
- Article 9: Overlay District Standards

Summary of the June 3, 2025 Joint Meeting

During all meetings members of the Board of Trustees and Plan Commission provided staff with feedback on the articles. Those revisions were made over the course of the last year and were included in the full document presented on June 3, 2025 at the joint meeting. During that meeting the following comments were received:

- further review of Article 2 processes;
- provide additional research on the financial impact duplexes have on surrounding areas; and
- clarification of Transitional Service Facilities and Community Residences.

There have been minor revisions to Article 2 to ensure that the text is comprehensible to all parties who will interact with the Zoning Code and some other edits to account for consistency on terminology and format.

Regarding the question about additional research on the topic of duplex residences and its impact on communities, staff and the consultant have put together the attached research which includes several articles for review on the topic.

The Principal Use table in Article 3 of the draft Zoning Code has also been revised to assist with clarity in determining the number of occupants allowed in a Transitional Service Facility. The previous version of the document which was reviewed at the last joint meeting on June 3, 2025 included a use table identifying that Transitional Service Facilities with up to 9 residents required a Special Permit in the R-3 District, and a Transitional Service Facility with up to 15 residents required a Special Permit in the R-1 and R-2 Districts. This posed some confusion that perhaps someone could not operate a Transitional Service Facility with fewer than 15 residents in the R-1 and R-2 Districts, so the table was revised to show the following:

Transitional Service Facilities, with up to 9 residents	3-105-B-4	S	S	S		

Table 3-105-A: Principal Uses by Single-Family Residential District

Use	Additional Regulation	R-1	R-2	R-3	R-4	R-5
Transitional Service Facilities with up to 15 residents	3-105-B-4	S	S			

Modifications to the Draft Document following the June 3, 2025 Joint Meeting

Since the last joint meeting staff has made one significant adjustment to the proposed draft document, which is the return of the C-1 Specialty Commercial District which originally was eliminated throughout the entire drafting process due to the few number of parcels that remain in the C-1 District. Given the unique use of those properties at this time, and in speaking with the landowners, it was determined that it was best to keep the C-1 District, but retire the district as a Legacy District in the proposed new Zoning Code. This means going forward no one could request to rezone to C-1.

The following language was added to Article 6, along with the existing bulk and use standards that are found today in the C-1 District.

6-102. Establishment, Purpose, and Intent of Commercial Districts

Table 6-102 Establishment, Purpose, and Intent of Commercial Districts

District Name	District Purpose and Intent
C-1 Specialty Commercial Legacy District	The C-1 Specialty Commercial District is intended to provide for small shops, stores and boutiques in the older areas of the Village adjacent to the central business areas where it is possible to retain the residential character and appearance of the Village and at the same time promote business activity. The regulations are designed to encourage the retention and renovation of sound existing structures and to ensure that the business uses remain compatible with the residential uses while permitting the area to maintain a distinctive character. The C-1 District is a legacy zoning district and is not intended to be applied to additional areas of the Village beyond those designated at the time of this Code's adoption. All dimensional and bulk standards, use regulations, and related provisions for the C-1 legacy District are located in Section 6-109 below.

The intent behind putting the district back into the Zoning Code as a legacy district is to allow the current lots to remain as they exist today, but no additional lots will be rezoned into the C-1 District. At the time that any parcel zoned C-1 is redeveloped or requests new uses, then the lot will need to be rezoned to the appropriate district for that use. This will maintain flexibility and provide the opportunity for some to consider

commercial uses while others may be more appropriate for residential.

Another modification made to the document following the June 3 meeting is that the public notice language pertaining to required forms of notice has been updated in Article 2. This language allows notice to surrounding property owners to be provided by regular standard mail and removes the requirements for certified return receipt mailing. The certified return receipt process requires the signature of the recipient, and thus, if you are not home at the time of delivery you must go in person to the post office and provide your signature to receive the notice. We have received complaints about the inconvenience of this process. In addition, it is expensive and can pose a financial hardship on applicants seeking smaller relief. This is a change in a process that is also occuring in other communities.

The other change to the public notice requirement is that the legal notice will now be published on a designated webpage on the Village website instead of within a print newspaper. The local newspapers have undergone significant changes over the last 10 years with some being eliminated altogether, and a significant decrease in readership of the print publications. The Village, like many of our neighboring communities, will now post the notice on the Village webpage.

Summary of Proposed Deviations from the Current Code to the New Code

All the modifications below were originally discussed and proposed at the August 13, 2024 joint meeting. The same standards and regulations were included throughout all the versions of the draft documents that were presented at every joint meeting, as well as on the project website, and at the most recent open houses. Only one item below is noted as having been added since the June 3, 2025 joint meeting.

<u>Single Family Residential District Standards:</u>

- Include Cottage Court development in the R-5 Single Family Residential District
- Include Duplexes in the R-5 Single Family Residential District
- Reduce Lot Area and Lot Width requirements for both the R-4 and R-5 Single Family Residential Districts

<u>Multi-Family and Mixed Use District Standards:</u>

- The combination of both the Multi-Family Districts and Mixed Use Districts into one Article
- Bulk Standard modifications that can accommodate Missing Middle Housing in the R-6 District
- Reduce Lot Area and Lot Width requirements for the R-7, R-8, and RS districts for certain housing types
- Include Independent Senior Housing as a Permitted Use in the R-8 and RS districts
- Include Dependent Senior Housing as a Permitted Use in the R-8 and RS
- Eliminate Special Use for Townhomes and Multi-Family in the MFRC District and include as permitted use.
- Eliminate Special Use for General Retail in the VGRC District and include as permitted use.
- Eliminate Special Use for Personal Services in the VGRC District and include as permitted use.
- Eliminate Special Use for Professional Services in the VGRC District and include as permitted use.

<u>Office District Standards:</u>

- Eliminate the O-5 Restricted Office District
- Eliminate Required Yards in addition to Required Setbacks
- Include modern use types to be permitted such as coworking spaces, live-work units, and indoor agriculture (not cannabis related)
- Eliminate Special use for Accessory Drive-Through and allow as permitted accessory use.

<u>Commercial District Standards:</u>

- C-1 Specialty Commercial District becomes a Legacy District ***– Proposed Change since 6-3-2025***
- Eliminate Required Yards in addition to Required Setbacks
- Include modern use types as permitted uses such as artisan manufacturing, commercial kitchens, and microbreweries/winery/distillery
- Eliminate Special Use for Accessory Drive-Through and allow as permitted accessory use

<u>Industrial District Standards:</u>

- Eliminate Required Yards in addition to Required Setbacks
- Include modern use types to be permitted such as brewery/winery/distillery, light industry, heavy industry (the current Zoning Code lists out various industrial uses of which some are antiquated and other modern industry uses are missing), and indoor agriculture

Institutional and Open Space District Standards:

- Eliminate Nursing and Personal Care, as well as Residential Care as special permit use in the IB District
- Modernize required lot area for use types to be one uniform size standard

Overlay District Standards:

- Eliminate the Redevelopment Overlay District

The following are modifications proposed to other articles of the draft Zoning Code which were originally presented at joint meetings between December 3, 2024 and June 3, 2025 with one addition noted to have been included following the June 3 joint meeting.

General Development Standards:

- The Parking, Loading, Landscape, and Screening are now all contained in one Article
- Parking stall depth reduced
- Visual aids included in the article to depict regulations
- Reduce required number of parking stalls for several uses to align with current industry standards
    - Specifically note the reduced parking stall requirements for residential
- Allow up to 50% parking variation in the Village Green Overlay District for all uses with a requirement of maintaining a minimum of 1 parking stall per dwelling unit
- Allow reduction in required parking stalls when including bicycle parking
- Bicycle parking required in all districts except single-family residential
- Include detailed transition landscaped areas
- Allow taller fences in the R-1 and R-2 districts front and corner side yard; including driveway gates not to exceed 8 feet in height

Sign Standards:

- Eliminate requirement for a special permit for wall signs in excess of 20’ in height from grade
- Allow projecting signs
- Allow sandwich board signs
- Include visual aids throughout the article

Ordinance Administration and Enforcement:

- The Article is moved from the end of the Zoning Code to the front.
- Detailed application submittal requirements have been removed and placed in the Application Manual, to allow future adjustments to be made as technology and processes evolve without requiring a Zoning Code amendment.
- Include a table listing the Review Procedures Overview for ease and clarity of review.
- Add Administrative Adjustments to allow for more flexibility in minor variations that currently are not permitted or require an extensive application process.
- Change requirements for VGO Design Review to apply to development and redevelopments under 50,000 square feet and no longer reviewing signs and minor façade modifications.
- Applicants have an option of going through a preliminary review process or not prior to filing a formal application.
- Eliminate terms (example: special use approved for a 5-year term) on special permits, eliminate the need for a renewal process.
- Allow some administrative amendments to special permits.
- Planned Unit Developments will be applicable for developments in the VGO with more than 50,000 square feet, and all other districts when in excess of 200,000 square feet. Aligned with industry standards, the PUD process will allow properties to maintain current zoning designation with the PUD becoming an approved overlay on the property. Eliminate the requirement to rezone.

- Modernized Public Notice process ***– Proposed Change since 6-3-2025***

Nonconformities:

- Eliminate Inventory and Notice of Nonconforming Uses and Signs and subsequent Termination by Amortization Schedule
- Eliminate Pre-Ordinance Structure Side Yard Vertical and Horizontal Exceptions (this becomes obsolete with the removal of the 25% combined side yard requirement)

Next Steps

The next steps in the process of completing and adopting a new Zoning Code include:

- Plan Commission public hearing on the proposed code continued to August 19, 2025; and
- Adoption by the Board of Trustees in the Fall of 2025.

Summary

Following the presentation by the consultant and staff on July 15, the Plan Commission will have an opportunity to ask questions and provide feedback on the draft document.

Some questions to consider while reviewing the draft document:

1. Does the new Zoning Code accomplish the project goals of preserving community identity, prioritizing the user experience with an easy to understand code, and promoting sustainability initiatives?
2. Is the proposed order of the articles appropriate? Specifically with article 2 being in the beginning of the code book versus at the end?
3. Are the graphics adequate in depicting regulations and aiding in the ease of understanding the code?
4. Are the modified zoning entitlement processes appropriate as proposed?
5. Is the use table comprehensible and easy for readers to find where their business or use may fit into the modern table?
6. Is it appropriate to include the C-1 Specialty Commercial District as a Legacy District?

Given the complexity of creating a new Zoning Code and the amount of review necessary for such a process, staff has not included a draft resolution at this time for consideration. When directing staff to prepare a resolution for the Plan Commission recommendation on this application, the Plan Commission will want to continue the public hearing to August 19, 2025 for consideration of such document.

Community Feedback from Pre-Adoption Open House for Proposed Zoning Code

These notes capture the feedback gathered during two pre-adoption public open houses held on June 10th, 2025, from 4:00 PM to 7:00 PM (attended by 16 people), and June 11th, 2025, from 12:00 PM to 3:00 PM (attended by 30 people), where we informed the community about significant proposed changes to Northbrook's Zoning Code. During these sessions, we shared key updates to the zoning regulations designed to promote housing affordability, increase density, and support sustainable development, all while preserving the unique character of the Village.

The open houses provided a platform for residents to share their thoughts and concerns. Below is a compilation of their comments, transcribed verbatim from citizens comment cards collected at the event.

Note: The following comments represent direct feedback from attendees and are presented as written, without edits to grammar or language. These are the voices of community members and do not reflect staff or consultant interpretations.

Support for ADUs, Increased Density, and Housing Options

- I am interested in detached ADU's, I don't think they will impact the community character.
- Please consider detached- ADU's- allowing these like Evanston and Oak Park, YES to duplexes too.
- Support affordable housing+ duplex + ADU.
- We need more density, Increase the supply of housing.
- Duplexes offer more potential than we had previously—affordable, etc.
- We need more density, only way to really decrease the housing costs.
- I agree with more density and greater housing options, duplex, ADU, more forms.
- Higher density is needed!
- This is the right direction, there needs to be more density + bike lanes + bike racks.
- Why not duplex in some R4 districts?
- Looks like a good plan. Incremental change is a great way to get change done. Only suggestion would be to allow duplex in R-4 zones if architecturally compatible.
- R-5 districts: No duplexes???? This one was not readable.
- R 5 districts: Keep duplex, keep FAR, Reduce mass/scale monstrosity tear-down replacement house.
- Why not duplex in some R4 districts?
- I am in favor of more affordable housing in NBK, provide no-cost sidewalks for long-term residents where new adjacent properties have them!
- People who work in Northbrook should be able to live here. It's better for them and for all of us.
- I am very happy that the village is addressing many issues through this re-write of zoning policy. In addition to allowing ADU's BY RIGHT, the Village's proposed changes re minimum lot size, parking requirements, allowance of duplexes, etc. show respect for residents who want to use our houses/property to meet our needs. They also walk the talk about sustainability + making room in our community for people from diverse backgrounds at various income levels.

- Other communities offer support for aging residents who may need help with adaptations/upgrades so that they can age in place with the community. We should expand Crestwood and transit-oriented housing, affordable housing, + supportive housing. We need community land trust. We should identify small lots + designate them for very small houses for one to two people. It's time. These changes will be good for Northbrook!!
- "It is important that the Village STOP using AADU when referring to accessory dwelling units. This designation was created out of thin air in Northbrook and is not useful since nobody uses it. There are ADUs—some are attached and some are detached, and I hope that the Village will accept that many residents' needs are for detached ADUs—for privacy, dignity, quiet, etc., for the occupants of both units. Attached ADUs do NOT provide privacy, dignity, quiet, etc. in many cases."

Concerns about ADUs, Increased Density, and Housing Options

- I am concerned that ADU's will turn into homes for an excessive number of unrelated people and will lower property values. By attracting people who can't afford the current housing stock.
- Northbrook already has TOO MANY ADU's- Please no more!
- Please don't allow covenant to build any more multi-level buildings! They have built too many already. Keep rest single-story.
- Please-No more duplexes, cottage courts, triplexes, quadplexes, or 5-12 unit dwellings!
- Please no more transitional service facilities with up to 9 residents in zone 3. Also no home based daycare in zone R3.
- Totally against proposed changes that will open door to increased density. Northbrook is packed enough. Too much traffic, people, and crime.
- We need less density! No duplexes! No ADU's!
- Please ensure no changes will enable too large of housing on a lot. Please keep houses at current % size rule for lot.

Miscellaneous Comments and Suggestions

- The 'proposed' plan needs street names & a simple explanation of the changes.
- Daylight Plane restriction—Glencoe has it, maybe others around here. [steven.9.farwell@gmail.com]
- Requirement to have new commercial buildings 2 stories or more. 1 story should be encouraged to keep NBK more of a town, NOT A CITY.
- We need more bike infrastructure in addition to the plan.
- New form-based standards are needed for the downtown district—like the direction.
- Updated signage regulations long overdue—like the direction.
- Streamlining the permitting process is also necessary. NB has a reputation for being difficult.
- Consider parking space reduction or permanent car-share space (zip code) depending on location.

Kohlstedt, Michaela

From: Ari Hakkarainen <ajhakk1@gmail.com>
Sent: Tuesday, July 8, 2025 12:55 AM
To: Zoning Code
Cc: Nicole Hakkarainen
Subject: R5 Zoning

Beware External Email - Think Before You Act

To whom it may concern,

I live at 1320 Church St, and I am opposed to the
proposed permitted use in R5 for Cottage Courts and Duplexes.

Please confirm receipt of this email.

Thank you,

Ari Hakkarainen

Kohlstedt, Michaela

From: Tyler Bartlow <tbartlow@outlook.com>
Sent: Tuesday, July 8, 2025 10:21 AM
To: Zoning Code
Cc: Ashlee Hunt
Subject: R5 Permitted Use Changes - Opposed

Beware External Email - Think Before You Act

Hi – we just became aware of proposed changes to permitted use in R5, allowing for Cottage Courts and Duplexes. For a variety of reasons, we are opposed to this change and don't think it makes sense for the areas impacted. We will not be able to attend the upcoming meeting, but please note our opposition and if someone can confirm receipt of this email, that would be helpful.

Best,
Tyler & Ashlee Bartlow

1270 Church St

Kohlstedt, Michaela

From: Vladimir Egorin <vladimir.egorin@gmail.com>
Sent: Monday, July 7, 2025 4:58 PM
To: Zoning Code
Subject: zoning changes

Beware External Email - Think Before You Act

Hi,

I live at 1315 Church Street and I would like to register my opposition to the proposed permitted use in R5 for Cottage Courts and Duplexes.

Thank you.

Vladimir Egorin
1315 Church St, Northbrook, IL 60062

Kohlstedt, Michaela

From: stuferber@comcast.net
Sent: Tuesday, July 8, 2025 8:32 AM
To: Zoning Code
Subject: No Vote on Duplex/Cottage Courts in R5

Beware External Email - Think Before You Act

Good morning.

Strong NO vote from both of us on changing permitted use in R5 to include duplexes and "cottage courts." We own two properties, 1257 and 1267 Church Street.

The proposed change would essentially double or quadruple the available density on each lot for a couple hundred homes in R5. That is a huge change, imagine if everyone did it? The impact has the potential to eviscerate the small town feel many of us left the city for.

Personally, it has been very frustrating as long time residents (27 years) to feel like we are constantly pushing back the idea of "density, density, density" in random areas (like R5).

We actually like green space and some quiet. That does not make us NIMBYs, we have no issue with putting up Gateway Townhomes or for the village to look for other parcels along major streets like Shermer. Dropping a duplex or a "cottage court" in the middle of a block is a nonstarter.

Thank you.

Carolyn and Stuart Ferber
224 808-8871

Kohlstedt, Michaela

From: Tim Hiller <timwhiller@gmail.com>
Sent: Tuesday, July 8, 2025 3:13 PM
To: Zoning Code
Subject: R5 Zoning

Beware External Email - Think Before You Act

Hi.

I live at 1240 Church Street and was made aware by a neighbor that there is a draft to change the zoning in the R5 district that would allow duplexes and cottage courts. I AM OPPOSED TO THIS.

Thank you for your consideration and please confirm this was received.

Tim Hiller

Kohlstedt, Michaela

From: Nicole Hakkarainen <nicole.c.hakkarainen@gmail.com>
Sent: Tuesday, July 8, 2025 2:26 AM
To: Zoning Code
Subject: R5 Zoning

Beware External Email - Think Before You Act

Dear Sir / Madam,

I am the owner of 1320 Church Street in Northbrook and I am opposed to the proposed permitted use in R5 for Cottage Courts and Duplexes.

Please confirm receipt of this email.

Thanks,

Nicole Hakkarainen

—

Nicole Hakkarainen
nicole.c.hakkarainen@gmail.com

Kohlstedt, Michaela

From: Gail Robson <gsrobson@sbcglobal.net>
Sent: Monday, July 7, 2025 6:23 PM
To: Zoning Code
Subject: Zoning

Beware External Email - Think Before You Act

Good afternoon,
I live at 1254 church st in Northbrook.
I am opposed to the proposed permitted use in R5 for Cottage Courts and Duplexes.
Thank you.
Gail Robson
312-209-0101

Sent from my iPhone

Kohlstedt, Michaela

From: Kenny Ekenberg <kenny@ekenberg.biz>
Sent: Tuesday, July 8, 2025 2:41 PM
To: Kohlstedt, Michaela
Subject: Northbrook Proposed Zoning Changes

Beware External Email - Think Before You Act

July 8, 2025

Northbrook Board of Trustees
Northbrook Plan Commission
Village of Northbrook Village Hall
1225 Cedar Lane
Northbrook, IL 60062

Subject: Zoning Changes for 2990 and 2890 Dundee Road

Ladies/Gentlemen,

We live at 514 Helen Drive in Northbrook, in the Manus Northshore Estates Subdivision. We recently learned that the properties at 2990 and 2890 Dundee Road are being proposed for rezoning from O5 to O2. We strongly oppose this change and **firmly** believe these properties should remain classified as O5**.** The O5 zoning designation should remain in place to preserve the original planning intent for this area (Comprehensive Plan – Neighborhood Office), even if these are the only two properties in Northbrook with that classification. If necessary, we support retiring the O5 designation for future use, but respectfully request that these two properties be grandfathered in and maintain their current O5 status.

Despite the narrow streets in our neighborhood and the fact that there is only one traffic light when exiting onto Dundee Road, the Manus Northshore Estates Subdivision remains a wonderful place to live. The stretch of Dundee Road between Hazelwood Lane and Anthony Trail is currently zoned residential and RS for the new Senior Living project, which helps keep heavy through-traffic away from our neighborhood.

Eighteen years ago, our residents successfully petitioned to prevent the construction of a McDonald's and a Chase Bank on one of these properties — the very site now proposed for an O2 zoning change. An O2 designation would once again open the door to banks, restaurants, and other high-traffic businesses that are incompatible with the character and safety of our neighborhood.

The existing O5 designation safeguards our neighborhood from high-density, high-traffic development. Maintaining the O5 zoning will help reduce congestion on already busy Dundee Road and ensure safer, easier access for residents, school buses, and students crossing Dundee Road on their way to school. It will also help protect the safety of young children who play baseball and soccer at the park in the center of the subdivision during the summer and fall.

We recognize that Northbrook has multiple O2-zoned areas, and we understand it may not be practical to make exceptions to restrict banks and restaurants on these specific sites alone. However, the O5 designation was created precisely for properties like 2990 and 2890 Dundee Road. After the McDonald's and Chase Bank projects were rejected, our neighborhood collaborated with the Village to establish appropriate zoning that would preserve the character of this area. We believed then — as we do now — that the O5 zoning designation is the best way to protect this residential neighborhood and its beautiful homes. We strongly urge that the O5 zoning remain unchanged for these properties.

Cordially,

Kenny & Chrissy Ekenberg

Kenny Ekenberg

Ekenberg & Ekenberg, P.C.

Certified Public Accountants

100 Tri-State International Suite 285

Lincolnshire, IL 60069

Office: 847-267-1650 Ext. 304

Fax: 847-267-1653

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Kohlstedt, Michaela

From: Carol Spencer <carolspencer93@gmail.com>
Sent: Tuesday, July 8, 2025 4:59 PM
To: Kohlstedt, Michaela
Subject: Zoning Changes for 2990 and 2890 Dundee Road

Beware External Email - Think Before You Act

Ladies/Gentlemen

I live at 540 Alice Drive in Northbrook, in the Manus Northshore Estates Subdivision. I recently learned that the properties at 2990 and 2890 Dundee Road are being proposed for rezoning from O5 to O2. I strongly oppose this change and firmly believe these properties should remain classified as O5. The O5 zoning designation should remain in place to preserve the original planning intent for this area (Comprehensive Plan – Neighborhood Office), even if these are the only two properties in Northbrook with that classification. If necessary, we support retiring the O5 designation for future use but respectfully request that these two properties be grandfathered in and maintain their current O5 status.

Despite the narrow streets in our neighborhood and the fact that there is only one traffic light when exiting onto Dundee Road, the Manus Northshore Estates Subdivision remains a wonderful place to live. The stretch of Dundee Road between Hazelwood Lane and Anthony Trail is currently zoned residential and RS for the new Senior Living project, which helps keep heavy through-traffic away from our neighborhood.

Eighteen years ago, our residents successfully petitioned to prevent the construction of a McDonald's and a Chase Bank on one of these properties — the very site now proposed for an O2 zoning change. An O2 designation would once again open the door to banks, restaurants, and other high-traffic businesses that are incompatible with the character and safety of our neighborhood.

The existing O5 designation safeguards our neighborhood from high-density, high-traffic development. Maintaining the O5 zoning will help reduce congestion on already busy Dundee Road and ensure safer, easier access for residents, school buses, and students crossing Dundee Road on their way to school. It will also help protect the safety of young children who play baseball and soccer at the park in the center of the subdivision during the summer and fall.

I recognize that Northbrook has multiple O2-zoned areas, and I understand it may not be practical to make exceptions to restrict banks and restaurants on these specific sites alone. However, the O5 designation was created precisely for properties like 2990 and 2890 Dundee Road. After the McDonald's and Chase Bank projects were rejected, our neighborhood collaborated with the Village to establish appropriate zoning that would preserve the character of this area. I believed then — as i do now — that the O5 zoning designation is the best way to protect this residential neighborhood and its beautiful homes. We strongly urge that the O5 zoning remain unchanged for these properties.

Cordially,

Carol Spencer
540 Alice Dr
Northbrook, IL
60062

Kohlstedt, Michaela

From: Heidi & Jerry Ulrich <hjulrich2000@gmail.com>
Sent: Tuesday, July 8, 2025 3:06 PM
To: Kohlstedt, Michaela
Subject: 05 zoning

Beware External Email - Think Before You Act

July 8, 2025

Northbrook Board of Trustees
Northbrook Plan Commission
Village of Northbrook Village Hall
1225 Cedar Lane
Northbrook, IL 60062

Subject: Zoning Changes for 2990 and 2890 Dundee Road

Ladies/Gentlemen,

We live at 521 Helen Drive in Northbrook, in the Manus Northshore Estates Subdivision. We recently learned that the properties at 2990 and 2890 Dundee Road are being proposed for rezoning from O5 to O2. We strongly oppose this change and **firmly** believe these properties should remain classified as O5.The O5 zoning designation should remain in place to preserve the original planning intent for this area (Comprehensive Plan – Neighborhood Office), even if these are the only two properties in Northbrook with that classification. If necessary, we support retiring the O5 designation for future use but respectfully request that these two properties be grandfathered in and maintain their current O5 status.

Despite the narrow streets in our neighborhood and the fact that there is only one traffic light when exiting onto Dundee Road, the Manus Northshore Estates Subdivision remains a wonderful place to live. The stretch of Dundee Road between Hazelwood Lane and Anthony Trail is currently zoned residential and RS for the new Senior Living project, which helps keep heavy through-traffic away from our neighborhood.

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Sincerely,

Heidi and Jerry Ulrich

Kohlstedt, Michaela

From: Zbyszek Wolas <zbyszekwolas@yahoo.com>
Sent: Wednesday, July 9, 2025 6:13 AM
To: Kohlstedt, Michaela
Subject: Fw: Zoning Changing for 2990 and 2890 Dundee Road

Beware External Email - Think Before You Act

----- Forwarded Message -----
From: Zbyszek Wolas <zbyszekwolas@yahoo.com>
To: michaela.kohlstedt@northbrook.ill.us <michaela.kohlstedt@northbrook.ill.us>
Sent: Tuesday, July 8, 2025 at 09:19:28 PM CDT
Subject: Zoning Changing for 2990 and 2890 Dundee Road

July 8, 2025

Northbrook Board of Trustees
Northbrook Plan Commission
Village of Northbrook Village Hall
1225 Cedar Lane
Northbrook, IL 60062

Subject: Zoning Changes for 2990 and 2890 Dundee Road

Ladies/Gentlemen,

We live at 728 Helen Drive in Northbrook, in the Manus Northshore Estates Subdivision. We recently learned that the properties at 2990 and 2890 Dundee Road are being proposed for rezoning from O5 to O2. We strongly oppose this change and **firmly** believe these properties should remain classified as O5. The O5 zoning designation should remain in place to preserve the original planning intent for this area (Comprehensive Plan – Neighborhood Office), even if these are the only two properties in Northbrook with that classification. If necessary, we support retiring the O5 designation for future use but respectfully request that these two properties be grandfathered in and maintain their current O5 status.

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area. We believed then — as we do now — that the O5 zoning designation is the best way to protect this residential neighborhood and its beautiful homes. We strongly urge that the O5 zoning remain unchanged for these properties.

Best regards,

Zbigniew & Beata Wolas

July 8, 2025

Northbrook Board of Trustees
Northbrook Plan Commission
Village of Northbrook Village Hall
1225 Cedar Lane
Northbrook, IL 60062

Subject: Zoning Changes for 2990 and 2890 Dundee Road

Ladies/Gentlemen,

I live at 530 Helen Drive in Northbrook, in the Manus Northshore Estates Subdivision. I recently learned that the properties at 2990 and 2890 Dundee Road are being proposed for rezoning from O5 to O2. I strongly oppose this change and **firmly** believe these properties should remain classified as O5. The O5 zoning designation should remain in place to preserve the original planning intent for this area (Comprehensive Plan – Neighborhood Office), even if these are the only two properties in Northbrook with that classification. If necessary, I support retiring the O5 designation for future use but respectfully request that these two properties be grandfathered in and maintain their current O5 status.

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Cordially,

Carol Shraiberg

July 8, 2025

Northbrook Board of Trustees
Northbrook Plan Commission
Village of Northbrook Village Hall
1225 Cedar Lane
Northbrook, IL 60062

Subject: Zoning Changes for 2990 and 2890 Dundee Road

Ladies/Gentlemen,

I live at 570 Helen Drive in Northbrook, in the Manus Northshore Estates Subdivision. I recently learned that the properties at 2990 and 2890 Dundee Road are being proposed for rezoning from O5 to O2. I strongly oppose this change and **firmly** believe these properties should remain classified as O5. The O5 zoning designation should remain in place to preserve the original planning intent for this area (Comprehensive Plan – Neighborhood Office), even if these are the only two properties in Northbrook with that classification. If necessary, I support retiring the O5 designation for future use but respectfully request that these two properties be grandfathered in and maintain their current O5 status.

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Cordially,

Kevin Rickard

July 8, 2025

Northbrook Board of Trustees
Northbrook Plan Commission
Village of Northbrook Village Hall
1225 Cedar Lane
Northbrook, IL 60062

Subject: Zoning Changes for 2990 and 2890 Dundee Road

Ladies/Gentlemen,

We live at 610 Helen Drive in Northbrook, in the Manus Northshore Estates Subdivision.We recently learned that the properties at 2990 and 2890 Dundee Road are being proposed for rezoning from O5 to O2.We strongly oppose this change and **firmly** believe these properties should remain classified as O5. The O5 zoning designation should remain in place to preserve the original planning intent for this area (Comprehensive Plan – Neighborhood Office), even if these are the only two properties in Northbrook with that classification. If necessary, we support retiring the O5 designation for future use but respectfully request that these two properties be grandfathered in and maintain their current O5 status.

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Cordially,

Robert and Monika Garbacz

Kohlstedt, Michaela

From: choirladyolb@aol.com
Sent: Thursday, July 10, 2025 8:01 PM
To: Kohlstedt, Michaela
Subject: Zoning Changes for 2990 and 2890 Dundee Road

Beware External Email - Think Before You Act

Northbrook Board of Trustees
Northbrook Plan Commission
Village of Northbrook Village Hall
1225 Cedar Lane
Northbrook, IL 60062

Subject: Zoning Changes for 2990 and 2890 Dundee Road

We live at 557 Helen Drive in Northbrook, in the Manus Northshore Estates Subdivision. We recently learned that the properties at 2990 and 2890 Dundee Road are being proposed for rezoning from O5 to O2. We strongly oppose this change and **firmly** believe these properties should remain classified as O5. The O5 zoning designation should remain in place to preserve the original planning intent for this area (Comprehensive Plan – Neighborhood Office), even if these are the only two properties in Northbrook with that classification. If necessary, we support retiring the O5 designation for future use but respectfully request that these two properties be grandfathered in and maintain their current O5 status.

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Sincerely,

Residents for 40 years
Karren and John Foley
557 Helen Dr.
Northbrook IL 60062

MEMORANDUM

Date: June 18, 2025 *SENT VIA EMAIL*

To: Michaela Kohlstedt, AICP
Director of Development and Planning Services
Village of Northbrook

From: Houseal Lavigne Associates

Re: This memo summarizes research on the potential impacts of allowing duplexes in the Village of Northbrook, IL, R-5 district, focusing on housing prices and gentrification. It aims to inform staff as they consider zoning updates and the potential impact on affordability and displacement.

Housing Prices

Regulatory reform can make housing more affordable for Illinois families | Illinois Policy

Regulatory reforms that allow for more housing types, such as duplexes, on single-family zoned lots can help make housing more affordable by increasing the total housing supply. Research and case studies from various cities show the impact of these reforms.

- Minneapolis vs. Chicago (2017–2022)
  - Housing supply in Minneapolis grew by 11.9%, while Chicago's supply grew by only 4.1%, where zoning restrictions are tighter.
  - During this period, Minneapolis saw only a 1.8% increase in rent, while Chicago experienced a 16.5% increase in rent, despite a population decline in Chicago and growth in Minneapolis.
- Austin, Houston, and Dallas (2019 Zoning Changes)
  - In 2019, Austin loosened zoning restrictions and incentivized higher density in affordable and mixed-income developments.
  - As a result, Houston and Dallas saw increased affordability in mortgage payments as a share of income between 2019 and 2023, while Austin saw a decline in affordability.
  - Houston appears to be a promising model for Illinois cities due to its more favorable affordability outcomes.
- Impact on Property Values
  - Studies on upzoning show mixed results regarding its effect on property values. While some studies suggest that property values could increase, others point to broader benefits, such as lower rent prices due to a greater supply of housing.

Research Findings on Property Values

Minneapolis Property Values After Zoning Changes (APA Study): Measuring the Early Impact of Eliminating Single-Family Zoning on Minneapolis Property Values

- According to the APA, when Minneapolis upzoned, property values increased by 3-5%.
- However, these value increases were largely due to higher redevelopment potential, rather than higher sale prices for individual homes.

HOUSEAL LAVIGNE ASSOCIATES, LLC
CHICAGO, IL
188 West Randolph Street, Suite 200
Chicago, Illinois 60601
(312) 372-1008

www.hlplanning.com
info@hlplanning.com

- Despite this, the overall effect was lower housing costs citywide, as more units were built, and the overall supply of rental units increased. This allowed rents to decrease, despite developers paying more for denser developments.

Gentrification Issues

Challenges of Displacement and Rising Land Values
While permitting duplexes could increase housing supply, it also raises concerns about the displacement of existing residents due to rising property values and rents.

- "We Will Chicago" – Housing and Neighborhoods Report (2020): HousingNeighborhoods_DPD_WWC_Plan_071422.pdf
    - The report identifies that rising rents and property taxes, along with stagnant wages, are the primary causes of displacement in marginalized neighborhoods.
    - In 2020, neighborhoods on Chicago's South and West Sides had the lowest rates of new mortgage activity, reflecting the difficulty many residents face in accessing homeownership.
    - Allowing duplexes in these areas could increase land values, potentially making the area less affordable for current and lower-income renters and buyers.

- Impact of Affordable Housing on Property Values (Urban Institute Study, Alexandria, VA): Assessing the Impact of Affordable Housing on Nearby Property Values in Alexandria, Virginia | Urban Institute
    - A study in Alexandria, Virginia found that the construction of affordable housing developments led to a small but statistically significant increase in property values about 0.09% within 1/16 of a mile (roughly the distance of a city block) of a development.
    - This shows that affordable housing near existing homes could have a modest positive impact on property values.
- Gentrification and Upzoning (Brookings Institute Study): The double-edged sword of upzoning, Brookings.edu
    - According to Brookings, upzoning is positively and significantly correlated with an increased likelihood of a neighborhood becoming whiter.
    - This suggests that upzoning may accelerate gentrification pressures, particularly in neighborhoods undergoing rapid demographic shifts.
    - Developers, aiming to maximize returns, may artificially inflate the prices of new, dense units, potentially excluding lower-income tenants from these developments.

Key Notes and Considerations

- Mixed Research and Site-Specific Impact
    - The impact of upzoning on prices and gentrification is still a topic of ongoing research, and results vary widely depending on the context.
    - Site-specific conditions play a critical role. If only a few areas are upzoned, there is a risk of localized gentrification without meaningful increases in housing supply.
    - On the other hand, if upzoning occurs on a larger scale across the city, the overall increase in housing stock may reduce pressure on rents, increase housing options, and allow developers to profit while maintaining affordability.
- Developer Barriers
    - High upfront costs for developing upzoned sites could create challenges for developers, especially when the property's development potential increases significantly. These higher costs could lead to inflated property prices, making affordable housing options more difficult to secure.



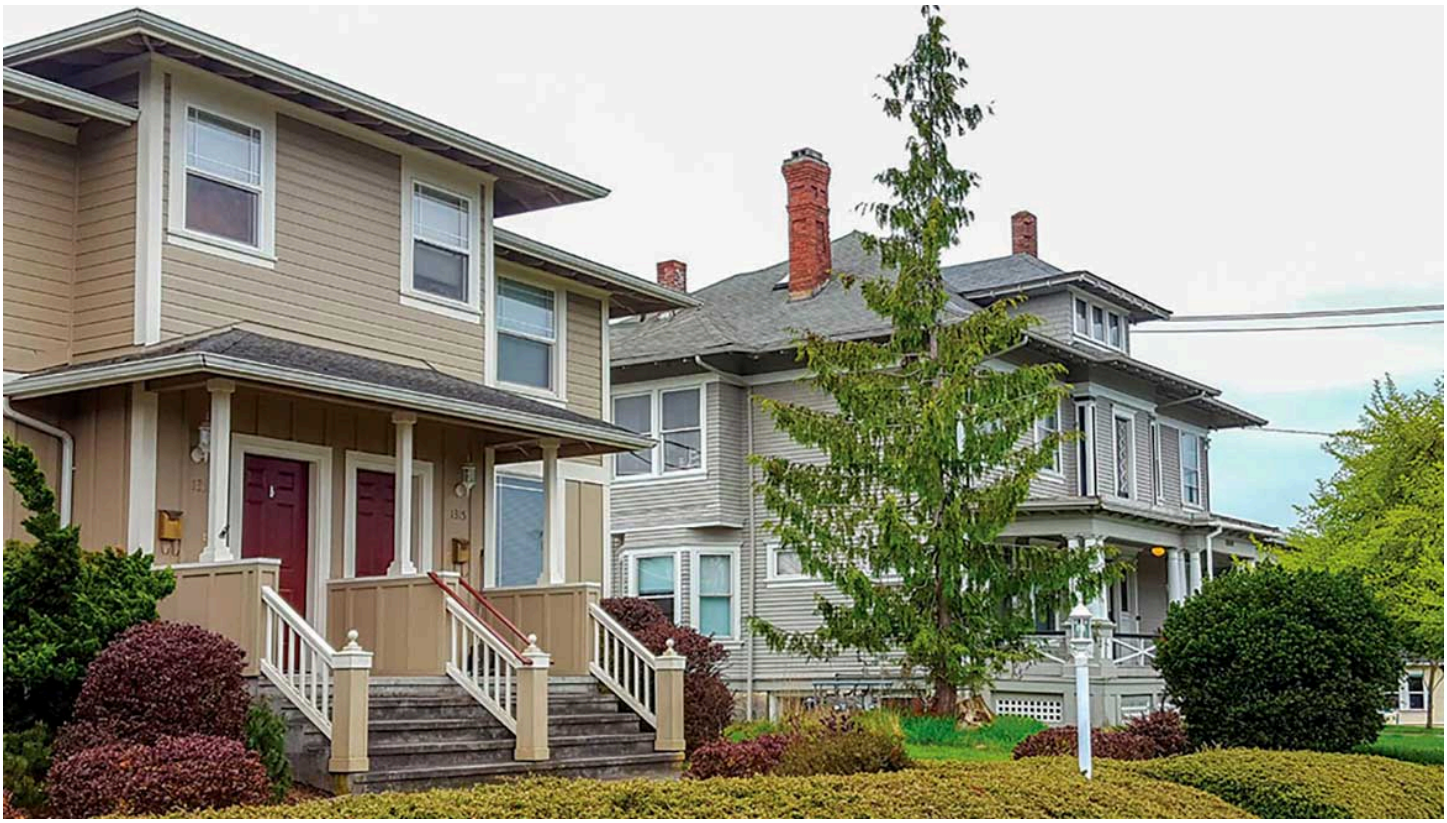
(https://use2.smartadserver.com/click?imgid=40564660&insid=12551275&pgid=1350201&fmtid=34984&ckid=3553617982522869510&uii=1107404877270320622&acd=1749zoning-changes-that-make-residential-neighborhoods-more-affordable%2f&cappid=3553617982522869510&scriptid=99340&opid=d5a85fae-08cb-4bd6-a92b-ca228b212936&opdt=1749739328326&bldv=7534&srcfn=diff&reqid=69abfed6-90d8-4a43-aadc-021a14b5a8f9&reqdt=1749739328332&eqs=682bd472afbd29d4c07e763e40f18598ded61141&go=https%3a%2f%2fshop.planning.orgshop%26utm_source%3ddisplayad%26utm_medium%3dhousead%26utm_content%3dleaderboard)

PLANNING MAGAZINE

3 Zoning Changes That Make Residential Neighborhoods More Affordable

Zoning reform is one of our greatest weapons against rising housing costs. Here's how we can wield it.

INNOVATIONS (/PLANNING/SECTION/INNOVATIONS/) HOUSING



Communities around the country are rejecting single-family-only zoning to encourage more affordable options in all neighborhoods. Photo courtesy Sightline Institute Middle Homes Photo Library.

PART OF THE DISRUPTORS SERIES (/PLANNING/SERIES/DISRUPTORS)

Feb. 1, 2021

By ROBERT LIBERTY

Before Los Angeles and New York adopted the first residential zoning regulations more than a century ago (/timeline/), rapidly growing cities in the U.S. were filled with an interesting mix of housing types beyond single-family detached homes: downstairs apartments, cottages, duplexes, tri- and four-plexes, townhomes, boarding houses, garden court apartments — what we now call "middle housing." But as cities embraced single-family detached residential (SFR) zoning, middle density housing was outlawed in many places.

By 2019, multifamily housing was barred from about 75 percent of residential land in the U.S. (https://www.nytimes.com/interactive/2019/06/18/upshot/cities-across-america-question-single-family-zoning.html) That's made huge swaths of American cities and their better public schools off-limits to families of modest means who can't afford single-family homes, which has in turn reinforced racial, ethnic, and class segregation. SFR zoning has also separated people from jobs, shops, and services, leading to longer commutes and more personal vehicles — one of the main sources of greenhouse gas emissions — than people in the U.S.

Zoning reforms expand housing options nationwide

But now, the tide is turning. From Oregon to Vermont, cities and states are rejecting two cornerstones of American land-use regulation: SFR zoning and minimum parking requirements. A trio of reforms has emerged to take their place, aiming to create more inclusive, equitable, and affordable neighborhoods by expanding housing options.

As we head into a new decade, planners should expect to see these changes gain momentum in communities of all sizes.



This fourplex, originally built in 1917, is listed as a contributing resource in the Irvington Historic District (https://en.wikipedia.org/wiki/Irvington_Historic_District) in Portland, Oregon. Cities tended toward more diverse housing types before residential zoning regulations became ubiquitous across the U.S. Photo by Ian Poellet.

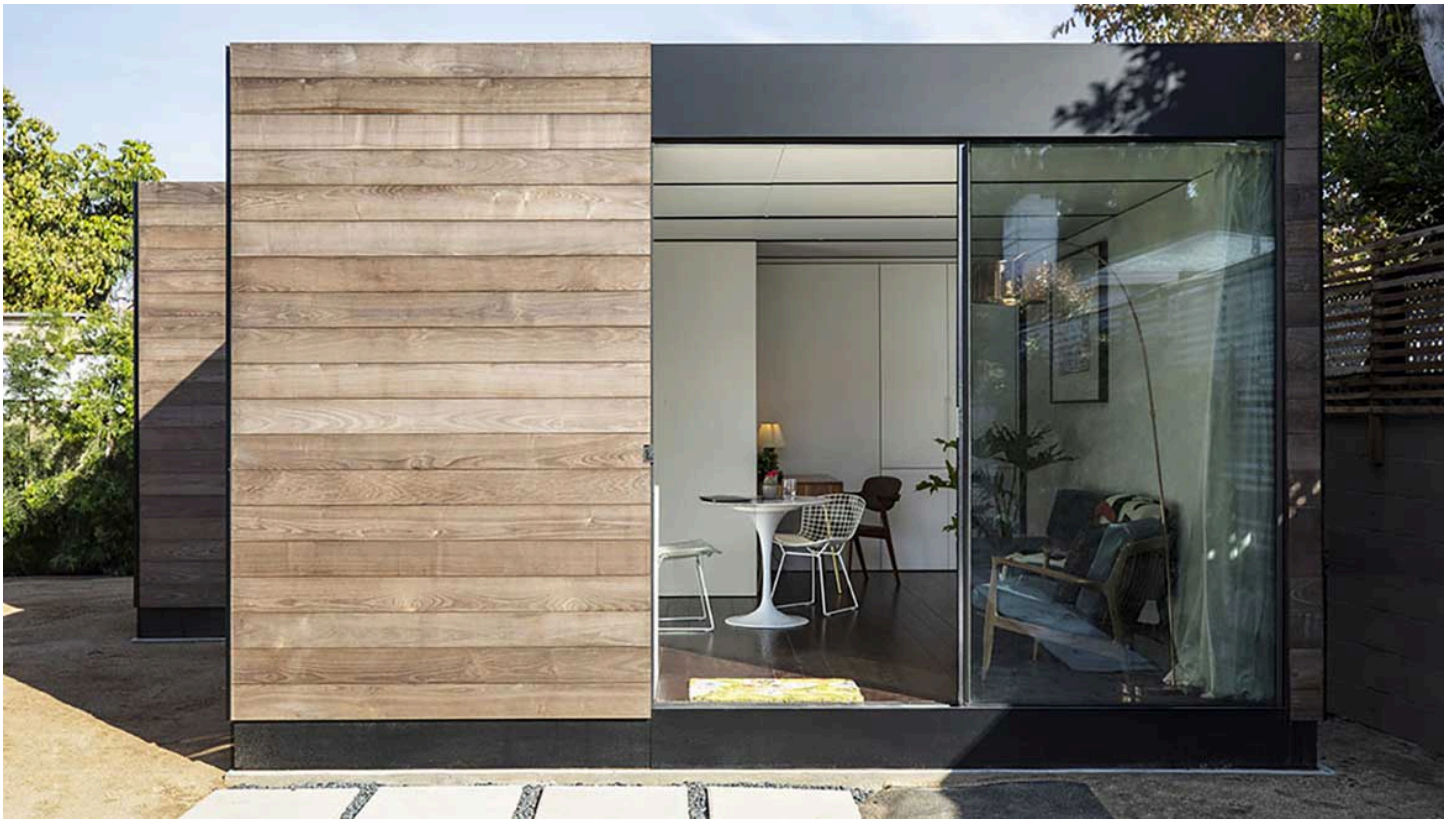
1. ELIMINATING SFR-ONLY ZONING

In 2018, Minneapolis made headlines (https://www.nytimes.com/2018/12/13/us/minneapolis-single-family-zoning.html) by amending its comprehensive plan to allow duplexes and triplexes on single-family lots, which translated into changes in its zoning ordinance just last year. It was the first place in the U.S. to make such a fundamental change across all of its single-family zones by reauthorizing these types of "missing-middle" housing.

Oregon wasn't far behind (https://www.npr.org/2019/07/01/737798440/oregon-legislature-votes-to-essentially-ban-single-family-zoning). In 2019, the state passed a law that requires all cities with a population over 10,000 to allow duplexes on all lots in SFR zones. Tri-and fourplexes, townhomes, and cottage cluster housing were also made legal in cities with over 25,000 people. This year, Portland went a step further (https://www.sightline.org/2020/08/11/on-wednesday-portland-will-pass-the-best-low-density-zoning-reform-in-us-history/) and allowed six-plexes on single-family lots, provided that two units meet rental or ownership affordability standards.

Most recently, Nebraska required in August that cities with over 20,000 people prepare and implement housing affordability plans over the next few years. Failure to adopt them by the deadline triggers default housing regulations, authorizing the full range of middle housing.

Even smaller cities like Lander, Wyoming, with a population around 7,500, are rethinking SFR zones (https://www.wyomingpublicmedia.org/post/lander-launches-affordable-housing-study#stream/0).



Los Angeles homeowners replaced their detached garage with this ADU created by local company Cover in 2019, three years after California allowed for ADUs in SFR zones. Photo courtesy cover.build (https://www.cover.build/).

2. EMBRACING ADUS

Accessory dwelling units, or ADUs (also known as granny flats, English basements, secondary suites, casitas, and ohana houses), are another way to increase housing diversity and affordability, but they've been banned from SFR zones for decades. In 2005, Vermont changed course by enacting a law that mandated the equal treatment of different housing types in local bylaws, including ADUs in SFR zones. Soon, other states followed.

California required local governments to authorize ADUs in SFR zones in 2016. The following year, New Hampshire passed legislation (https://www.nhhfa.org/wp-content/uploads/2019/06/ADU_Guide_Municipalities.pdf) ensuring that, in the absence of local zoning authorization, state law directly allows one ADU as an accessory use to any single-family dwelling, as a matter of right, and no municipal permits or conditions can be imposed other than a building permit. Oregon's law, adopted the same year, mandates ADU authorization in most cities.

These early regulations weren't perfect. ADU construction still faced roadblocks due to "poison pills," like requiring owner occupancy, minimum parking standards, or approval through discretionary conditional use processes like public hearings — a process not imposed on single-family homes. California, Vermont, Oregon, and Washington have since amended their statutes to remove or severely limit poison pills, as have local governments like Seattle and Montgomery County, Maryland. In late 2019, for example, California passed five new bills that reduce barriers to ADU construction in SFR neighborhoods, including eliminating owner-occupancy requirements and certain impact fees. Local jurisdictions are even responsible for providing ADU grant and incentive programs.

The results have been impressive: In 2016, Los Angeles issued 117 permits for ADUs; in 2019, it issued 4,606.



Requiring parking for each residence can make construction of multifamily buildings more expensive and, in some cases, impossible due to lot size or terrain constraints. Photo courtesy Mark McClure/Sightline Institute Middle Homes Photo Library.

3. HOUSING PEOPLE OVER CARS

Minimum on-site parking requirements create a significant barrier to multifamily housing. They not only drive up costs but can make construction either infeasible or physically impossible, given the lot size or terrain.

That's why more and more advocates and planners are questioning why housing for cars is mandated at the expense of housing for people. Parking expert Professor Donald Shoup (/publications/document/9194519/), FAICP, of UCLA estimates that the U.S. has set aside two billion parking spaces for just 250 million cars and light trucks, resulting in far more land dedicated to cars than housing.

Sand Point, Idaho, was the first to eliminate all parking requirements (https://www.strongtowns.org/journal/2019/1/30/one-line-of-your-zoning-code-can-make-a-world-of-difference#:~:text=In%202009%2C%20as%20buildings%20were,debate%20and%20was%20not%20unanimous.) in 2009. Years later, in 2016, Hartford, Connecticut, became the first major city to eliminate all minimum parking requirements, and even imposed limits on the maximum amount of on-site parking allowed. Buffalo, New York, followed suit in 2017, and Edmonton, Alberta, did the same this past summer, becoming Canada's first city to do so. Others still have reduced or eliminated parking requirements for new housing, particularly near transit stops, like in San Diego and Atlanta.



Further Impacts: Housing

Planners must also maintain focus on rising rates of homeless; gentrification and displacement; rent-burdened households; and the rise of one-person households.

More to come

More local governments and states will adopt these zoning reforms in the coming years, as the affordability crisis and concerns about social justice persist. Time will tell how quickly and in what ways they will result in a more enriched mix of housing in former SFR areas.



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PLANNING MAGAZINE

5 Practical Zoning Hacks for Missing Middle Housing

These thoughtful tweaks can help promote housing diversity and density in communities of all sizes.

INNOVATIONS (/PLANNING/SECTION/INNOVATIONS/) ZONING



Images of different housing types can help minimize resistance to increased density. The site Missing Middle Housing offers images and videos to help educate your community on what to expect. Courtesy of Opticos Design, Inc.

March 21, 2022

By KATI WOOCK

One-third of American households are made up of a single individual. Up to 85 percent of households will not include children by 2025. By 2030, one in five Americans will be over the age of 65.

These statistics add up to a simple fact: Demand is high for smaller homes, lower living costs, walkable neighborhoods, and places for people to age in place. Yet zoning across the U.S. largely discourages these features.

Zoning reforms for affordable, diverse housing

That's because codes tend to be based on residential density, which is measured in dwelling units per acre, and most prioritize single-family housing. In 2019, *The New York Times* found that "it is illegal on 75 percent of the residential land (https://www.nytimes.com/interactive/2019/06/18/upshot/cities-across-america-question-single-family-zoning.html?mtrref=en.wikipedia.org&assetType=PAYWALL&mtrref=www.nytimes.com&assetType=PAYWALL) in many American cities to build anything other than a detached single-family home." Not only are large multifamily buildings banned from many neighborhoods, but so are smaller housing types that cost less than a single-family home: side-by-side and stacked duplexes, triplexes, townhouses. These constitute "missing middle housing," or "house-scale buildings that just happen to have multiple units in them," says Daniel Parolek (https://opticosdesign.com/about/staff/daniel-parolek/), principal and CEO of Opticos Design, who coined the term in 2010.

In the past few years, Oregon (https://www.sightline.org/2021/08/13/eight-ingredients-for-a-state-level-zoning-reform/), Minneapolis (https://www.pbs.org/newshour/show/how-minneapolis-became-the-first-to-end-single-family-zoning), California (https://nlihc.org/resource/california-legislature-passes-bills-limit-exclusionary-zoning-and-increase-density), and other states and cities have launched zoning reform efforts to better promote housing affordability, diversity, and density. But if your community lacks the political will to make these kinds of sweeping changes, a few thoughtful tweaks can still make a big impact. Try these five zoning hacks — and a bonus tip — recommended by Parolek.

1. REDUCE MINIMUM LOT SIZE

Does your code require two lots to build a duplex or a fourplex? If a builder must aggregate multiple lots to build a small multiunit building, your minimum lot sizes are too big. Instead, replace minimum lot sizes with minimum lot widths and tie types of buildings to the lot's width, not its square footage.

2. ALLOW FOR MORE HOUSING TYPES AND REVISIT STRUCTURE SIZES

As Joe Zehnder, chief planner for Portland, Oregon's Bureau of Planning and Sustainability, says, "if the house size is the same, why do you care how many units are in there?" In Portland, zoning changes now allow someone building on a 5,000-square-foot lot to construct up to four units divided between a main building and detached accessory dwelling units. Five or six units are allowed if half of them are affordable to low-income residents.

3. LEVEL THE PLAYING FIELD FOR SMALLER UNITS

More density doesn't always mean bigger buildings. In Santa Barbara, California, an average unit size ordinance provides for increased density as the average unit size decreases. This enables missing middle housing by allowing for greater density, even in smaller structures.

4. REDUCE OR ELIMINATE PARKING MINIMUMS

Parking expert Professor Donald Shoup, FAICP, of UCLA estimates that the U.S. has set aside two billion parking spaces for just 250 million cars and light trucks, resulting in far more land dedicated to cars than housing.

"If you want missing middle [housing], you need to fix your parking standards," says Parolek. "We've done a better job delivering houses for cars than we have delivering houses for people." If you require more than one off-street parking space per unit, it's not economically viable or physically possible to create missing middle housing on infill lots. Instead, opt for one parking space — or even none — per unit and no guest parking.

In suburban or rural areas, like Beaufort County, South Carolina, driving might be a fact of life. Try being creative about how you design parking so it can become an extra unit in the future, if factors like demand or public transit change.

5. ALLOW MISSING MIDDLE HOUSING EVERYWHERE (IF POSSIBLE)

Is more than 20 percent of your land area zoned exclusively for single-family housing? Then you need to change the boundaries limiting missing middle housing to deliver it effectively and equitably. In Portland, Oregon, planners proposed allowing middle housing types in all districts across the city unless there is a physical limitation, like flooding or landslide hazards.

In response to displacement concerns, Zehnder says, "the more places where we allow this to happen, the less it's going to overwhelm any individual place." And development won't happen all at once: Portland planners estimate an add of 4,000 new units over the next 15 years. But if a single house in a wealthy neighborhood is replaced with three units, that alone can help take the pressure off demolitions in an area with lower incomes, Zehnder says.

BONUS TIP

Frame the conversation. When you're presenting your ideas to the community, especially those resistant to change, it can be helpful to avoid terms that might have negative connotations to some, like "density," "multifamily," or "upzoning." Present zoning changes as a way to offer new housing choices or options. Focus on form and scale, not density metrics. Imagery can help community members understand how missing middle types could look in their neighborhoods, too.

Kati Woock is a freelance editor and writer based in Michigan. This was adapted from a 2019 National Planning Conference session by Daniel Parolek (https://opticosdesign.com/about/staff/daniel-parolek/), principal and CEO of Opticos Design.

TOPICS: STRENGTHEN STATE GOVERNMENT | IMPROVE ECONOMIC ADVANCEMENT

PROJECTS: HOUSING POLICY

Minneapolis Land Use Reforms Offer a Blueprint for Housing Affordability

Rents stayed flat as more apartments were built, even as the rest of Minnesota saw increases

Authors: Linlin Liang, Adam Staveski, and Alex Horowitz

Article | January 4, 2024 | 5 min



JERRY HOLT / GETTY IMAGES

Minneapolis was once among the cities whose zoning policies prevented sufficient housing construction. In the early 2000s, the city maintained strict requirements related to parking, land use, and building height, width, and bulk. Then rising housing costs prompted policymakers to rethink their zoning rules.

Starting in 2009, the city enacted a series of policy changes that reduced and then eliminated minimum parking requirements, allowed construction of accessory dwelling units, and lowered minimum lot size requirements in residential zones, all with the goal of encouraging the construction of more housing. These changes culminated in Minneapolis 2040, a comprehensive plan that took effect in 2020 and codified the city's commitment to expanding its housing supply, especially near commerce and transit.

Communities nationwide face housing dynamics similar to those in Minneapolis. Because of a record low number of available housing units, rents and home prices have soared in recent years. This shortage exists in nearly every state. In fact, housing underproduction has been worsening in nearly 75% of the country's metropolitan areas. Much of the problem can be linked to overly restrictive zoning

codes, which often prevent new housing development in areas that have good access to jobs and other amenities. Research shows that communities with strict zoning requirements tend to have higher home prices, rent growth, and levels of homelessness than those with more permissive zoning laws.

Policymakers in other cities can learn from Minneapolis' experience in implementing land use reforms. Since 2009, policymakers in the city have enacted four major housing policies that have allowed Minneapolis to expand its housing supply. In recent years, leaders have acted to:

- **Eliminate minimum parking requirements for new developments.** Parking garages add to the cost of new residential developments. For example, one national study found that every new parking space below grade adds $50,000 in per-unit development costs. When built above ground, parking spaces are still costly and reduce the total amount of land that can be developed. In Minneapolis, policymakers have reduced parking requirements several times. In 2009, they eliminated parking minimums in downtown zoning districts. Then, in 2015, they eliminated parking minimums for buildings with 3 to 50 units near transit and reduced them by 50% for buildings with more than 50 units near transit. Finally, in 2021, all citywide parking mandates were eliminated.
- **Encourage apartment development on commercial corridors.** In Minneapolis 2040, the city added several zoning districts that increase the amount of housing that can be constructed near transit and along commercial corridors. The "corridor" districts permit three-to-six-story buildings along most of the city's transit routes, while "transit" districts allow 10-to-30-story buildings on lots adjacent to light rail stations and bus rapid transit.
- **Establish building height minimums in high-density zones.** Throughout downtown Minneapolis and along major transit corridors, Minneapolis 2040 established minimum height requirements for new developments. Since this policy was adopted in 2020, it has helped to create more housing units in high-demand areas.
- **Permit duplex and triplex construction on all residential lots.** Before recent changes, duplexes and triplexes—small buildings that contain two or three housing units—were not allowed on more than half of lots in the city. Since key

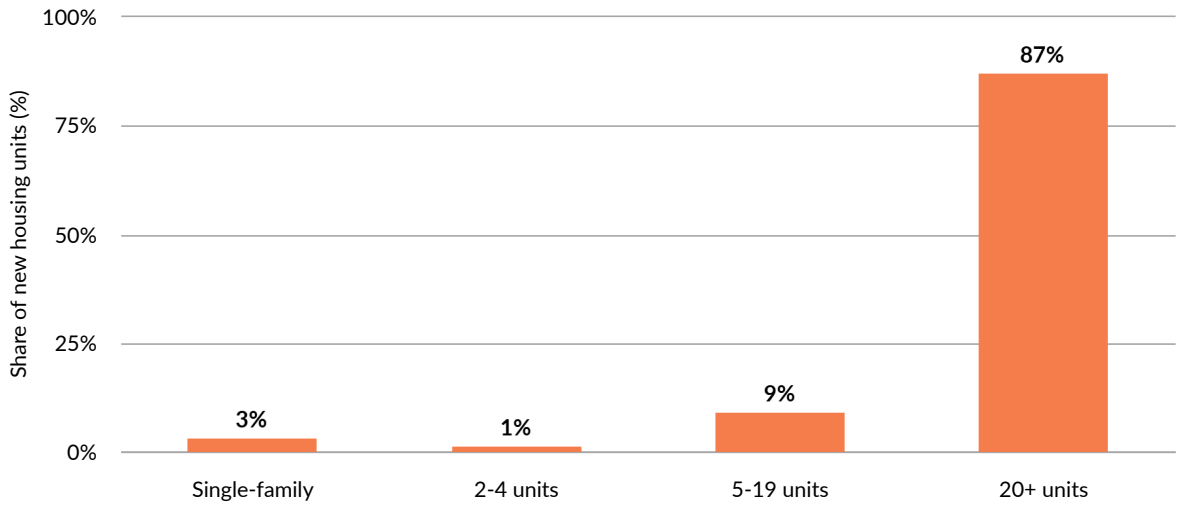
elements of Minneapolis 2040 took effect, such structures can be built on lots that were previously restricted to single-family housing.

Together, these policies have helped Minneapolis expand its housing supply at a faster rate than what other Midwestern cities and other parts of Minnesota have achieved. But not all of the policy changes have had the same impact. From 2017 to 2022—including some years before Minneapolis 2040 took effect but after the city cut parking requirements near transit—nearly 21,000 new units of housing were permitted in Minneapolis. Of those, Pew estimates that 87% were in buildings with 20 or more units, and just 1% were in buildings with two to four units. (See Figure 1.)

Figure 1

Apartment Buildings Drive Housing Growth in Minneapolis

Share of the city's total housing units added, 2017-22



Source: Permit data is from the Department of Housing and Urban Development's State of the Cities Data Systems Building Permits Database. To estimate the share of permits in structures with more than 20 units, Pew used the U.S. Census Bureau's American Community Survey one-year population estimates for 2017 and 2022 to calculate new housing units added in buildings with more than 20 units and in buildings with five to 19 units.

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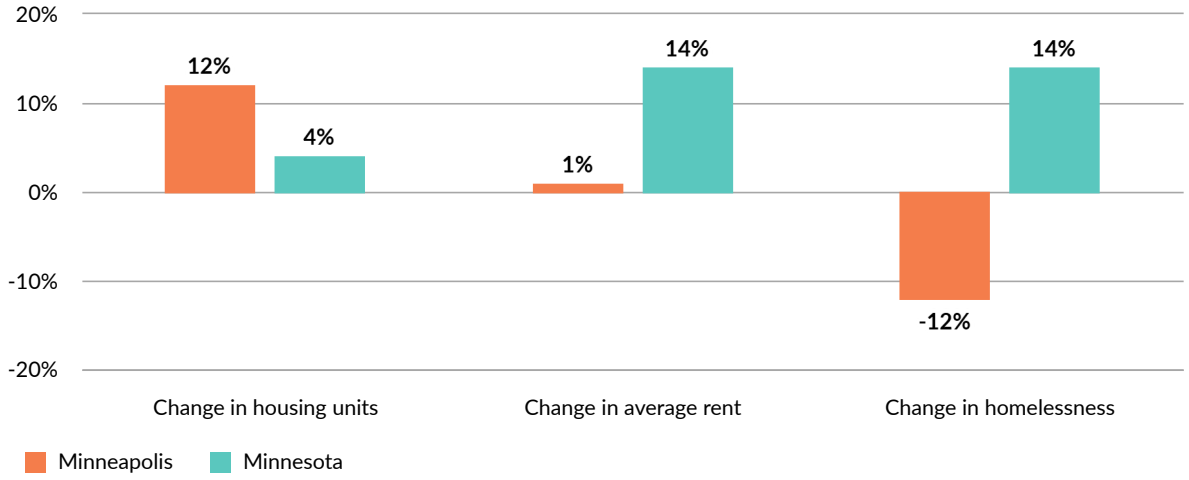
These results indicate that the city's duplex and triplex policy has so far had a modest impact on the housing stock, while reforms promoting apartment building construction have expanded the number of available units. In part, the limited success of the duplex and triplex policy may be linked to other aspects of Minneapolis' zoning code that make building such structures challenging, including low maximum floor-area ratios and 2.5-story height limits in the lowest-density zones. In contrast, upzoning along commercial and transit corridors and eliminating minimum parking requirements have made housing development cheaper and easier. In other places that have expanded the availability of apartments in commercial areas and eliminated parking requirements, more housing has been built and affordability has improved.

Minneapolis' success in building new apartments has enabled the city to substantially add to its housing supply and keep rent growth low. From 2017 to 2022, Minneapolis increased its housing stock by 12% while rents grew by just 1%. Over the same period, the rest of Minnesota added only 4% to its housing stock while rents went up by 14%. (See Figure 2.) Both Minneapolis and the rest of the state experienced population growth (1% and 3%, respectively) and household growth (10% and 7%, respectively), but despite increased demand, Minneapolis was able to limit rent growth by building more housing.

Figure 2

Minneapolis' Rent Growth Was Much Lower Than Minnesota's

Percentage change in housing stock, average rent, and homelessness, 2017-22



Note: The Minnesota housing unit data does not include Minneapolis. Homelessness data for Minneapolis reflects data for Hennepin County. Homelessness data for Minnesota excludes Hennepin County.

Sources: Rent growth comes from Apartment List's rent estimate data from 2017 and 2022. Rent data was downloaded Oct. 6, 2023, and represents an average of Apartment List's monthly median rent estimates. Data on housing units comes from the U.S. Census Bureau's American Community Surveys one-year population estimates from 2017 and 2022. Homelessness data comes from the Department of Housing and Urban Development's Point-in-Time homelessness counts from 2017 and 2022.

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These findings are in line with a robust body of research showing that jurisdictions that expand their housing supply experience slower housing cost growth than those that do not. Although some observers have worried that allowing more housing would fuel higher rents that lead to the displacement of some residents, research indicates that enabling the construction of more multifamily housing is associated with reduced displacement risk and increased racial diversity.

Indeed, census data shows that Minneapolis gained Black residents from 2017 to 2022. And, because rent growth is 13 percentage points lower than in the state as a whole, Minneapolis renters are paying an estimated $1,700 less per year than if rents had increased at the same rate as in Minnesota overall. That makes it more likely that families of modest means can remain in the city. Meanwhile, the level of homelessness in Hennepin County, which includes Minneapolis, dropped 12% from 2017 to 2022 while it rose 14% in the rest of Minnesota.

Minneapolis has shown a path to expand housing availability and tame rent growth by ensuring the availability of more homes. Policymakers' move to allow duplexes and triplexes on lots formerly reserved for the most expensive kind of homes—single-family housing—is a step forward that has added a modest number of homes to date. Their more consequential reforms so far, however, were those that allowed more apartment buildings near transit and commerce.

Linlin Liang is a principal associate, Adam Staveski is a senior associate, and Alex Horowitz is a project director with Pew's housing policy initiative.



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PLANNING MAGAZINE

New ADU Tools May Unlock Affordable Housing in Your Backyard

From California to Arkansas, ready-made design plans can reduce time and costs during the permitting process.

TOOLS (/PLANNING/SECTION/TOOLS/) HOUSING



The Adobu Dwell House model is a 540-square-foot, one-bedroom, one-bathroom, prefabricated home that is one of the preapproved plans available from the new California ADU Plans Gallery. Photo courtesy of Community Planning Collaborative.

Sept. 26, 2024

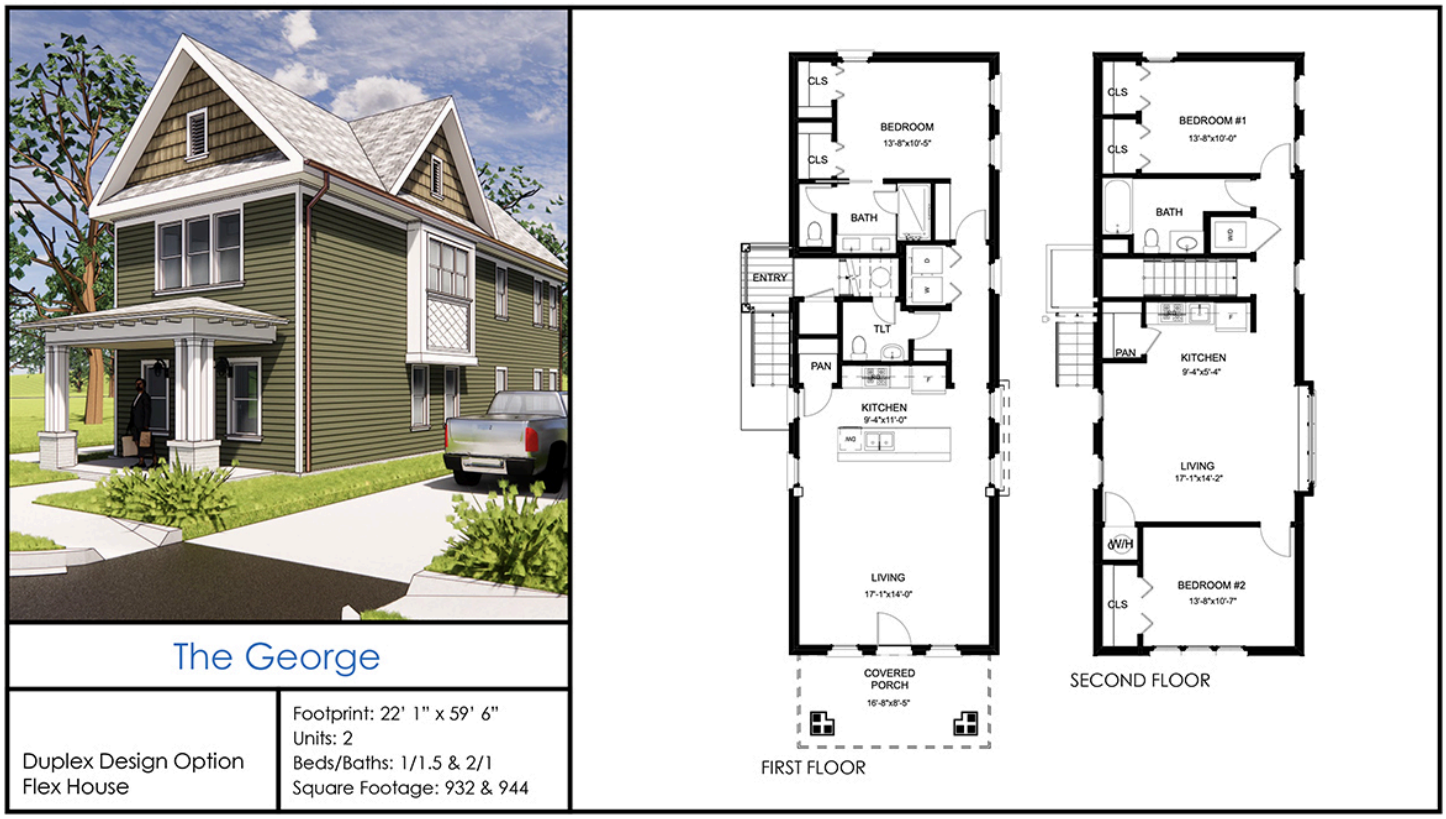
By JON DEPAOLIS

Americans' appetite for more affordable housing is leading a boom for accessory dwelling units (ADUs). In California, that type of housing has doubled since 2020 (https://dof.ca.gov/wp-content/uploads/sites/352/Forecasting/Demographics/Documents/E-1_2024_Press_Release.pdf), according to state estimates. A state law going into effect in 2025 also will require communities to come up with processes for preapproving ADU plans.

As the demand has increased, so has the need for turnkey designs to help local governments and your everyday Average Joe join the party. The California ADU Plans Gallery (https://ca.aduaccelerator.org/gallery), created by the Community Planning Collaborative (CPC), was released in August. The web application tool gives users a way to search through both prefabricated and traditional site-built designs. The website also has a demo available for local governments planning to launch a custom tool in the future.

"The California ADU Plans Gallery gives local governments a place to demonstrate what's possible for their communities while providing a publicly accessible database of prefabricated plans approved for use statewide," said David Driskell, principal at CPC, in a press release about the launch. "Digital tools like the ADU Plans Gallery help local governments assist their residents through the challenging ADU process and expand housing supply in their existing neighborhoods."

But California isn't the only place where this type of program is making headlines. The Permit-Ready Building Design Program (https://www.fayetteville-ar.gov/4294/Permit-Ready-Building-Design-Program) in Fayetteville, Arkansas, puts turnkey architectural designs for residential construction into the hands of residents wanting to build in the community's downtown and Walker Park neighborhoods. The program — which was approved earlier this year and is about to launch — is one of the case studies in the *Housing Supply Accelerator Playbook* (/publications/document/9289884/).



One of the preapproved architectural designs curated by Pattern Zones Co. for Fayetteville, Arkansas. Making it easier to build ADUs is helping the city add gentle density. Original design by MBL Planning.

The city hopes the program will help save residents time and money while also providing new, affordable housing for a growing population, which at the last census was nearly 100,000 people. Applicants will be able to choose from 30 designs, ranging from single family to townhomes and duplexes. All of them were preapproved by the city's Development Services Department.

The Permit-Ready Building Design Program has received positive feedback from the community, with a lot of the excitement stemming from how nice the designs are, says Britin Bostick, AICP, Fayetteville's long-range planning and special projects manager. "One of the most attractive things about the variety of buildings we are offering is that we have duplexes that look like regular houses, and that gives us a couple of options," Bostick says.

Bostick notes that ADUs are allowed by right citywide in Fayetteville and can be up to 1,200 square feet total, attached or detached. Therefore, a duplex that has one unit below the 1,200-square-foot threshold would be allowed in single-family-zoning districts. "We've had a lot of excitement about that and small cottage designs," Bostick says. "The interest — and support — have been incredible."

Bostick says there is already a waitlist of residents wanting to take advantage of the program once it launches. "One of the benefits of this project and hopefully similar future projects is showing options for attractive housing that adds gentle density to neighborhoods where there is a lot of available land," Bostick says.

Unlock ADU Housing Solutions

Explore ways to increase homes, property values, and promote sustainability with ADUs in this KnowledgeBase Collection (/knowledgebase/accessorydwellings/).

"One of the important deliverables was an analysis of the project area to see how much opportunity exists to add housing because of large lots and zoning entitlements. This gives owners more options, can make space for more renters, and — in a context of high land values — gives us options that are more focused on the existing scale of the neighborhood than just demolishing existing homes and building back much larger structures."

A guide to increasing housing

The Housing Supply Accelerator, a partnership of the American Planning Association and the National League of Cities, explores both the key drivers of the housing shortage and strategies to increase housing availability. In May, it introduced the *Housing Supply Accelerator Playbook* (/publications/document/9289884/) as a road map for navigating challenges while increasing housing development. It highlights ideas being applied in real places, like Fayetteville.

The case study was included as part of the *Housing Supply Accelerator Playbook's* 13 strategies to support construction and development — in particular, Strategy No. 4: Evaluate, improve and streamline the city's development process, including establishing performance measures and accountability processes related to review timelines.

Jon DePaolis is APA's senior editor.

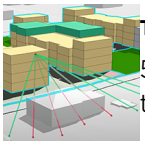
RECOMMENDED ARTICLES



VOICES

Champion Reforms to Solve the Housing Crisis (/planning/2024/may/champion-reforms-to-solve-the-housing-crisis/)

May 23, 2024



TOOLS

5 Affordable Housing Tech Tools for Every Stakeholder (/planning/2023/fall/5-affordable-housing-tech-tools-for-every-stakeholder/)

Oct. 19, 2023



INNOVATIONS

Transforming Empty Churches Into Affordable Housing Takes More Than a Leap of Faith (/planning/2023/spring/transforming-empty-churches-into-affordable-housing-takes-more-than-a-leap-of-faith/)

May 5, 2023



TOOLS

Omaha Leverages Public-Private Partnerships to Increase Housing Supply (/planning/2024/jul/omaha-leverages-public-private-partnerships-to-increase-housing-supply/)

July 25, 2024

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STRONG TOWNS

The Duplex Next Door Is Normal. The One Not Yet Built Is a Threat.

Daniel Herriges · February 9, 2022



(*Source: Flickr.*)

Who opposes changing local rules to allow new housing, and what are their motivations?

Ideologues tend to assume everyone else is an ideologue. Those who spend a lot of time thinking about an issue as advocates or partisans also tend to think others' views are a lot more internally consistent and rigid than they actually are.

Those people look at resistance to even the smallest residential zoning reforms—like allowing accessory dwelling units or 2-, 3-, and 4-plexes—and conclude, "Wow, a whole lot of Americans are just really committed to the ideological

STRONG TOWNS

community) and they're loud.

In truth, though, I don't think the primary obstacle to zoning reform in many communities is NIMBYism. Ideologically (or professionally) committed development opponents exist, but they don't represent majority public opinion, likely can't be convinced to support any new housing anyway, and aren't worth the effort to try to persuade. Easier to outvote them.

The more interesting question is who *is* persuadable but currently not on board with zoning reform. And what are their sticking points? In communities like mine (largely suburban in form and politically dominated by older homeowners) I find it's something less ideological and more just-plain-human: loss aversion and status quo bias.

The Duplex Next Door Versus the One Not Yet Built

One recent conversation I had, with a few politically and civically involved fellow residents of my city, is emblematic of this. I wasn't actually there with my writer hat on. I was there to talk about missing middle housing, as a resident interested in seeing us move forward on legalizing it here. But I came out with an observation that feels worth sharing. I told the people in the room at the time that I thought it was significant, as well.

STRONG TOWNS

homes, such as duplexes or townhomes on single lots. The concerns raised ran the gamut of usual ones, from reasonable to (in my opinion) overblown:

- What if this invites a flood of investor activity that prices local residents out of homeownership?
- What if it results in the demolition of currently affordable homes?
- What if it is taken advantage of primarily by Airbnb operators?
- What if the new homes are ugly and degrade neighborhood appeal?
- What if they are insufficiently affordable?

I heard some more and less byzantine remedies suggested for preempting these problems, from affordability requirements, to deed restrictions requiring that the tenant be employed locally. There was a general sentiment that we shouldn't change our residential zoning without building in careful protections to manage the risks.

Then, something interesting happened. The man sitting to my left launched into an anecdote about his childhood in Massachusetts. In words, he painted a vivid portrait of the block he grew up on: duplex here, triple-decker



It can be difficult to make progress when divisions dominate.

Thankfully, with the right approach, it's still possible to have a productive

STRONG TOWNS

another triple-decker, a block away with an apartment upstairs. A mix of middle- and working-class neighbors, owners and renters.

Another attendee chimed in with a similar experience. Then, one of the people in the room who had seemed the *most* skeptical about any zoning reform revealed that her family had owned a triple-decker, and that the ability to do so and earn a bit of rental income had been key to their affording homeownership.

The conversation then went back to the prospect of a future zoning change, and although I'd like to report that everyone had had their big missing-middle-is-normal-actually epiphany, the truth is that nobody's stance moved much, if at all, and before long the last person I mentioned, whose family owned a triplex, was once again saying, "I'm not opposed to allowing some missing middle housing, but it needs to be *tightly, tightly* regulated to prevent abuses."

Loss Aversion

Here's the takeaway. **The people in this room, almost to a person, spoke of the historic pattern of varied housing, with which they had firsthand experience, in terms of *opportunity*. But they spoke of the prospect of re-legalizing this same pattern in terms of *risk*.**

What is at the root of this disconnect? It's not reducible to NIMBYism. These people were not NIMBYs exactly, though

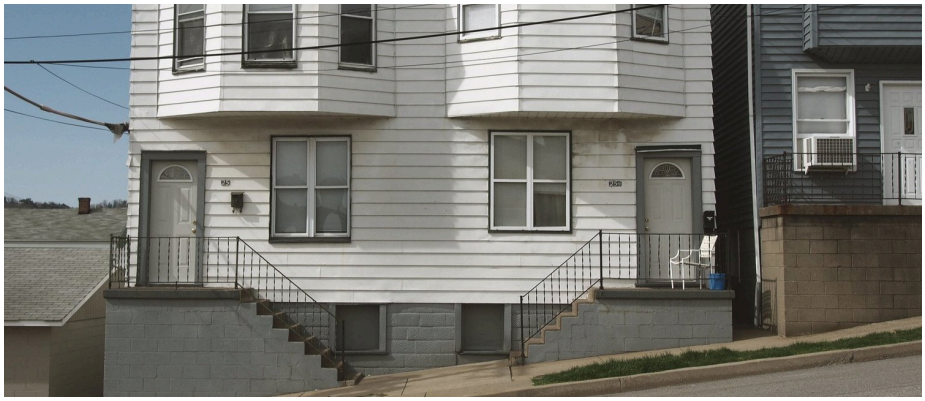
STRONG TOWNS

The bigger issue here is loss aversion. This is a basic human tendency. Most people would forgo the opportunity to win $50 in favor of a guarantee that they will not lose $50. We prioritize preserving the things we already have, a sensible and adaptive trait in many circumstances. In the context of our built environment, what this means is that most people, but particularly those whose own housing situation is already secure, instinctively take a small-c conservative attitude toward change.

The hyper-ordered nature of modern development—done at scale, to a finished state, by professional developers who are rarely our neighbors themselves—has supercharged this risk-averse tendency. Many Americans have come to relate to cities as consumers instead of citizens. We have little sense of personal agency in the changes that happen around us. The city is a product that is built and sold to us, and we have little choice but to buy what they're selling.

Because of that, many of our neighbors have lost whatever trust they might once have had that good things will result from allowing a little disorder, a little uncertainty, back into their environment. I don't believe that trust can be gained by answering a laundry list of specific concerns. ("Allow more housing but regulate w, x, y, and z about it.") Those concerns are manifestations of a more gut-level, less rational discomfort. This needs to be addressed at a cultural and psychological level.

STRONG TOWNS



(Source: Flickr.)

Totally Ordinary

For this reason, when I talk about housing reform, I try to push back against the tendency to anchor our sense of normal to the current status quo. The current status quo—monocultural neighborhoods of orderly rows of homes, all at about the same price point, which don't evolve into anything else over time—is not some state of nature or neutral condition. It's actually a pretty recent and radical experiment, in the grand scheme of things.

The status quo is also a policy choice, with costs and risks of its own. There are already speculators. There is already displacement. There is already unaffordability. We must measure the risks of change against those harms already being visited on our neighbors.

If you want to change those minds which are changeable, nudge people to anchor to the totally ordinary experiences they have already had with housing that don't fit neatly into a single-family box with a picket fence. Most of us have these

STRONG TOWNS

When I was born, my parents lived in a duplex, in a neighborhood that isn't supposed to have any duplexes. You can look at the zoning map: "R4—One-Family Residential." And yet there we were, our home *legally nonconforming* in planner-speak that evokes the way a 1950s sociologist might have written about "social deviants": a young couple and a newborn saving up some money to buy a home while renting the upstairs unit from my aunt, who owned the house and lived downstairs (and provided no shortage of free child care). It was the perfect stepping stone for us for a while. For much longer than that, it remained the perfect home and investment vehicle for my aunt, and home for her best friend, who replaced my parents as her tenant.

We moved later to a single-family house with a nice big yard, next door to another duplex that would also be illegal to build today, but that is also grandfathered in because it was built before the prohibition took effect. I grew up next door to a succession of tenants, most of them nice people, that included families with kids my age; working-class roommates sharing the space to make ends meet; and young professional couples not quite ready to buy that starter home. Another duplex down the street was home to multiple generations of one family.

My neighborhood was safe, quiet, had highly-rated schools, and a great regional park with a zoo. Some of those people who were my neighbors could never have afforded the ante of buying a home there, but they could rent—in homes that would be illegal to build today.

STRONG TOWNS

It never occurred to me until I was in college that the duplex next door, or the one my aunt owned and that my parents lived in, would not have been allowed in that neighborhood. And I'm someone who took an interest in how cities are planned and designed. So I'm willing to bet very few of my neighbors knew that either of those buildings was a nonconforming structure. They just *were*. They were as part of the neighborhood as any of our houses, and no more objectionable.

But they didn't get that way through immaculate conception. At some point, we had a process that allowed them to be created. And that process produced neighborhoods that were a bit messy, sometimes unpredictable, imperfect, but in service of becoming resilient and high-quality places.

Although living situations that have been part of my life—upstairs from my aunt, or renting a backyard cottage from a retiree—were nonconforming according to the zoning code, I believe that they are viewed by a large majority of Americans today as neither socially deviant nor undesirable. And furthermore, that this includes most of the people you and I have been told are "the NIMBYs" in my community, and yours.

I believe this is the best case to make to the persuadable yet conflicted majority—a number which includes many city councilors and local opinion leaders. We all have lives that don't fit in a box, and our built environment shouldn't fit in one, either. But we've been forcing it into a box for so long that to change now will mean we need to re-learn to tolerate



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PLANNING MAGAZINE

What Is Zoning Reform and Why Do We Need It?

The case for change, why planners support it, and six zoning reform tactics that could help curb housing costs.

INNOVATIONS (/PLANNING/SECTION/INNOVATIONS/) ZONING



Illustrations by Jason Schneider.

Jan. 18, 2023

By PATRICK SISSON

Over the past few years, Americans have faced record-breaking inflation, climbing interest rates, and a general flood of rising costs. But for so many, the bedrock of high living costs is high housing costs.

Rents and home costs have reached stratospheric levels. The nation is 3.79 million units shy of its housing needs, according to advocacy group Up for Growth — a figure rapidly getting worse. Home prices in 98 percent of the nation's metro area rose an average of 8.6 percent, hitting nearly $400,000, per the National Association of Realtors (https://www.nar.realtor/newsroom/home-prices-rose-year-over-year-in-98-of-metro-areas-in-third-quarter-of-2022).

Meanwhile, rents spiked 15 percent in just one year, according to the National Low-Income Housing Coalition (https://nlihc.org/sites/default/files/2022_OOR.pdf). In no county in the entire country can a worker on minimum wage working a 40-hour week afford a modest two-bedroom rental home. Harvard's Joint Center for Housing Studies (https://www.ncsha.org/blog/state-of-the-nations-housing-report-highlights-housing-affordability-challenges/) found rental vacancies hit an all-time-low in 2021, with a recent rise in housing development simply unable to meet demand. It's a shortage that curtails growth and limits economic mobility and opportunities for all.

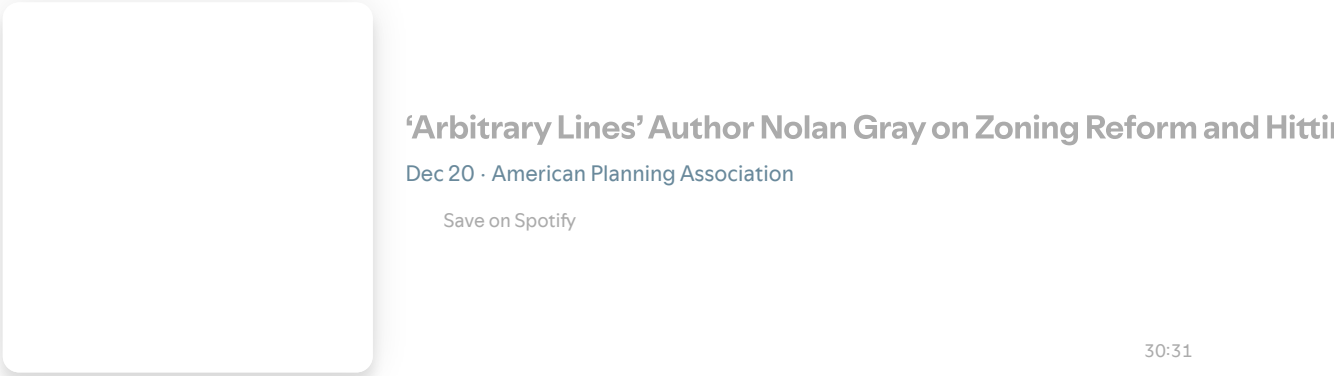
"We're seeing huge, tremendous growth in our area, but we don't have the housing to support that," says Emily Phyllis, AICP, a planner and researcher at One Columbus in Columbus, Ohio. "Being able to really increase the housing supply as well as diversify the housing supply so that we can remain an affordable region for all, that's really primary for us."

The cause of much of that shortage — and, as reformers, YIMBYs, and urbanists point out, much of its solution — lies in zoning policy. The post-WWII housing boom, sparked by gargantuan federal investments in homeownership via the GI Bill and the Federal Housing Authority, new mortgage options, and vast government financing for interstates and highways, paved the way for suburban speculation, seas of single-family starter home developments, and vastly increased housing options and availability (mostly for white, upwardly mobile families).

In recent decades, the pendulum has swung definitively back toward constricting the creation of new homes. Labor and material costs, and especially land use policies, make it harder and more expensive to build. A raft of zoning and building code restrictions — height limits, setbacks, single-family-only zoning, local design review, parking minimums — made it harder and more time-consuming for developers to find suitable land, get approvals, and break ground, driving down the numbers of units built while increasing the cost of having a roof over one's head. Over time, it's made affordability an issue across more and more income levels and communities.

"We're going to have a real shortage of places for people we depend on every day, whether it's teachers, restaurant workers, or other service type jobs," says Rich Hall, AICP, general manager of the Greater Philadelphia Department of Land Use. "They don't have any place to live, or they'll have to have very long commutes. We need well-rounded communities where everyone has a quality place to live."

But new housing advocacy groups, as well as investments and legislation at the federal, state, and local level, are pushing back, seeking to restore supply and demand and catalyze the creation of affordable housing.



Federal zoning reform boosts housing affordability

The Housing Supply and Affordability Act, which would help cities rework zoning plans and revisit and eliminate restrictions to new construction, was recently put before Congress, while a new YIMBY competitive grant program, which could help encourage communities to eliminate discriminatory land use policies through grant funding, was passed in late 2022. New investments, like the Infrastructure Investment and Jobs Act, would put money toward housing coordination plans to help cities improve the connection between land use, planning, and transportation. These proposals and plans show a renewed energy around zoning and housing at the federal level — and an awareness that the national government can provide the guidance and resources to empower local jurisdictions to enact important changes.

Zoning reform, championed as a key pillar of change, has suddenly become one of the most talked-about policy topics in local government.

"It's something that a lot of people are thinking about as we're dealing with these concurrent crises of housing affordability, racial and economic equity, and opportunity and climate change and sustainability," planner Nolan Gray, research director for California YIMBY and author of *Arbitrary Lines* (/planning/2022/fall/do-we-need-zoning-arbitrary-lines-author-nolan-gray-weighs-in/), said in a recent episode of the APA podcast (/planning/2022/fall/do-we-need-zoning-arbitrary-lines-author-nolan-gray-weighs-in/). Zoning rules from a century ago, he argues, make it harder for cities to adapt and grow over time to create the new infill housing needed to achieve housing affordability and sustainability objectives.

So how does zoning reform work? Just as there are multiple causes for the calamitous housing crisis, there are also multiple solutions, which often overlap and complement each other. Here are six tactics decision makers at local and state levels are exploring:


Single-family-only zoning excludes multifamily options from about 75% of residential land in cities like Chicago, significantly curbing housing diversity.



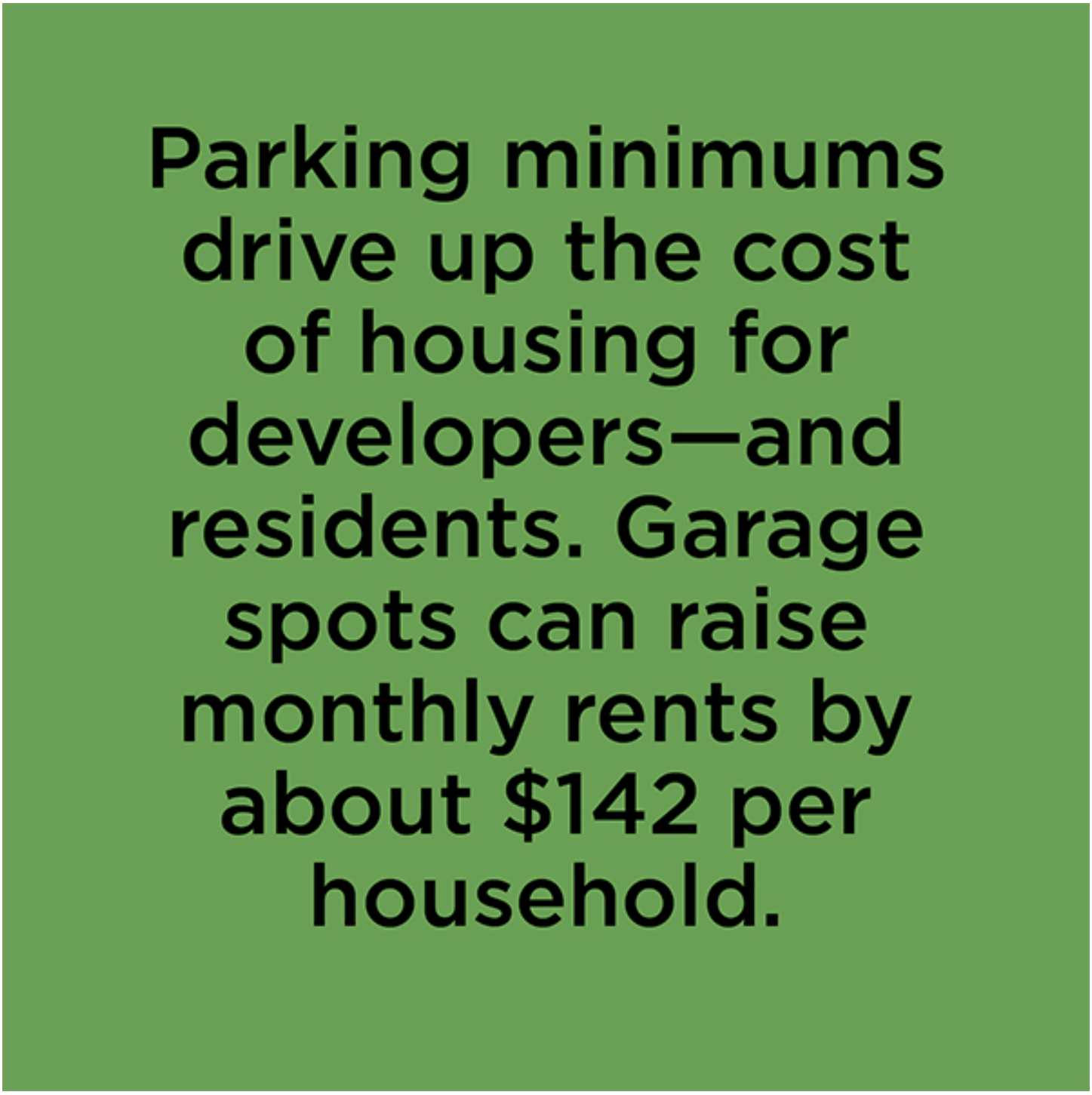
1. ELIMINATING SINGLE-FAMILY-ONLY ZONING

To build more dense, plentiful housing, cities often need to make room. Zoning rules that only allow single-family residences cover roughly 75 percent of land in American cities (https://www.nytimes.com/interactive/2019/06/18/upshot/cities-across-america-question-single-family-zoning.html), limiting the types of buildings that can be constructed, encouraging sprawl, and discouraging multifamily construction and more efficient mass transit networks. Eliminating these restrictions creates more fertile ground for density and development and increased housing opportunities in amenity-rich neighborhoods near employment.

"If you look at the status quo, which is basically the way that zoning is written right now, it leads to increases of single-family housing development and individual lots being for one individual home, rather than more productive land use and more productive housing policy and economic policy," says Jenny Raitt, executive director of Northern Middlesex Council of Governments, a Massachusetts regional planning agency.

In recent years, challenging and overturning these rules has been a popular method of opening cities up to more affordable units. Minneapolis, which helped pioneer the push in 2018 (https://archive.curbed.com/2018/11/27/18113208/minneapolis-real-estate-rent-development-2040-zoning), has been joined by dozens of cities — and even states like Oregon and Maine — that have effectively eliminated single-family-only zoning. It's also been a big boost for smaller municipalities: in Walla Walla, Washington, which recently passed zoning reform and redid its housing plan (/planning/2022/summer/zoning-reform-creates-new-model-for-smart-growth-in-walla-walla-washington/), the new development climate has already spurred the creation of more multifamily and missing middle housing.

"Change in the physical layout of the city is what can enable the heart and soul of the city to carry on and not depart," says Yorik Stevens-Wajda, AICP, planning director of Everett, Washington.

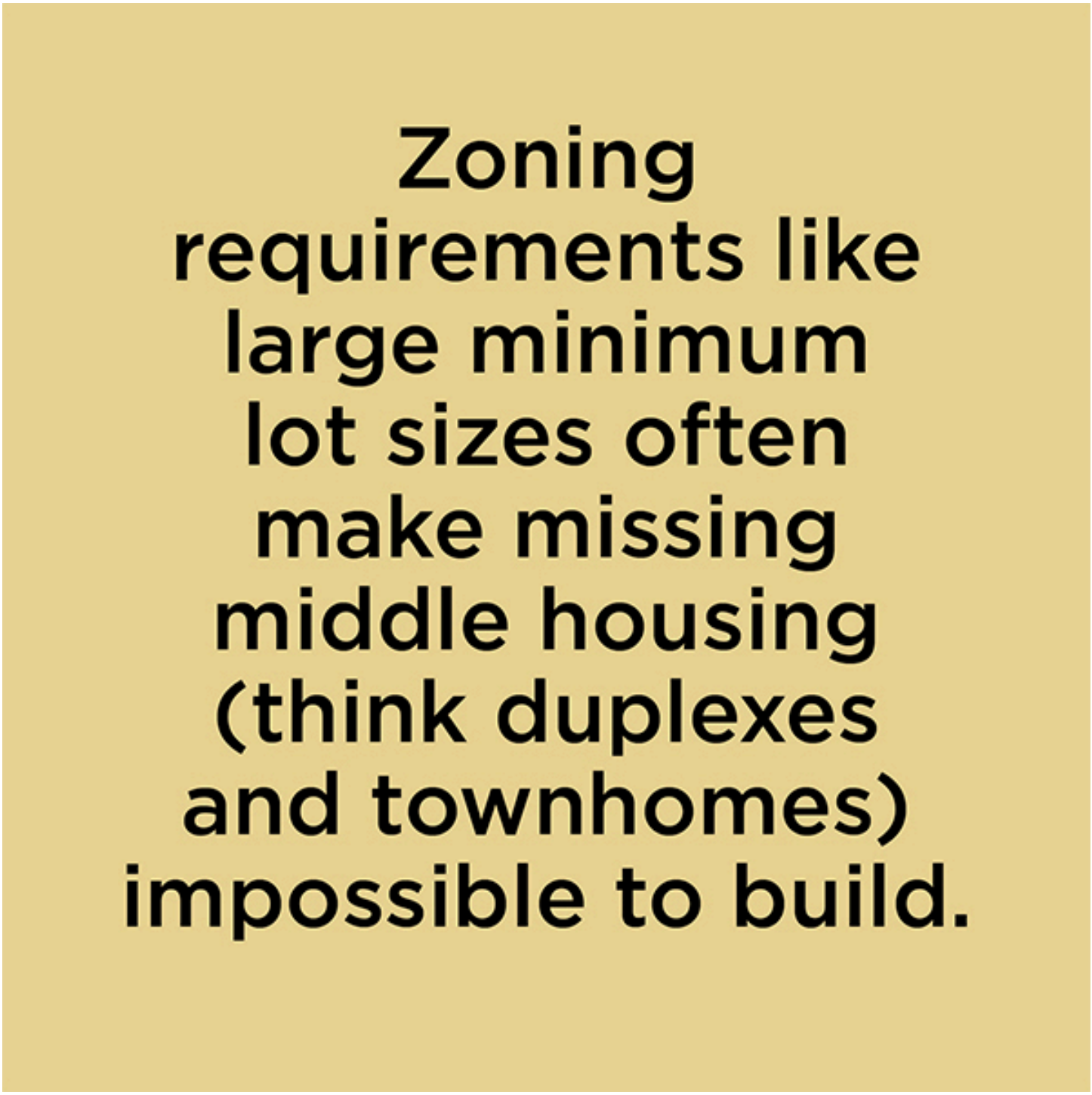




2. ABOLISHING PARKING MINIMUMS

America's car-centric culture has become intertwined with our planning, with many municipalities requiring a minimum amount of parking space for residential and commercial structures. It's a reason the U.S. has an estimated two billion (https://www.bloomberg.com/news/articles/2018-11-27/why-parking-lots-are-not-full-even-on-black-friday) parking spots, most of which sit empty and burden the environment, land use, and construction costs. Mandating parking spots robs developers of leasable space and jacks up rental costs; garage parking, which costs about $5,000 per surface space and up to $50,000 per space in multilevel garages, typically adds $142 a month to a household's rent, per UCLA research.

A wave of U.S. cities, including Buffalo, New York, and recently San Jose, California (https://www.globest.com/2022/12/12/san-jose-becomes-largest-us-city-to-drop-minimum-parking-rules/), have pushed forward parking reform in recent years, unlocking new development potential and cutting the cost of new construction. After passing such laws in 2021, Seattle and Buffalo developers built more mixed-use projects; in San Diego, the number of affordable housing proposals rose fivefold after parking space requirements were eased. It's a boon for small cities, too: Fayetteville, Arkansas, and Sandpoint, Idaho, reformed parking rules and found it encouraged new developments and helped create opportunities for new housing and small businesses.


Zoning
requirements like
large minimum
lot sizes often
make missing
middle housing
(think duplexes
and townhomes)
impossible to build.



3. PROMOTING MISSING MIDDLE HOUSING

While many zoning reform provisions open up the universe of possibilities for builders, some municipalities and local governments are going a step further to encourage the creation of certain building types. So-called missing middle housing, a term coined in 2010 by Daniel Parolek (https://opticosdesign.com/about/staff/daniel-parolek/), principal and CEO of Opticos Design, consists of multifamily structures of just a handful of floors that offer minimal density and more affordability. In recent decades, they've been hard to build, caught between single-family-only neighborhoods and the economic realities of multifamily construction, where taller and denser are more economically feasible.

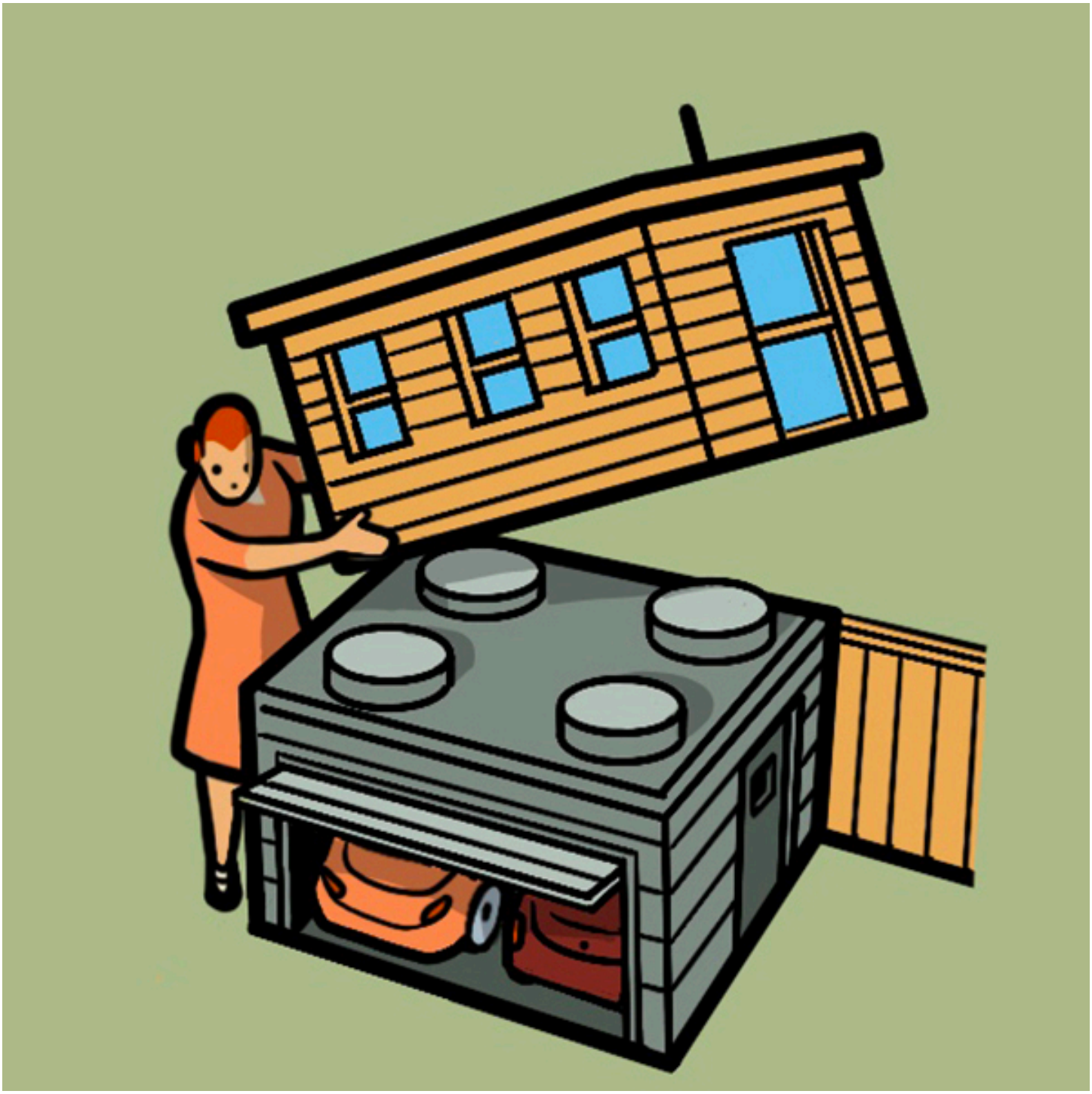
Numerous changes to zoning and building codes can encourage more of these kinds of projects: Reducing minimum lot sizes encourages smaller, multistory buildings. Tweaking rules to allow multiple, smaller units within a larger structure improves density. Eliminating zoning restrictions and parking minimums means lower costs for builders. And these are often the kinds of historic, widely admired building types that form the backbone of popular neighborhoods — an easy case to make to the public.

"When you put it in real terms that people understand, when you can point to that four-plex that already exists in the community and say, 'Hey, you know, would it be so bad if we had a few more of these? Then I think it starts to click," says Gray, "People start to get it."

Oxford, Mississippi, embarked on a comprehensive rework of its land use plan in 2017, which planner Ben Requet says included a bedroom-per-acre calculation that incentivized builders to build different kinds of housing. It's already led to more vibrant communities in the southern college town.

"Zoning reform has already started to show significant advances and creativity in our housing supply in Oxford," he says. "We're starting to see more density that's applied in new developments that provide more options and opportunities for not only our student population, but our older populations and even young families."



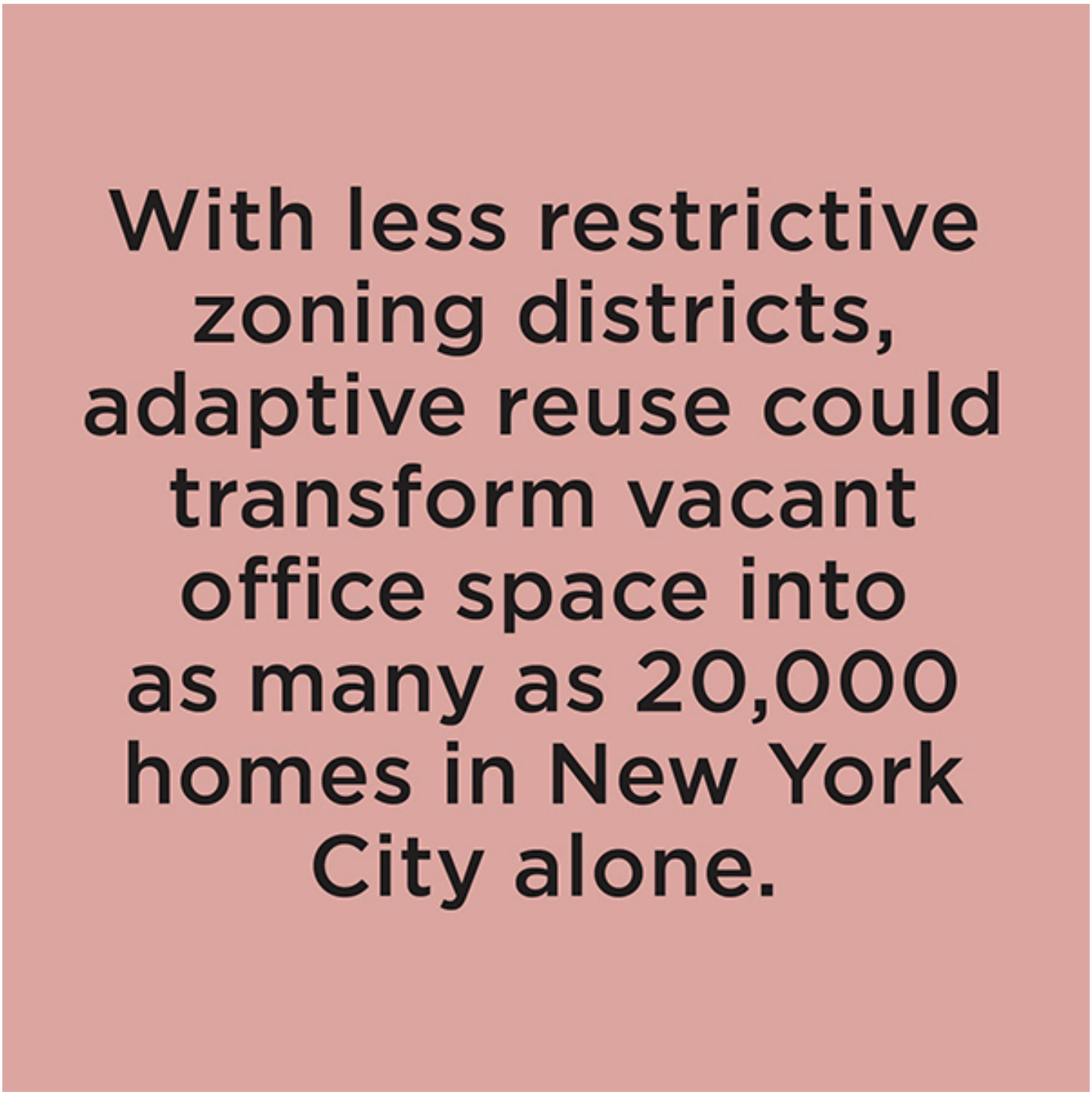


4. ALLOWING ADUS

It's hard to radically change the geography and concentration of American housing in single-family only neighborhoods. Accessory dwelling units (/knowledgebase/accessorydwellings/), or ADUs, seek to work within the system, so to speak, making it legal, quick, and affordable for property owners to add an additional back-yard unit. Early legislation faced pushback from local governments, so states have steadfastly revisited the issue, refining regulations to make permitting more streamlined.

This new push for more ADUs, which has been successful in states like Vermont and New Hampshire, has been especially robust along the West Coast. California alone has seen roughly 60,000 ADUs permitted since 2016 as more state laws and regulations meant to champion backyard building have been passed.

"Accessory dwelling units have quietly been a huge planning reform success story," says Gray. "We've made it to where more homeowners can add additional units in their backyard or in their unused attics or unused basements. These are units that just wouldn't otherwise have existed, units that are making even some of our most exclusionary, high-cost jurisdictions a little bit more affordable and a little bit more diverse and accessible."



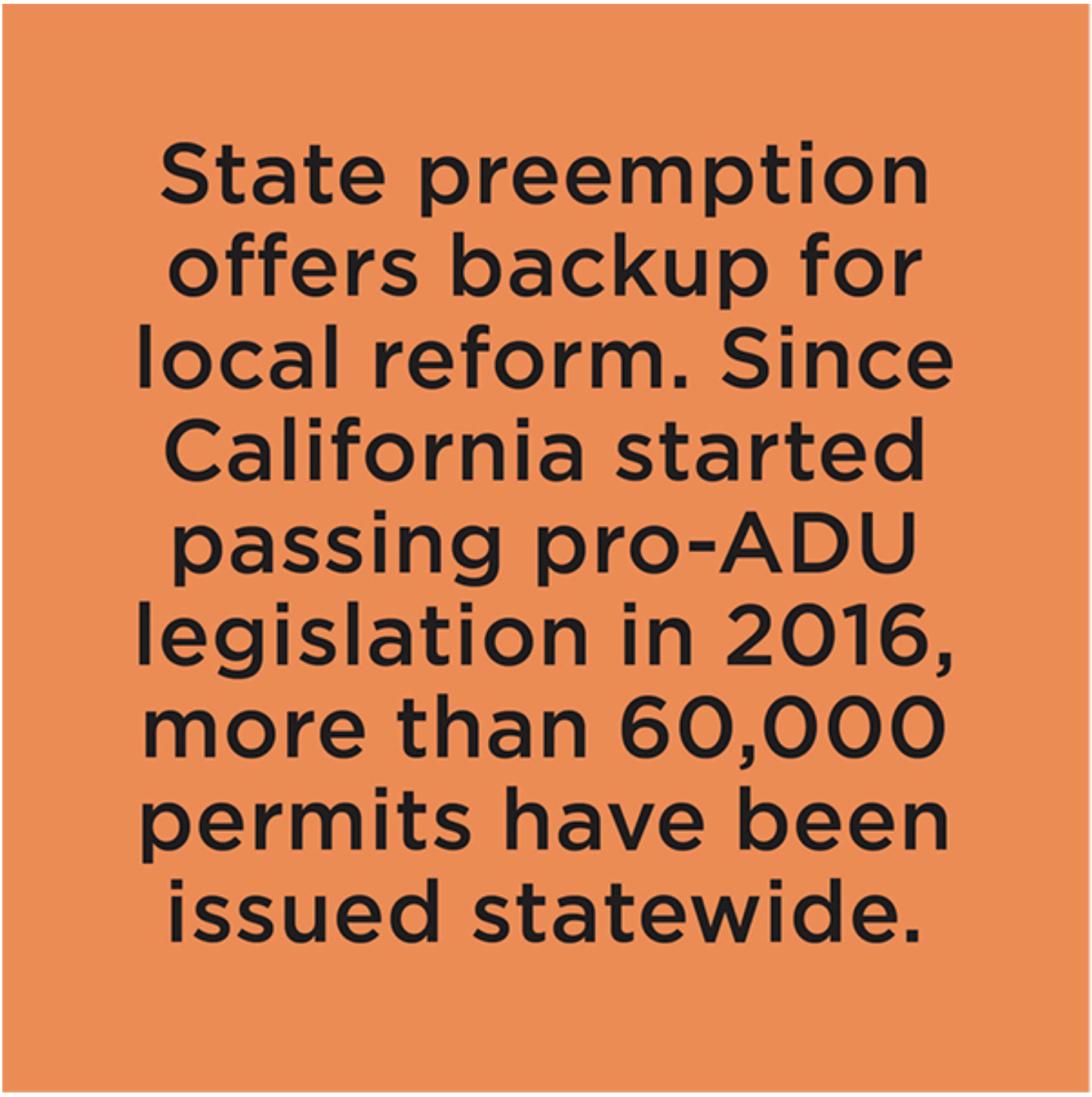


5. ZONING FOR ADAPTIVE REUSE

The easiest, and sometimes cheapest, housing to construct is one that's already finished. Promoting adaptive reuse and the transformation of existing building stock into new housing has long been a tool planners have used to revitalize neighborhoods. In New York City, for example, conversions remade Chelsea and created a live-work-play neighborhood in Lower Manhattan.

But there are so many other great examples of taking old warehouses, commercial spaces, and historic properties and turning them into new housing; it's an especially apt topic as cities like Pittsburgh promote the widespread conversion of downtown commercial space into housing (https://www.wesa.fm/development-transportation/2022-12-05/officials-say-the-future-of-downtown-is-residential-but-getting-there-will-be-tough) as a response to remote and hybrid work.

An increasing number of conversion ordinances and programs have propelled these projects forward. Los Angeles has seen a flourishing of newly created units, especially in its Arts District and Downtown, with more than 46,000 completed since the city's Adaptive Reuse Ordinance (https://www.ladbs.org/services/core-services/plan-check-permit/plan-check-permit-special-assistance/adaptive-reuse-projects) was passed in 1999. More recently, New York City announced a new effort in 2023 (https://www.timeout.com/newyork/news/behind-mayor-eric-adams-decision-to-turn-empty-nyc-offices-into-new-apartments-011023#:~:text=Earlier%20this%20week%2C%20mayor%20Eric,back%20in%20July%20of%202022.) to rethink its zoning districts to allow for conversion of empty offices into as many as 20,000 housing units. By saving time and money — and building within existing neighborhoods containing transportation infrastructure — adaptive reuse can be a smart and sustainable way to help close the housing gap.



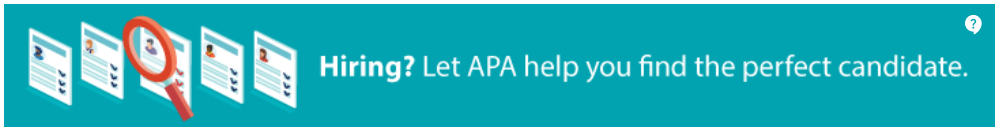


6. EMBRACING STATE PREEMPTION

NIMBY foes and allies in local government often push back against zoning reform, citing a variety of complaints about crowding, environmental issues, and neighborhood character. Increasingly, battles for housing regulations are being elevated to the state level. While there are examples like Texas pre-empting pro-housing regulations in cities like Austin, other states, most notably California, are pushing local governments to unlock housing creation and curtail restrictive regulations.

In recent years, California has established a suite of these measures: statewide rent control, requirements for new units, ADU laws, dismantling of single-family zoning, and bills to promote commercial-to-residential conversations and transit-oriented development. And the state has added teeth to this legislation by aggressively enforcing new and existing requirements.

Through zoning reform, planners can play an essential role in building affordable, equitable, sustainable communities, says Gray. In pursuit of equity and environmental goals in a changing city, thoughtful, evolving policies are essentials.



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Why Minnesota Needs to Protect the 2040 Plan



UPDATE: The Minnesota state legislature voted to protect comp plans that advance local housing reform from out-of-context environmental lawsuits on May 19, 2024. Passage of the Comprehensive Plan Clarity bill means that the City of Minneapolis can resume implementation of its *Minneapolis 2040 Plan* (https://minneapolis2040.com/).

In another win for Minneapolis and its pro-reform 2040 Plan, the State Supreme Court declined on August 21, 2024, a petition to review by environmental groups concerned about the plan.

Minneapolis was leading the nation in zoning reform and increasing its housing supply faster (https://www.pewtrusts.org/en/research-and-analysis/articles/2024/01/04/minneapolis-land-use-reforms-offer-a-blueprint-for-housing-affordability) than any city in the Midwest, but recent litigation put that progress on hold.

The city launched its 20-year comprehensive plan — Minneapolis 2040 (https://minneapolis2040.com/) — in 2020, the nation's first major municipal-led zoning reform to re-legalize housing options in previously single-family-only zones. The Plan legalized triplexes and duplexes (https://www.southwestvoices.news/posts/whats-to-come-with-or-without-the-2040-plan), allowed for more housing near transit and job centers, and made it easier to build larger apartments by eliminating parking requirements to increase housing equity and affordability across the city. It also made Minneapolis the first city in the country to see inflation drop below 2 percent (https://www.bloomberg.com/news/features/2023-08-09/minneapolis-controls-us-inflation-with-affordable-housing-renting?embedded-checkout=true).

2040 Plan Challenged by Environmental Opposition

The 2040 Plan addresses the worsening housing attainability crisis in Minnesota. The state's housing shortage grew to 105,524 homes in 2021, more than double the amount in 2012, according to Up for Growth's housing underproduction report (https://upforgrowth.org/apply-the-vision/2023-housing-underproduction/). This underscores a larger, national housing supply shortage — underproduction of housing in the U.S. increased by nearly 3% to 3.9 million (https://upforgrowth.org/apply-the-vision/2023-housing-underproduction/) missing homes last year. This is not just happening in big cities — housing underproduction increased by nearly 50% (https://upforgrowth.org/apply-the-vision/2023-housing-underproduction/) in small towns between 2019 and 2021.

And yet, the impact of the 2040 Plan was threatened when opponents — "Not in My Back Yard" (NIMBY) defenders fronting as environmentalists — twisted a Minnesota law called the Minnesota Environmental Rights Act (MERA), claiming the Plan harms the environment. Their opposition is based on a logistically impossible and hypothetical scenario wherein every single-family home in Minneapolis is immediately replaced with a triplex, causing irreparable environmental harm (https://www.documentcloud.org/documents/23939545-smart-growth-order-on-remand?responsive=1&title=1). Not only is the opposition based on a theoretical, but it also fails to acknowledge that the Minneapolis 2040 is an environmental review in itself (https://www.startribune.com/counterpoint-from-an-urban-planning-perspective-2040-dispute-is-mystifying-worrisome/600348208/?refresh=true).

As a result of the misleading opposition, the city has frozen the implementation of its 2040 Plan amid ongoing litigation, denying community members access to housing options that meet their needs. However, a State bill was introduced this year in the House (https://www.revisor.mn.gov/bills/bill.php?b=house&f=HF4028&ssn=0&y=2024) and Senate (https://www.revisor.mn.gov/bills/bill.php?f=SF4183&y=2024&ssn=0&b=senate), with support from the City of Minneapolis and the American Planning Association (APA) Minnesota (/blog/9281036/minneapolis-appeals-ruling-that-delays-implementation-of-the-2040-comprehensive-plan/) chapter, that would reform Minnesota law to exempt increases to residential density advanced through comprehensive plans from MERA. While MERA is well-intentioned, this litigation shows how it's vulnerable to abuse. The passage of the bill is critical for the city's defense of the 2040 Plan against the lawsuit. Further, it's essential for breaking free from longstanding policies that increase costs and limit housing choice in Minneapolis, and encouraging communities across the state and nation to pursue zoning reform through comprehensive planning.

Minneapolis' 2040 Plan: Housing Solution Threatened

The 2040 Plan is an example of how comprehensive plans are the vehicle for driving change at a local level — and how Minneapolis is leading the way. The land use reforms embraced in the Plan boosted the housing supply in the city and continued to keep rent low — Minneapolis increased its housing supply by 12 percent while rents grew by just 1 percent, according to The Pew Charitable Trust (https://www.pewtrusts.org/en/research-and-analysis/articles/2024/01/04/minneapolis-land-use-reforms-offer-a-blueprint-for-housing-affordability) — helping meet Minneapolis's growing housing needs of about 4,000 new units per year (https://www.banking.senate.gov/imo/media/doc/flisrand_testimony_9-12-23.pdf). If the legislature does not pass the MERA reform bill, the city would lose around $9.7 million (https://www.startribune.com/minneapolis-developers-to-lose-millions-without-2040-plan-as-judges-order-goes-into-effect/600317445/) that it has already invested into affordable housing. It would also threaten Minnesota's status as a national leader in housing supply and zoning reform.

Aside from the projected — and proven — impact of the 2040 Plan on Minneapolis' housing supply, failing to pass a state fix would also affect Minnesota communities' ability to have a voice in the plans of their cities. The 2040 Plan was the result of collaboration between city planners and Minneapolis residents over hundreds of public engagements. The Plan connected data, research, and community input with a variety of housing, infrastructure, and transportation policies. The ongoing litigation would have a

chilling effect on communities, resulting in fewer plans, less public engagement, and a decreased likelihood of cities willing to use comprehensive plans to make bold changes for the better of their constituents.

Communities should not have to worry about environmental lawsuits being taken out of context. Planning is the best way to address housing while balancing the interests of all residents. Communities and planners who support them need the flexibility to align pro-housing policies with the vision of plans. If the state legislature fails to protect the 2040 Plan, communities will avoid taking bold planning action to support the growth that's already happening in cities and towns across Minnesota, adding to the state's growing housing deficit. It could even disincentivize communities from using planning as a tool for growth — one that's been proven to improve housing opportunities in communities across the country.

The Minnesota Legislature must lead again by moving this session to protect the 2040 Plan and support planning-led efforts statewide to produce more housing — not add additional barriers.

Top image: iStock / Getty Images Plus - samafoto (https://www.gettyimages.com/search/photographer?photographer=samafoto)

ABOUT THE AUTHOR

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APRIL 11, 2024

By Angela Brooks, FAICP

Tags: Housing Supply Accelerator, (/blog/?tags=2290) Planning Home, (/blog/?tags=1915) Equity, Diversity, and Inclusion, (/blog/?tags=1229) Housing Policy, (/blog/?tags=88) Planning History and Theory (/blog/?tags=100)

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HOUSEAL LAVIGNE

NORTHBROOK'S NEW ZONING CODE

New Zoning Code Project and Major Changes Overview
Plan Commission Public Hearing

July 15, 2025

Presentation Outline

- Project Overview
  - *Goals*
  - *Scope of Work*
  - *Timeline*
  - *Community Engagement*
- New Zoning Code Major Revisions Overview



PROJECT OVERVIEW

Project Goals



Preserve Community Identity



Prioritize User Experience



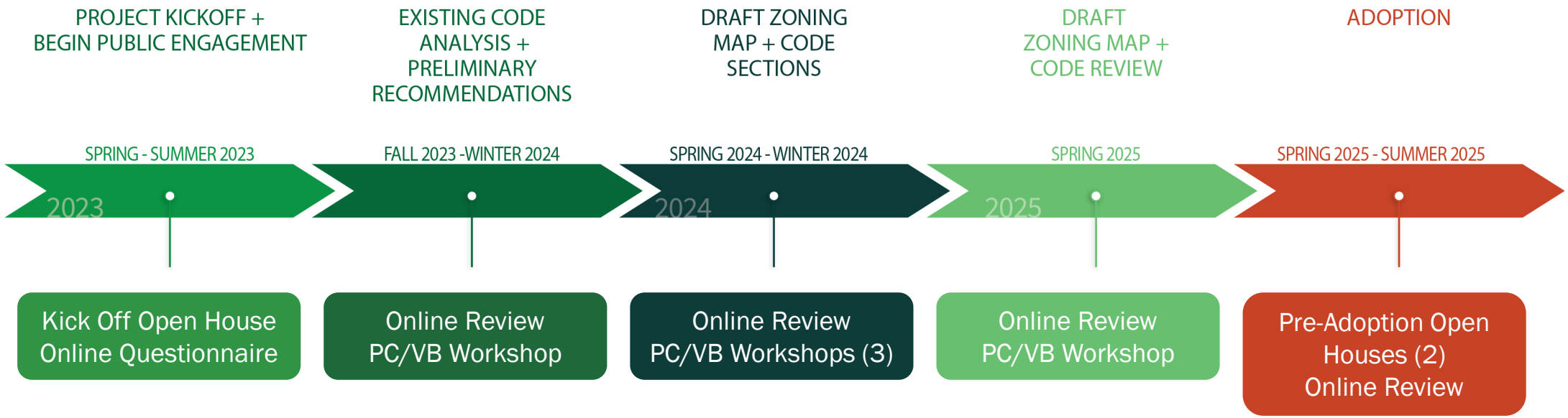
Promote Sustainability Initiatives

Scope of Work

1. Project Initiation
2. Community Engagement
3. Initial Review and Analysis and Preliminary Recommendations
4. District and Use Standards
5. Development and Sign Standards
6. Planned Development and Zoning Procedures
7. Draft and Final Zoning Code



Timeline & Community Engagement



Pre-Adoption Open Houses

- **Open House 1**
  - *June 10th, 2025*
  - *4:00 PM to 7:00 PM*
  - *Village Hall lobby*
  - *Attended by 16 people*
- **Open House 2**
  - *June 11th, 2025*
  - *12:00 PM to 3:00 PM*
  - *Public Library lobby*
  - *Attended by 30 people*





Pre-Adoption Open Houses Feedback Overview

Note: This is a selection of comments received, all comments are included as an attachment to the meeting packet.

Support for Increased Housing Options

- I am interested in detached ADU's, I don't think they will impact the community character.
- Please consider detached- ADU's- allowing these like Evanston and Oak Park, YES to duplexes too.
- Duplexes offer more potential than we had previously-affordable, etc.
- I agree with more density and greater housing options, duplex, ADU, more forms.
- Higher density is needed!
- Why not duplex in some R4 districts?

Concerns over Increased Housing Options

- I am concerned that ADU's will turn into homes for an excessive number of unrelated people and will lower property values by attracting people who can't afford the current housing stock.
- Please-No more duplexes, cottage courts, triplexes, quadplexes, or 5-12 unit dwellings!
- Totally against proposed changes that will open door to increased density. Northbrook is packed enough. Too much traffic people and crime.
- We need less density! No duplexes! No ADU's!

Pre-Adoption Open Houses Feedback Overview

Note: This is a selection of comments received, all comments are included as an attachment to the meeting packet.

Miscellaneous Comments

- Consider parking space reduction or permanent car-share space (zip car) depending on location, which may be publicly available.
- We need more bike infrastructure in addition to the plan.
- New form-based standards are needed for downtown district- I like the direction.
- Updated signage regulations long overdue- like the direction.
- Streamlining the permitting process is also necessary. NB has a reputation for being difficult.

NEW ZONING CODE MAJOR REVISIONS OVERVIEW

Zoning Code Article Outline

1. General Provisions
2. Ordinance Administration and Enforcement
3. Single-Family Residential District Standards
4. Multi-Family Residential District Standards
5. Office District Standards
6. Commercial District Standards
7. Industrial District Standards
8. Institutional and Open Space District Standards
9. Overlay District Standards
10. General Development Standards
11. Sign Standards
12. Nonconformities
13. Inclusionary Housing in New Development
14. Definitions

2. Ordinance Administration and Enforcement

- General Procedures Overview
  - *New tables - summarize review procedures and public notification*
  - *Identify recommending/deciding body and public hearing requirements*
  - *Specify notification type (publication, mail, sign)*

Table 2-103-A: Review Procedures Overview

Key:
R = Recommending Body;
D = Decision-Making Body;
* = Public Hearing Required;
^ = Pre-Application Meeting Required;

		Reference	Administrative Agency				
			Village Manager	Board of Trustees	Plan Commission	Zoning Board of Appeals	Architectural Control Commission
Administrative Procedures							
Administrative Adjustment	^	2-104-C	D				
Certificate of Occupancy	^	2-105-C	D				
Floodplain Development Permit	^	2-106-C	D				
Interpretations	^	2-107-C	D				
Site Plan	^	2-108-C	D				
Land Use Verification	^	2-109-C	D				
Temporary Use Permit	^	2-110-C	D				
Elected/Appointed Official Procedures							
Administrative Appeal	^	2-111-D				D*	
VG-O District Design Review	^	2-112-C		D			R
Special Permit	^	2-113-C		D	R*		
Variance	^	2-114-C		D	R*	D*	
Variance Combined with other Applications	^	2-114-C		D	R*		
Comprehensive Plan Adoption		2-115-C		D	R*		
Comprehensive Plan Amendment	^	2-116-C		D	R*		
Code and Zoning Map Amendment	^	2-117-C		D	R*		
Planned Unit Development	^	2-118-C		D	R*		

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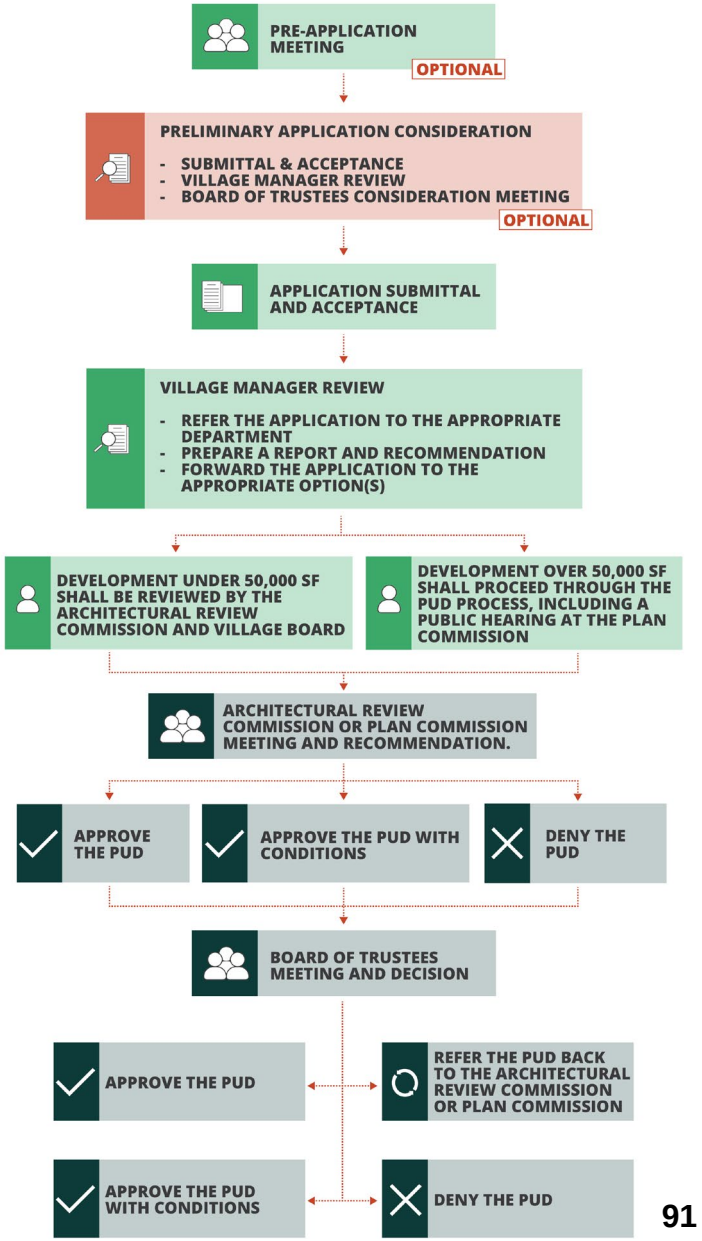
2. Ordinance Administration and Enforcement

- Variances
  - *Eliminate distinction between "Permitted" and "Major" Variations*
  - *Can be sought for any standard, except uses, temporary measures, or Flood Hazard Overlay*
- Planned Unit Development (PUD)
  - *New one-step process for developments over 200,000 sq. ft.*

Note: Flowcharts like this are included for all procedures to improve clarity and user-friendliness.

PUD Process Flowchart



2. Ordinance Administration and Enforcement

Administrative Modifications

- Minor changes reviewed by Village staff
- Provide minimal relief to property owners without requiring a variance such as:
  - *Allowed encroachments in required yards*
  - *Adjustments to pedestrian walkway standards due to site topography or natural resources*
  - *Waiver of parking area perimeter landscape if a masonry wall is provided*

Table 3-106-A. Allowed Encroachments into Required Yard

Encroachment Type	Allowed Location	Limitations of Encroachment
Covered Porches, Covered Decks, Covered Patios, Pergolas, and Gazebos	front and corner side yard	• May encroach up to five feet from the applicable elevation of the building and no closer than five feet to the property line, whichever is greater. • May not exceed 30 inches in height above the average finished grade. • May not be screened-in or enclosed.
Cornices, Gutters, Eave Overhangs, and Similar Architectural Projections	any required yard	May encroach up to two feet from the applicable elevation of the building or approved by the Village Manager or Village Engineer per per Section 2-104.
Driveways	any required yard	• Shall comply with the standards of Section ###. • Shall be a minimum of two feet from the interior side property line.
Fences, Walls, and Berms	any required yard	Shall comply with the standards of Section 10-108.
Flagpoles	any required yard	Shall be a minimum of five feet from the property line.
Generators	rear and interior side yard	Shall be a minimum of five feet from any lot line.

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3. Single Family Residential District Standards

Current Dimensional Standards

BULK, SPACE, AND YARD REQUIREMENTS	R-1	R-2	R-3	R-4	R-5
A. Maximum Height of Principal Structure (whichever is less) (1)(2)(15)					
1. Feet	40	35	35	35	30
2. Stories	3	3	3	3	2
B. Minimum Lot Area and Dimensions (3)(5)					
1. Total Lot Area (square feet)					
a. All Interior Lots	50,000	30,000	20,000	12,000	7,500
b. All Corner Lots	50,000	30,000	20,000	13,000	9,000
c. Planned Development	350,000	200,000	200,000	200,000	200,000
d. Religious Organizations and Associated Elementary & Secondary Schools	50,000	30,000	20,000	20,000	20,000
2. Lot Area Per Dwelling Unit (sq. ft.) (4)					
All Uses	50,000	30,000	20,000	12,000	7,500
3. Lot Width (feet) (5)					
a. All Interior Lots	175	125	100	85	60
b. All Corner Lots	175	125	110	100	75
c. Religious Organizations and Associated Elementary & Secondary Schools	175	125	110	110	110

3. Single Family Residential District Standards

Dimensional Standards

- All Districts: Eliminate FAR
- R-4 District
  - *Lot Area: Reduced from 12,000 / 13,000 sq. ft. to 10,000 / 11,000 sq. ft.*
  - *Lot Width: Reduced from 85 / 100 ft. to 65 / 80 ft.*
- R-5 District
  - *Lot Area: Reduced from 7,500 / 9,000 sq. ft. to 7,000 / 8,000 sq. ft.*
  - *Lot Width: Reduced 60 /75 ft. to 50/65 ft.*

Table 3-103: Single Family Residential Districts Dimensional Standards

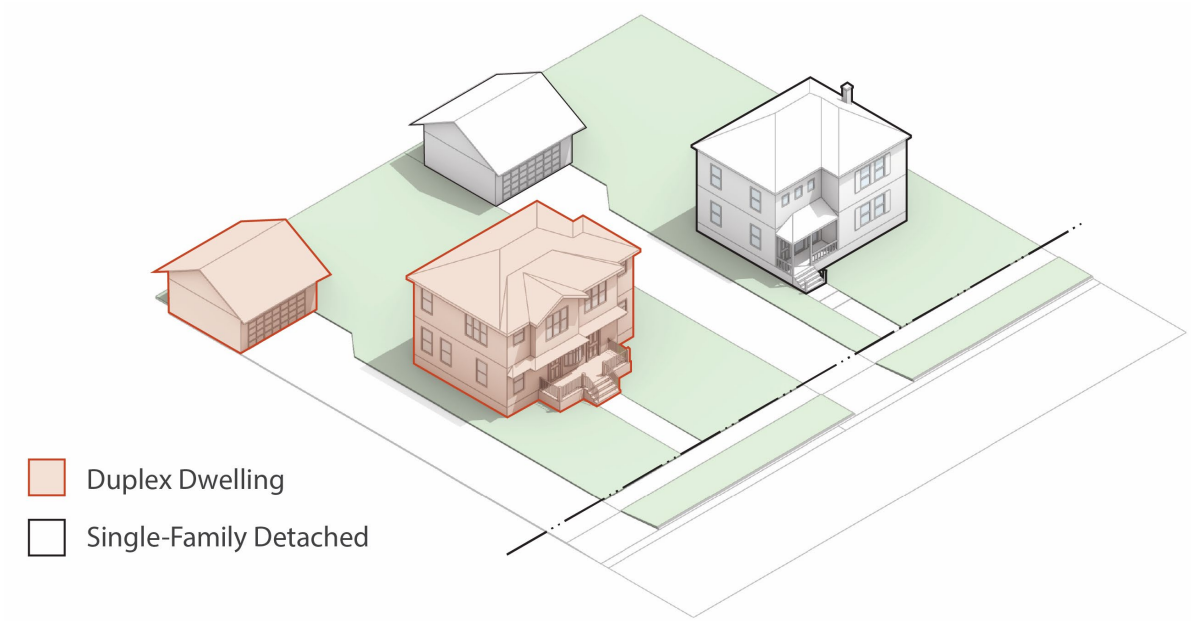
1 = Single Family Detached *2 = Duplex* *3 = All Other Uses*	R-1		R-2		R-3		R-4		R-5		
	1	*3*	*1*	*3*	*1*	*3*	*1*	*3*	*1*	*2*	*3*
Lot Standards (Minimum)											
Lot Area, Interior Lot (sq ft)	50,000	50,000	30,000	30,000	20,000	20,000	10,000	20,000	7,000	7,000	20,000
Lot Area, Corner Lot (sq ft)	50,000	50,000	30,000	30,000	20,000	20,000	11,000	20,000	8,000	8,000	20,000
Lot Width, Interior Lot (ft)	175	175	125	125	100	100	65	110	50	50	110
Lot Width, Corner Lot (ft)	175	175	125	125	110	110	80	110	65	65	110
Building Setbacks											
Front, Minimum (ft)	60	60	40	40	35	35	30	30	25	25	25
Corner Side, Minimum (ft)	60	60	40	40	35	35	30	30	25	25	25
Interior Side, Minimum (ft)	40	20 (1)	12	20 (1)	10	20 (1)	9	9 (1)	6	6	6 (1)
Rear, Minimum (ft)	40	40	40	40	40	40	40	40	40	40	40
Building Standards											
Height, Maximum (ft)	40	40	35	35	35	35	35	35	30	30	35
Height, Maximum (stories)	3	3	3	3	3	3	3	3	2	2	2
Lot Coverage, Maximum (%)	50	70	50	70	50	70	50	70	50	50	70
Building Coverage, Maximum (%)	35	35	35	35	35	35	35	35	35	35	35
Notes											

(1) A minimum of 40 feet shall be required when adjacent to a single-family detached residential use.
(2) Buildings purpose built for Place of Worship uses may have a maximum height of 55 feet and may include spires and minarets with a maximum height of 70 feet.

3. Single Family Residential District Standards

Duplexes

- Buildings with Two Single-Family Dwellings
- Proposed to be allowed by-right in R-5
  - *Same lot area and width minimum as required for Single-Family Detached*
- Research shows
  - *According to the APA, when Minneapolis allowed duplexes and other mid-density housing types in single-family districts, property values increased by 3-5%*

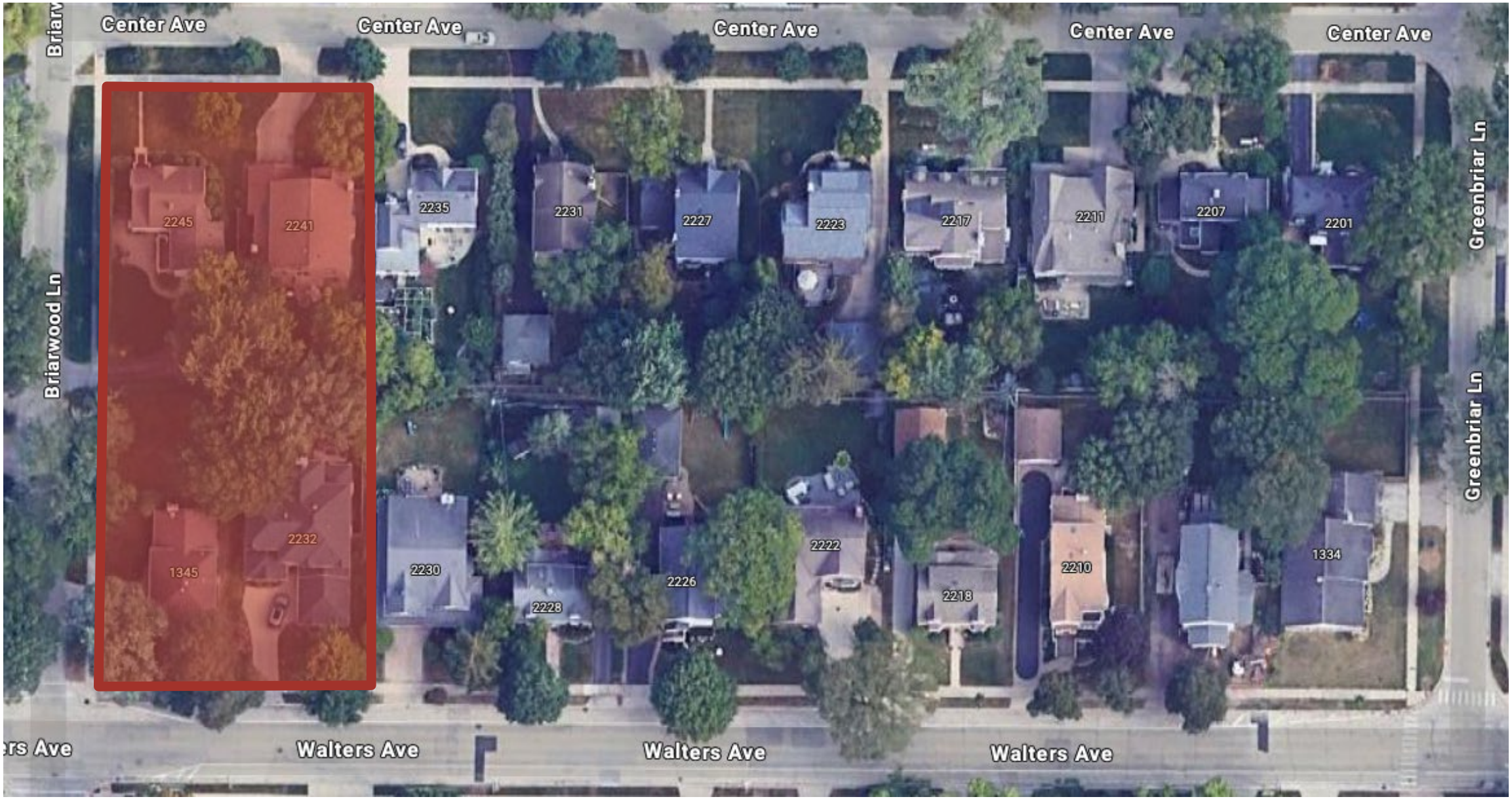


3. Single Family Residential District Standards

Cottage Courts

- Multiple Small Single-Family Dwellings on One Lot
- Proposed to be allowed by-right in R-5
  - *Allowed on lot with minimum of 20,000 sq ft area and 110 ft of width*




Center Ave
Center Ave
Center Ave
Center Ave
Center Ave
Briarwood Ln
Greenbriar Ln
Greenbriar Ln
2245
2241
2235
2231
2227
2223
2217
2211
2207
2201
2232
1345
2230
2228
2226
2222
2218
2210
1334
Walters Ave
Walters Ave
Walters Ave



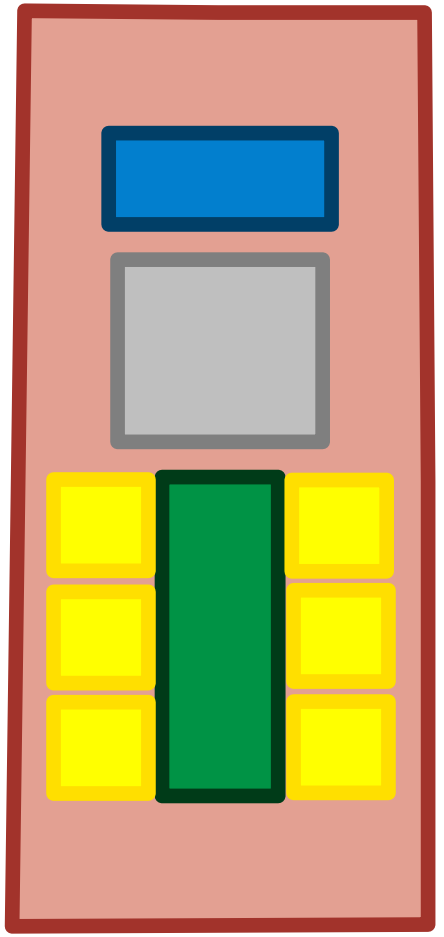
~115 ft. wide

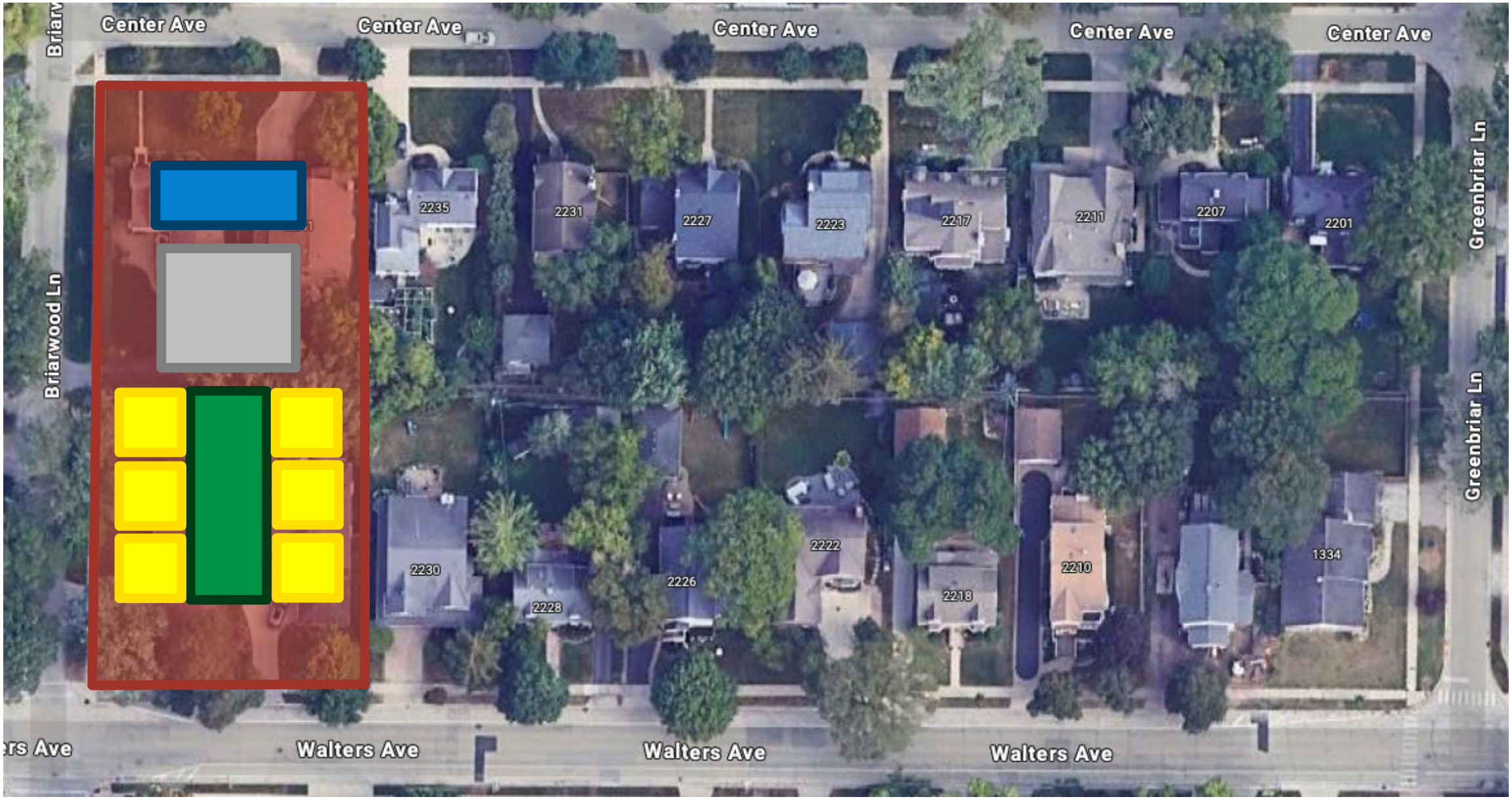
~800 sq ft cottage court dwelling

~2,000 sq ft cottage court community building

~2,500 sq ft common court

~2,500 sq ft parking area

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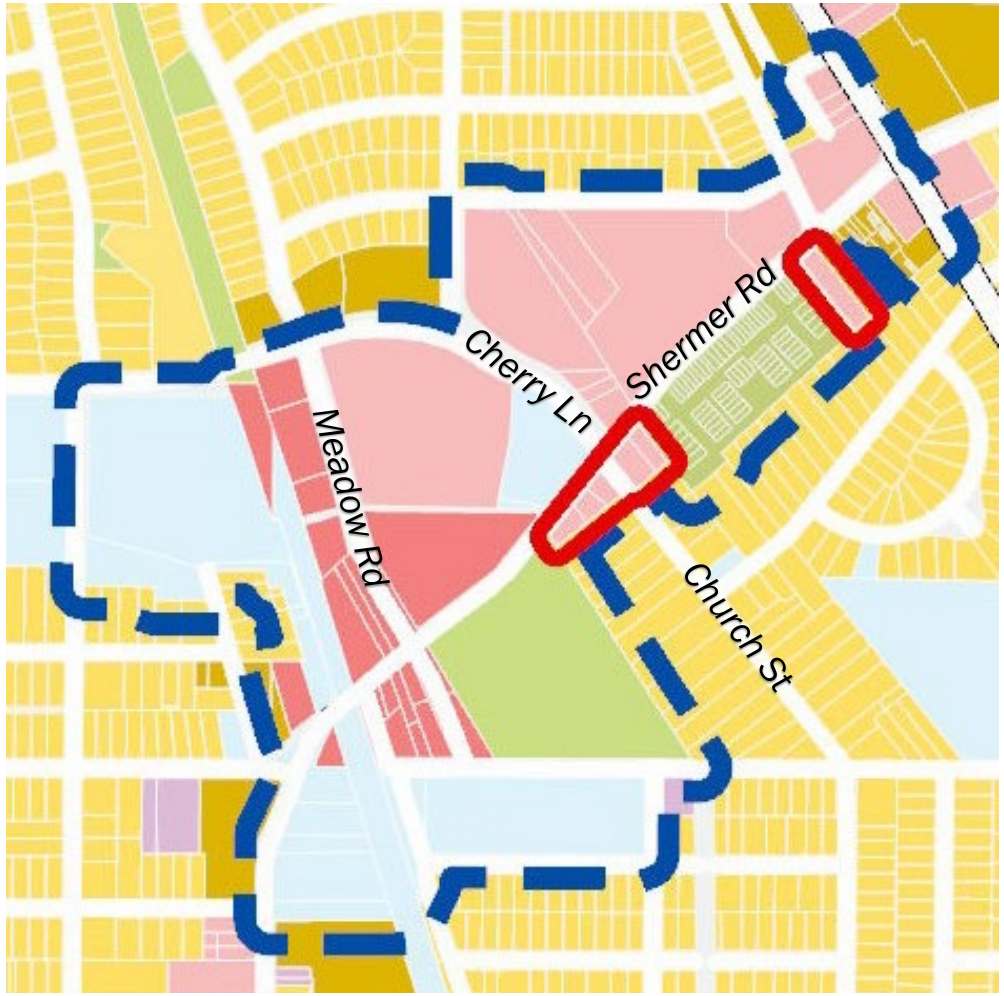
2207
2201
2230
2228
2226
2222
2218
2210
1334
Walters Ave
Walters Ave
Walters Ave

6. Commercial District Standards

C-1 Specialty Commercial Legacy District

- Reintroduced based on feedback from property owners
- Established as a Legacy district, meaning:
  - *All existing standards and use allowances remain as is*
  - *Cannot be applied to additional land area in the Village*



6. Commercial District Standards

Modernized Use Tables

- Current Tables
  - *Based on outdated SIC Manual, with minor, unimpactful distinctions*
- Proposed Update
  - *Streamlined, future-proof use tables*
- New Uses
  - *Coworking space, microbrewery/winery/distillery, artisan manufacturing, commercial kitchen*
- New Categories
  - *General retail, general office, personal service—defined to include similar-use types with comparable impacts*

Current Use Table

COMMERCIAL DISTRICTS USE LIST						
VILLAGE SIC CODE	DESCRIPTIVE TEXT	C-1	C-2	C-3	C-4	C-5
5930.00	Used Merchandise Stores	C, S	P	P	P	P
5940.00	Miscellaneous Shopping Goods Stores	C, S	P	P	P	P
5992.00	Florists	C, S	P	P	P	P
5993.00	Tobacco Stores And Stands		P	P	P	P
5994.00	News Dealers And Newsstands	C, S	P	P	P	P
5995.00	Optical Goods Stores	C, S	P	P	P	P
5999.01	Miscellaneous Retail Stores Not Elsewhere Classified	C, S	P	P	P	P
5999.03	Architectural Supplies – Retail		P	P	P	P
5999.04	Art Dealers – Retail		P	P	P	P
5999.05	Artificial Flowers - Retail		P	P	P	p
5999.06	Artist's Supply and Material Stores – Retail		P	P	P	P
5999.07	Autograph and Philatelist Supply Stores – Retail		P	P	P	P
5999.08	Awning Shops - Retail		P	P	P	P
5999.09	Baby Carriages – Retail		P	P	P	P
5999.10	Banner Shops – Retail		P	P	P	P
5999.11	Binoculars – Retail		P	P	P	P
5999.12	Cake Decorating Supplies – Retail		P	P	P	P
5999.13	Candle Shops – Retail		P	P	P	P
5999.14	Coin Shops – Retail, Except Mail Order		P	P	P	P
5999.15	Cosmetics Stores – Retail		P	P	P	P
5999.16	Electric Razor Shops – Retail		P	P	P	P
5999.17	Flag Shops – Retail		P	P	P	P

All captured by *General Retail* in new Use Table

Proposed Use Table

Table 6-105-A: Principal by Commercial District					
Use	Additional Regulation	C-2	C-3	C-4	C-5
General Office		P	P	P	P
General Retail		P	P	P	P
Golf Course					
Hotel				S	S
Medical Clinic		P	P	P	P
Medical Spa		P	P	P	P
Meeting/Event Facility		P	P	P	P
Microbrewery/Winery/Distillery With Tasting Room		P	P	P	P
One-on-One Educational Services		P	P	P	P
One-on-One Personal Fitness Facilities		P	P	P	P
Personal Service		P	P	P	P
Physical Fitness Facilities, 2,500 sq ft or less		P	P	P	P
Physical Fitness Facilities, 2,500 sq ft or more		S	S	S	S
Restaurant		P	P	P	P
Short-Term Rental					
Tobacco Retail Sale		S	S	S	S

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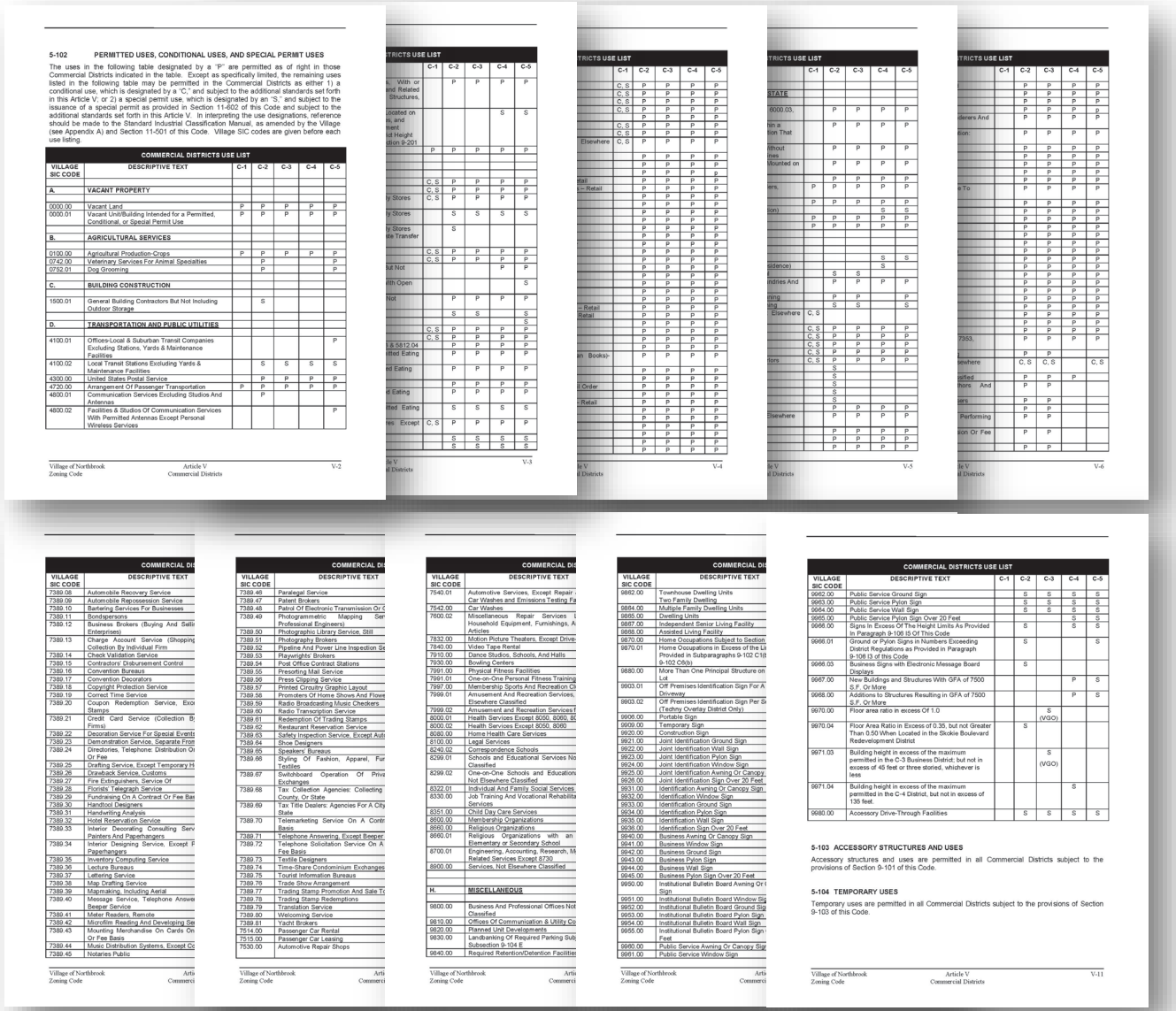
Retail uses that require more scrutiny, like Tobacco Retail Sales, remain separate

Current Use Table



5-102 PERMITTED USES, CONDITIONAL USES, AND SPECIAL PERMIT USES

The uses in the following table designated by a "P" are permitted as of right in those Commercial Districts indicated in the table. Except as specifically limited, the remaining uses listed in the following table may be permitted in the Commercial Districts as either 1) a conditional use, which is designated by a "C," and subject to the additional standards set forth in this Article V; or 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 Article V. 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 below each use listing.

COMMERCIAL DISTRICTS USE LIST

VILLAGE SIC CODE	DESCRIPTIVE TEXT	C-1	C-2	C-3	C-4	C-5
A.	VACANT PROPERTY					
0000.00	Vacant Land	P	P	P	P	P
0000.01	Vacant Unit/Building Intended for a Permitted, Conditional, or Special Permit Use	P	P	P	P	P
B.	AGRICULTURAL SERVICES					
0100.00	Agricultural Production-Crops	P	P	P	P	P
0742.00	Veterinary Services For Animal Specialties		P			P
0752.01	Dog Grooming		P			P
C.	BUILDING CONSTRUCTION					
1500.01	General Building Contractors But Not Including Outdoor Storage		S			P
D.	TRANSPORTATION AND PUBLIC UTILITIES					
4100.01	Offices-Local & Suburban Transit Companies Excluding Stations, Yards & Maintenance Facilities					P
4100.02	Local Transit Stations Excluding Yards & Maintenance Facilities		S	S	S	S
4300.00	United States Postal Service		P	P	P	P
4720.00	Arrangement Of Passenger Transportation	P	P	P	P	P
4800.01	Communication Services Excluding Studios And Antennas		P			P
4800.02	Facilities & Studios Of Communication Services With Permitted Antennas Except Personal Wireless Services					P

Village of Northbrook Zoning Code — Article V Commercial Districts — V-2

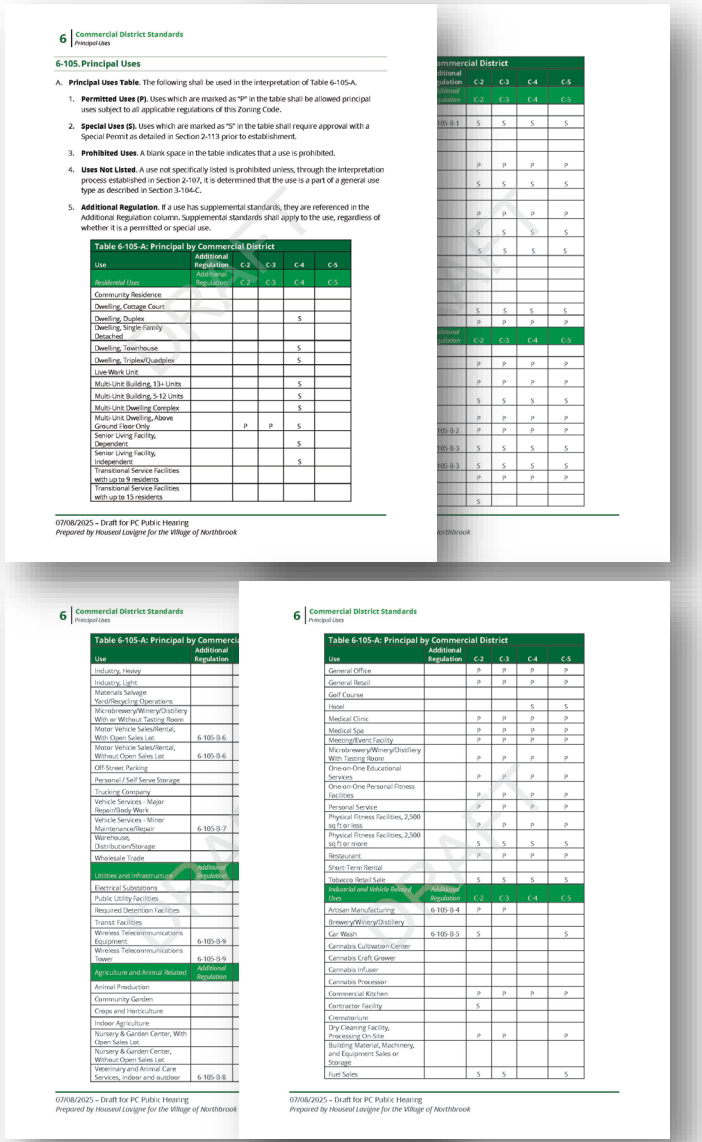
5-103 ACCESSORY STRUCTURES AND USES

Accessory structures and uses are permitted in all Commercial Districts subject to the provisions of Section 9-101 of this Code.

5-104 TEMPORARY USES

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

Proposed Use Table



6 Commercial District Standards
Principal Uses

6-105. Principal Uses

A. **Principal Uses Table.** The following shall be used in the interpretation of Table 6-105-A.

1. **Permitted Uses (P).** Uses which are marked as "P" in the table shall be allowed principal uses subject to all applicable regulations of this Zoning Code.
2. **Special Uses (S).** Uses which are marked as "S" in the table shall require approval with a Special Permit as detailed in Section 2-113 prior to establishment.
3. **Prohibited Uses.** A blank space in the table indicates that a use is prohibited.
4. **Uses Not Listed.** A use not specifically listed is prohibited unless, through the interpretation process established in Section 2-107, it is determined that the use is a part of a general use type as described in Section 3-104-C.
5. **Additional Regulation.** If a use has supplemental standards, they are referenced in the Additional Regulation column. Supplemental standards shall apply to the use, regardless of whether it is a permitted or special use.

Table 6-105-A: Principal by Commercial District

Use	Additional Regulation	C-2	C-3	C-4	C-5
Residential Uses	*Additional Regulation*	*C-2*	*C-3*	*C-4*	*C-5*
Community Residence					
Dwelling, Cottage Court					
Dwelling, Duplex				S	
Dwelling, Single-Family Detached					
Dwelling, Townhouse				S	
Dwelling, Triplex/Quadplex				S	
Live-Work Unit					
Multi-Unit Building, 13+ Units				S	
Multi-Unit Building, 5-12 Units				S	
Multi-Unit Dwelling Complex				S	
Multi-Unit Dwelling, Above Ground Floor Only			P	S	
Senior Living Facility, Dependent				S	
Senior Living Facility, Independent				S	
Transitional Service Facilities with up to 9 residents					
Transitional Service Facilities with up to 15 residents					

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6 Commercial District Standards
Principal Uses

Table 6-105-A: Principal by Commercial District

Use	Additional Regulation	C-2	C-3	C-4	C-5
Industry, Heavy					
Industry, Light					
Materials Salvage Yard/Recycling Operations					
Microbrewery/Winery/Distillery With or Without Tasting Room					
Motor Vehicle Sales/Rental, With Open Sales Lot	6-105-B-6				
Motor Vehicle Sales/Rental, Without Open Sales Lot	6-105-B-6				
Off-Street Parking					
Personal / Self Serve Storage					
Trucking Company					
Vehicle Services - Major Repair/Body Work					
Vehicle Services - Minor Maintenance/Repair	6-105-B-7				
Warehouse, Distribution/Storage					
Wholesale Trade					
Utilities and Infrastructure	*Additional Regulation*				
Electrical Substations					
Public Utility Facilities					
Required Detention Facilities					
Transit Facilities					
Wireless Telecommunications Equipment	6-105-B-9				
Wireless Telecommunications Tower	6-105-B-9				
Agriculture and Animal Related	*Additional Regulation*				
Animal Production					
Community Garden					
Crops and Horticulture					
Indoor Agriculture					
Nursery & Garden Center, With Open Sales Lot					
Nursery & Garden Center, Without Open Sales Lot					
Veterinary and Animal Care Services, indoor and outdoor	6-105-B-8				

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6 Commercial District Standards
Principal Uses

Table 6-105-A: Principal by Commercial District

Use	Additional Regulation	C-2	C-3	C-4	C-5
General Office		P	P	P	P
General Retail		P	P	P	P
Golf Course					
Hotel				S	S
Medical Clinic		P	P	P	P
Medical Spa		P	P	P	P
Meeting/Event Facility		P	P	P	P
Microbrewery/Winery/Distillery With Tasting Room		P	P	P	P
One-on-One Educational Services		P	P	P	P
One-on-One Personal Fitness Facilities		P	P	P	P
Personal Service		P	P	P	P
Physical Fitness Facilities, 2,500 sq ft or less		P	P	P	P
Physical Fitness Facilities, 2,500 sq ft or more		S	S	S	S
Restaurant		P	P	P	P
Short-Term Rental					
Tobacco Retail Sale		S	S	S	S
Industrial and Vehicle Related Uses	*Additional Regulation*	*C-2*	*C-3*	*C-4*	*C-5*
Artisan Manufacturing	6-105-B-4	P	P		
Brewery/Winery/Distillery					
Car Wash	6-105-B-5	S			S
Cannabis Cultivation Center					
Cannabis Craft Grower					
Cannabis Infuser					
Cannabis Processor					
Commercial Kitchen		P	P	P	P
Contractor Facility		S			
Crematorium					
Dry Cleaning Facility, Processing On-Site		P	P		P
Building Material, Machinery, and Equipment Sales or Storage					
Fuel Sales		S	S		S

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9. Overlay District Standards

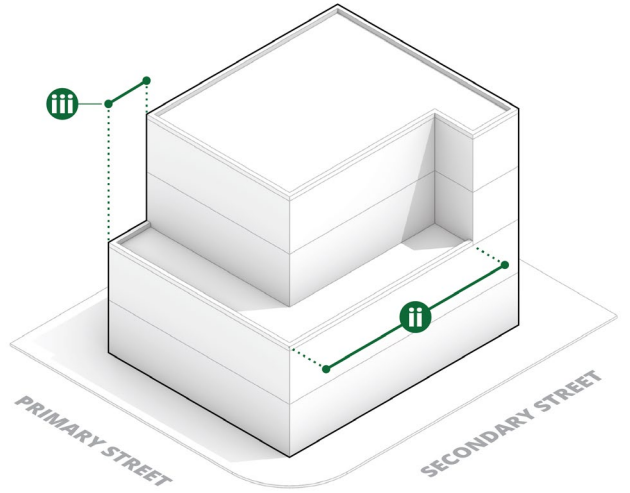
New Standards for the VG-O

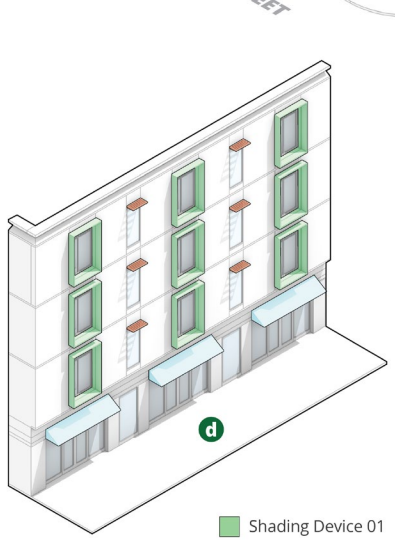
- Purpose
  - *Provide fair certainty for development and redevelopment in downtown Northbrook*
  - *Encourage appropriate growth while protecting the area's character*
- Current Challenge
  - *Design review requirements lack clarity, making it difficult for residents, developers, and officials to predict approvals*

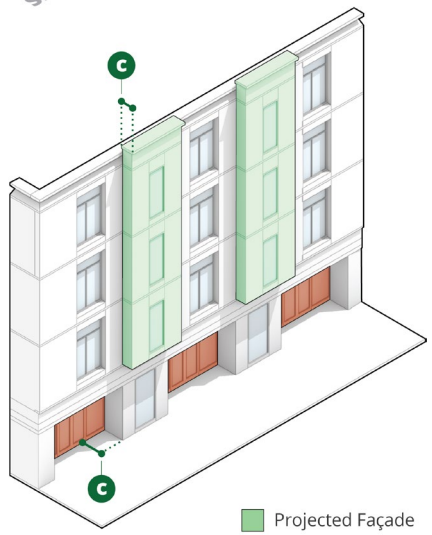
9. Overlay District Standards

New Standards for the VG-O – Building Design

- Minimum Building Height
  - *Require two-story minimum for new buildings to maintain mixed-use development.*
- Building Height Step Back
  - *Preserve sidewalk feel*
  - *Avoid "canyon effect"*
  - *Maintain visual connection to surroundings*
- Façade Articulation
  - *Require at least four façade articulation options to avoid long, flat walls*
  - *Avoid "cookie-cutter" designs*







9. Overlay District Standards

New Standards for the VG-O – Building Design

- Exterior Cladding Materials
  - *Minimum Tier I materials (e.g., brick, stone)*
  - *Limit use of Tier II and Tier III materials (e.g., siding, metal panels)*
- Windows (Glazing)
  - *New glazing requirements for large, transparent storefront windows*
  - *Enhance pedestrian vibrancy and downtown experience*



a Front Facing Ground Floor Glazing (Minimum 70%)



b Front Facing Ground Floor Glazing (Minimum 40%)

9. Overlay District Standards

New Standards for the VG-O

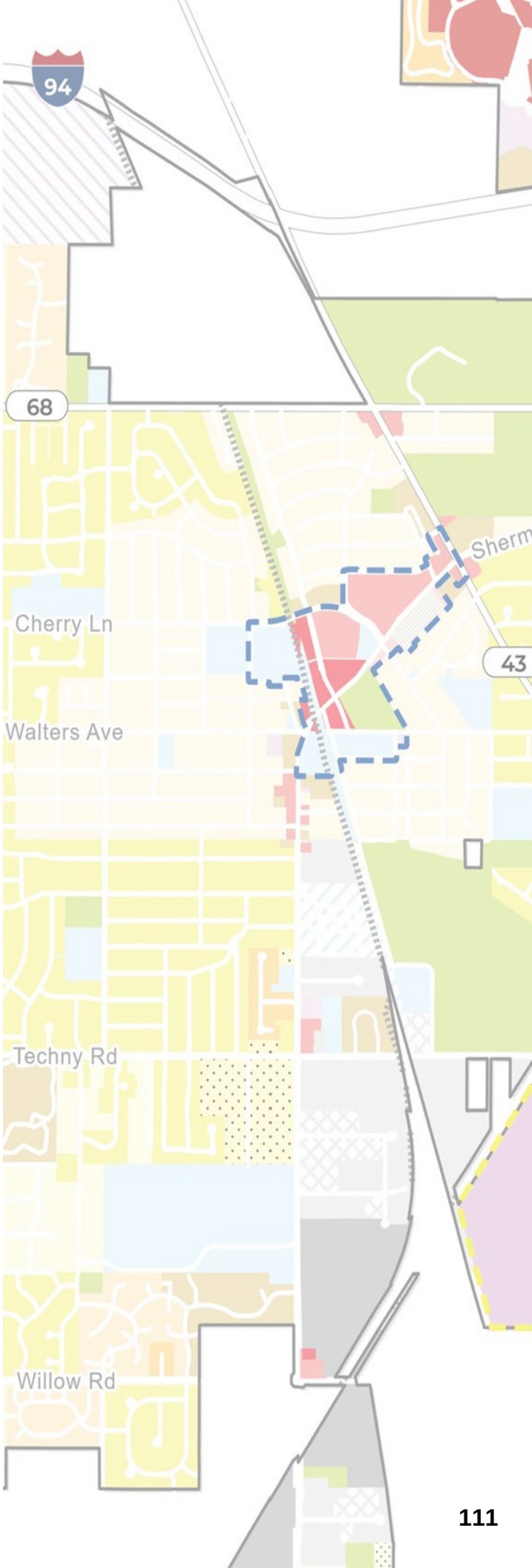
- Allowed Adjustments to Vehicle Parking Standards
  - *Up to 50% reduction in required parking spaces for all uses within the Village Green Overlay District*
  - *Minimum - No less than one (1) parking space per dwelling unit*
- Development Approval Process
  - *Small-scale developments: Reviewed/decided by Architectural Control Commission*
  - *Larger projects: Reviewed/decided by Village Board*

QUESTIONS?

THANK YOU!

northbrook

Zoning Code



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For Plan Commission Public Hearing

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Article 1. General Provisions

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1-103. Applicability

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1-106. Effective Date

1-107. Repeal of Previous Code

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1-101. Title

A. This document shall be known, and may be referred to, as the Northbrook Zoning Code. This title may also be referred to as "the Code" or "this Code".

1-102. Authority and Purpose

A. Section 6(a) of Article VII of the Constitution of the State of Illinois (1970) provides that any municipality which has a population of more than 25,000 is a Home Rule Unit. The Village of Northbrook, with a population in excess of 30,000, is a Home Rule Unit and may, therefore, exercise any power and perform any function pertaining to its government and affairs. This Code is adopted pursuant to such Constitutional authority for the following purposes:

1. **Land Use Patterns.**

    a. Implement and foster the goals and policies of the Village's Official Comprehensive Plan;

    b. Establish a rational pattern of land uses and encourage the most appropriate use of individual parcels and land throughout the Village;

    c. Provide for the gradual elimination of nonconforming uses that adversely affect the character and value of permitted development;

    d. Protect the character of the existing residential, commercial, office and manufacturing areas in the Village from the encroachment of incompatible uses;

    e. Encourage compatibility among different land uses;

f. Encourage and enhance the preservation of natural resources, aesthetic amenities and natural features;

g. Secure adequate natural light, clean air, privacy, a safe environment and convenience of access to property; and

h. Promote and protect the public health, safety, morals and general welfare of the Village.

2. **Public Infrastructure.**

a. Facilitate the most efficient use of existing and planned public facilities and utilities;

b. Protect existing public facilities and utilities from being overloaded due to excess development;

c. Protect and enhance a pattern of interconnected streets and highways that is unified, integrated, safe, effective and efficient;

d. Regulate use along arterial streets and highways to protect their through-traffic function and capacity;

e. Protect residential streets from degradation by non-residential traffic;

f. Reduce congestion and promote safety on streets and highways by limiting traffic generation through the control of land use intensity;

g. Avoid or lessen the hazards of flooding and storm water accumulation and run-off; and

h. Establish and regulate setback lines along streets and highways, property lines and storm and flood water run-off channels and basins.

3. **Justifiable Expectations and Taxable Value.**

a. Protect and respect the justifiable reliance of existing residents, business owners and taxpayers on the continuation of existing, established land use patterns;

b. Establish procedures for the efficient and effective use of the provisions of this Code;

c. Establish standards for the review of applications filed pursuant to this Code; and

d. Protect and enhance the taxable value of land and buildings.

4. **Administration.**

a. Define the powers and duties of administrative officers and bodies necessary to administer this Code;

b. Establish procedures for the efficient and effective use of the provisions of this Code;

c. Establish standards for the review of applications filed pursuant to this Code; and

d. Prescribe penalties for the violation of the provisions of this Code.

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1-103. Applicability

A. **General Application**. This Code apply to all land, uses, buildings, and structures in the Village of Northbrook, including that owned by other municipal corporations and government bodies.

B. **Required Conformance.**

1. All lots of record created after the effective date of this Code, by subdivision or otherwise, shall conform to the requirements of this Code for the zoning district in which the land is located, except as otherwise provided by this Code.

2. All buildings, structures, or land shall be used or occupied, and all buildings, structures, or part thereof shall be constructed, moved, enlarged, or altered in conformance with the provisions of this Code governing the zoning district in which it is located, except as otherwise provided by this Code.

3. All buildings, structures, and required improvements shall not cross lot lines unless specifically allowed in this Code or approved as a Planned Development as provided in Article 2.

C. **Interpretation**.

1. Where standards or requirements of this Code conflict with those of another section of this Code or any other applicable law, Code, rules, or regulations, the provisions which are more restrictive, or which impose higher standards shall govern.

2. In their interpretation and application, the provisions of this Code are held to be the minimum requirements for the promotion and protection of the public health, safety and general welfare, and shall be construed to achieve the purposes for which this Code was adopted.

3. This Code is not intended to repeal any easement, covenant, or other private agreement except that where the regulations of this Code are more restrictive or impose higher standards than such easements, covenants, or other private agreements, the requirements of this Code shall govern.

1-104. Transition Rules

A. **Building Permits Issued Prior to Effective Date**. When a Building Permit has been lawfully issued prior to the effective date of this Code and construction has begun within six (6) months of the date of issue and is being diligently pursued to completion, the building or structure may be complete, and a certificate of occupancy may be issued, in accordance with the plans for which the Building Permit was issued.

B. **Pending Applications**. Where a complete application for a Planned Development or Zoning Action is pending action by the Village on the effective date of this Code, the provisions in effect when the application was filed shall govern the review and approval.

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C. **Existing Special Uses, Variance, and Planned Developments**. All Special Use Permits, Variances, and Planned Development granted by the Board of Trustees prior to the effective date of this Code shall remain in full force and effect. The recipient of the Special Use Permit, Variance, or Planned Development may proceed to develop the property in accordance with the plans approved by the Board of Trustees and any conditions attached thereto. Property owners shall continue to be obligated to conform to all such conditions and requirements even if the property is rezoned. However, if the recipient has failed to begin construction within six (6) months of the date of adoption of this Code, then the provisions of this Code shall govern.

D. **Existing Permitted Uses**. When a lot is used for a purpose that was classified as a permitted use prior to the effective date of this Code, and such use is classified as a special use by this Code, such use is hereby deemed a lawful special use. Any addition, enlargement, or expansion of such use shall conform to the requirements of Article 12.

E. **Uses, Structures, Buildings, and Lots Rendered Nonconforming**. Existing uses, structures, buildings, and lots that do not comply with the regulations of this Code shall be subject to Article 12 of this Code relating to nonconformities.

F. **Existing Unlawful Uses, Structures, and Buildings**. No building, structure, or use, which was unlawful at the time of the adoption of this Code, shall become or be made lawful solely due to adoption of this Code. To the extent, and in any manner, that said unlawful building, structure, or use is in conflict with the requirements of this Code, said building, structure, or use remains unlawful.

1-105. Severability

A. It is hereby declared the intention of the Northbrook Village Board that the several provisions of this Code are severable, in accordance with the following:

1. If any court of competent jurisdiction adjudges any provisions of this Code to be invalid, such judgement shall not affect the validity and continued enforcement of any other provisions of this Code.

2. If any court of competent jurisdiction adjudges the application of any provision of this Code to any property, structure, building, or use to be invalid, such judgement shall not affect the application of that provision to any other property, building, structure, or use not specifically included in that judgement.

1-106. Effective Date

A. This Code shall take effect on January 1, 2026, upon its passage, approval, and publication by the Village Board of Trustees. The effective date of each amendment to this Code shall be the date of adoption of such amendment unless otherwise provided.

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1-107. Repeal of Previous Code

A. After the effective date of this Code, all provisions of the Zoning Code of the Village of Northbrook adopted on November 22, 1988, and as amended from time to time, are expressly repealed in their entirety.

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Article 2. Code Administration and Enforcement

2-101. General Provisions
2-102. Review and Decision-Making Bodies
2-103. General Procedures
2-104. Administrative Adjustment
2-105. Certificate of Occupancy
2-106. Floodplain Development Permit
2-107. Interpretations
2-108. Site Plan
2-109. Land Use Verification
2-110. Temporary Use Permit
2-111. Administrative Appeal
2-112. VG-O District Design Review
2-113. Special Permit
2-114. Variance
2-115. Comprehensive Plan Adoption
2-116. Comprehensive Plan Amendment
2-117. Code and Zoning Map Amendment
2-118. Planned Unit Development
2-119. Enforcement

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2-101. General Provisions

A. **Purpose**. The purpose of this Article is to establish the roles of review and decision-making bodies, and the review, decision-making, and enforcement procedures required to develop land within the jurisdiction of the Village.

B. **Applicability**.

1. The provisions of this Article shall be applicable to all development activity within the Village's jurisdiction, including amendments to previously approved development activity. Where there are ambiguities in the associated review procedures and decision-making criteria for particular applications, the Village Manager shall interpret the procedures and identify the review process for such application or development activity.

2. No land shall be used or occupied, and no structures shall be demolished, erected, moved, extended, or enlarged, nor shall any timbering, clearing and grubbing, or filling of any lot for the construction of any building, infrastructure, or site improvement be initiated until the Village has issued an appropriate permit which will certify that the proposed work is in conformity with the provisions of this Code.

2-102. Review and Decision-Making Bodies

A. **Village Manager.**

1. **General Powers.** The Village Manager shall be charged with the administration and enforcement of this Code. In addition to the jurisdiction, authority, and duties conferred on the Village Manager by other provisions of State statutes and Village Codes and Codes, the Village Manager shall have all powers necessary to such administration and enforcement, and shall, in particular, have the jurisdiction, authority, and duties hereinafter set forth.

2. **Rules; Regulations; Application Forms.** The Village Manager shall, consistent with the express standards, purposes, and intent of this Code, promulgate, adopt, and issue such procedural rules, regulations, and forms as are in the Village Manager's opinion necessary to the effective administration and enforcement of the provisions of this Code.

3. **Village Manager Designee**. The Village Manager may assign the administration of this Code to a designated member of Village staff, including any member of the Department of Development and Planning Services, the Village Engineer, or other professional with expertise related to the specific provision. Any use of the term Village Manager in this Code shall also include their designee.

4. **Staff Assistance to the Zoning Board of Appeals and Plan Commission.** The Village Manager shall make staff and consulting assistance available to the Zoning Board of Appeals and the Plan Commission, and the Village Manager, or their delegate, shall in that capacity:

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a. Attend the meetings of each such body,

b. Inform each such body of all facts and information at the Village Manager's disposal with respect to any matter brought before such body,

c. Assist each such body by performing research and making recommendations on matters brought before each such body, and

d. Perform such other duties as may be assigned to the Village Manager by this Code and by the direction of the Village Board.

5. **Records.** The Village Manager shall, subject to Village record retention policies, maintain:

   a. Permanent and current records of this Code, including all maps; amendments; special permits; planned development and site plan approvals and denials; interpretations; and decisions rendered by the Zoning Board of Appeals, the Plan Commission, the Village Attorney, and the Village Manager, together with relevant background files and materials together with the final disposition of the Village Board,

   b. A current file of all Zoning Reviews, all Certificates of Occupancy, and notices of violations, terminations, discontinuance, or removal, issued by or entrusted to the Village Manager's office, for such times necessary to ensure continuous compliance with the provisions of this Code.

6. **Zoning Text; Zoning Map.** In lieu of any state or local requirement for annual publication of the Zoning Map, the Village Manager shall regularly update the Zoning Map and cause an up-to-date copy of both the Zoning Code Text and the Zoning Map to be available to the public on the Village's website.

7. **Applications: Receipt, Processing, Referral to Interested Parties and Agencies.** The Village Manager shall receive all applications required to be filed pursuant to this Code. Upon receipt of any such application, the Village Manager shall see to its expeditious processing, including its prompt referral to and retrieval from each official department, board, or commission of the Village, or other government, with any interest or duty with respect to such application. Unless the Board of Trustees directs or determines otherwise, the Village Manager may waive any application requirements that require the submission of supporting information where the applicant demonstrates to the Village Manager that the information required is not relevant to the application submitted.

8. **Investigation of Applications.** Whenever the Plan Commission, the Zoning Board of Appeals, or the Board of Trustees shall, by general rule or specific direction, so request, the Village Manager shall conduct or cause to be conducted such surveys, investigations, and field studies, and shall prepare or cause to be prepared such reports, maps, photographs, charts, and exhibits, as shall be necessary and appropriate to the processing of any application filed pursuant to this Code.

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9. **Village Manager Authority.** Pursuant to the provisions of this Section the Village Manager shall review and make decisions regarding the approval or denial of all matters assigned to their authority under this Code, including but not limited to administrative procedures.

10. **Extensions of Time.** The Village Manager may, upon written request, for good cause shown and without any notice or hearing, grant extensions of any time limit imposed on an applicant or permittee by this Code unless an Code or resolution shall expressly provide otherwise.

11. **Inspection and Enforcement.** In furtherance of the enforcement of this Code, the Village Manager shall undertake such regular and continuing programs of inspection of work approved and underway and of existing structures and uses as may be feasible and proper; shall undertake such additional inspections as may be necessary to the performance of their duties hereunder; shall receive from any person complaints alleging, with particularity, a violation of this Code; and when appropriate shall cause such investigations and inspections as may be warranted by such complaints to be made. Upon finding the existence of any violation of this Code, the Village Manager shall take or direct all actions necessary or appropriate to penalize and abate such violation.

12. **Reports.** The Village Manager shall, as from time to time appropriate, prepare and submit a report to the Board of Trustees, the Zoning Board of Appeals, and the Plan Commission concerning the administration of the land use and development regulations of the Village, setting forth such information and statistical data as may be of interest and value in advancing and furthering the goals and purposes of such regulations and setting forth the Village Manager's recommendations for the improvement of such regulations and their administration.

13. **Administrative Adjustments.** Pursuant to the provisions of Section 2-104 of this Article, the Village Manager shall have authority to review and approve, approve with conditions, or deny applications for Administrative Adjustments in those cases specified in Section 2-104-B.

B. **Zoning Board of Appeals.**

1. **Established.** The Zoning Board of Appeals established by Chapter 2 of the Northbrook Municipal Code is the Zoning Board of Appeals referred to in this Code. The provisions of this Code with respect to such body shall be deemed supplementary to the provisions of Chapter 2, Article VI of the Northbrook Municipal Code. Reference should be made to said Chapter 2, Article VI for a complete description of the membership, term of office, and rules of procedure of the Zoning Board of Appeals.

2. **Necessary Vote.** The concurring vote of at least a majority of the currently appointed Zoning Board of Appeals shall be necessary on any motion to reverse any order, requirement, decision, or determination appealed to it; to decide in favor of the applicant any application made; or to effect any variation from the provisions of this Code. Any lesser vote on any such motion, even if a majority of those voting, shall be considered a final decision denying the appeal, application, or variation.

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3. **Record and Decisions.**

   a. The transcript of testimony, if any; the minutes of the Staff Secretary; all applications, requests, exhibits, and papers filed in any proceeding before the Zoning Board of Appeals; and the decision of the Zoning Board of Appeals shall constitute the record. The Zoning Board of Appeals may rely on the personal knowledge of its members, on its inspections of the property, and on any reports available to it; provided, however, that the Zoning Board of Appeals shall make the knowledge, inspection, or report a matter of record at the public hearing and afford every party reasonable time to respond to it.

   b. Every decision of the Zoning Board of Appeals shall be by written resolution which shall include findings of fact; shall refer to all the evidence in the record and to the exhibits, plans, or specifications upon which such decision is based; shall specify the reason or reasons for such decision; shall contain a conclusion or statement separate from the findings of fact setting forth the specific relief granted or denying relief; and shall expressly set forth any limitations or conditions imposed on any relief granted or work or use authorized.

   c. The Zoning Board of Appeals may take final action prior to the preparation of the written resolution and, before taking such action, the Zoning Board of Appeals must first state its findings and conclusions as above required at a meeting open to the public.

   d. In any case where this Code provides that the failure of the Zoning Board of Appeals to act within a fixed period shall be deemed to be a denial of an application, such failure shall, notwithstanding the absence of required findings and conclusions, be considered to be a decision of the Zoning Board of Appeals rendered on the day following the expiration of such fixed period.

4. **Appeals.** An appeal from any final decision of the Zoning Board of Appeals may be taken in the manner provided in Article III of the Illinois Code of Civil Procedure pertaining to Administrative Review.

5. **Jurisdiction and Authority.** The Zoning Board of Appeals shall have the following jurisdiction and authority:

   a. Subject to the provisions of Section 2-102-B of this Article, to hear and decide appeals from, and to review orders, decisions, or determinations made by the Village Manager and to that end shall have the powers of the Village Manager with respect to such order, decision, or determination.

   b. Subject to the provisions of Section 2-114 of this Article, to grant or deny variations from the requirements of this Code and extensions to previously approved variations.

   c. Subject to the provisions of Section 2-114 of this Article, to grant or deny requests for exceptions from the requirements of this Code.

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d. Subject to the provisions of Section 2-114 of this Article, to initiate changes and amendments to this Code.

C. **Plan Commission**.

1. **Established.** The Plan Commission established by Chapter 2 of the Northbrook Municipal Code is the Plan Commission referred to in this Code. The provisions of this Code with respect to such body shall be deemed supplementary to the provisions of said Chapter 2, Article VI of the Northbrook Municipal Code. Reference should be made to said Chapter 2, Article VI for a complete description of the membership, term of office, rules of procedure and powers and duties of the Plan Commission.

2. **Necessary Vote**. The concurring vote of at least a majority of the currently appointed Commissioners shall be necessary to adopt any motion to recommend approval of any matter or application.

3. **Record and Decisions.**

a. The transcript of testimony, if any; the minutes of the Staff Secretary; all applications, requests, exhibits and papers filed in any proceeding before the Plan Commission; and the decision and report, or reports, of the Commission shall constitute the record.

b. Every recommendation or decision of the Plan Commission upon an application filed pursuant to this Code shall be by written resolution which shall include findings of fact; shall refer to all the evidence in the record and to the exhibits, plans or specifications, upon which such recommendation or decision is based; shall specify the findings of decision; and shall contain a conclusion or statement separate from the findings of fact setting forth the recommendation or decision of the Commission. Every resolution shall expressly set forth any limitations or conditions recommended or imposed by the Commission.

c. In reaching its recommendation or decision on any such application, the Plan Commission may rely on the personal knowledge of its members, on its inspections of the property and on any reports available to it; provided, however, that the Commission shall make the particular knowledge, inspection or report a matter of record at the public hearing and afford every party reasonable time to respond to it.

d. The Plan Commission shall take no final or binding vote on any recommendation or decision pertaining to an application pending before it unless it shall first have before it the written resolution herein required; provided, however, that where special circumstances warrant it, the Plan Commission may take final action on any such application prior to the preparation of such resolution but in such event it shall, before taking such action, first state its findings and conclusions as above required at a meeting open to the public and shall, in addition, state the special circumstances warranting such action.

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e. In any case where this Code provides that the failure of the Plan Commission to act within a fixed period shall be deemed a recommendation for granting or not granting an application , such failure shall, notwithstanding absence of required findings and conclusions, be considered to be a decision of the Commission rendered on the day following the expiration of such fixed period.

f. As to other matters brought before the Plan Commission, the Commission shall prepare such report as it shall deem appropriate to the subject matter.

4. **Jurisdiction and Authority.** In addition to the jurisdiction conferred on it by Chapter 2 of the Northbrook Municipal Code, the Plan Commission shall have the following jurisdiction and authority:

a. Subject to the provisions of Section 2-103 of this Article and Chapter 2 of the Northbrook Municipal Code, to prepare and recommend a Comprehensive Plan, including an Official Map, to the Board of Trustees, which, upon its adoption by the Board of Trustees, shall be known as the "Official Comprehensive Plan" of the Village of Northbrook.

b. Subject to the provisions of Section 2-103 of this Article and Chapter 2 of the Northbrook Municipal Code, to review, prepare and recommend to the Board of Trustees changes in and amendments to the Official Comprehensive Plan, including the Official Map.

c. Subject to the provisions of Section 2-114 of this Article, to hear, review and offer its recommendations to the Board of Trustees on applications for variations requested pursuant to Subsection 2-114-5 of this Article.

d. Subject to the provisions of 2-117 of this Article, to initiate, hear, review and offer its recommendations to the Board of Trustees on applications for amendment of this Code.

e. Subject to the provisions of Section 2-113 of this Article, to hear, review and offer its recommendations to the Board of Trustees on applications for special permits.

f. Subject to the provisions of Section 2-118 of this Article, to hear, review and offer its recommendations to the Board of Trustees on applications for planned development approval.

g. To aid and assist the Board of Trustees and the departments of the Village in implementing general plans and in planning, developing and completing specific projects.

h. To review and report on any matters referred to it by the Board of Trustees or the Village Manager.

5. The Plan Commission's jurisdiction and authority to hear and review applications for relief under the Zoning Code may be reserved by the Board of Trustees to itself pursuant to Section 11-104 of this Part. In such an event, the lack of a recommendation from the Plan Commission will not be considered a failure to act by the Plan Commission.

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D. **Board of Trustees.**

1. **Preliminary Review of Applications by the Board of Trustees.**

   a. For all properly filed and complete and accurate preliminary applications for relief under the Zoning Code that are referred to the Board of Trustees pursuant to Section 2-103, the Board of Trustees shall, upon receipt, commence and conclude its review of the preliminary application. The purpose of such review is to broadly acquaint the Board of Trustees with the applicant's proposal and to provide the applicant and a subsidiary body, if applicable, with any preliminary views, concerns, or policy direction that members of the Board may have at a time in the process when positions are still flexible and adjustment is still possible and prior to the time when the applicant is required to expend the funds necessary to prepare the complete documentation required for a formal application.

   b. At the meeting at which the preliminary application is considered, any member of the Board of Trustees may make any comments, suggestions or recommendations regarding the preliminary application deemed necessary or appropriate by that member; provided, however, that no final or binding action shall be taken with respect to any preliminary application. Any views expressed in the course of the Board's review of any preliminary application shall be deemed to be only preliminary and advisory and only the individual views of the member expressing them. Nothing said or done in the course of such review shall be deemed to create, or to prejudice, any rights of the applicant or to obligate the Board of Trustees, or any member of it, to approve or deny any formal application following full consideration thereof as required by this Code.

2. **Referral or Reservation of Responsibility to Review and Hear Applications.** After conducting its review of a preliminary application, the Board of Trustees may either (a) refer the application to a subsidiary body, or (b) reserve the application to itself when appropriate due to timing, nature of relief being requested, or workload of subsidiary bodies as further described in this Section 2-102.

   a. **Reservation to Board of Trustees.** The Board of Trustees may reserve to itself the responsibility to review, conduct a public hearing, and take final action on any application in accordance with the following provisions:

      i. All public hearings on applications for relief conducted by the Board of Trustees shall be noticed in the manner set forth in Section 2-103 of this Article.

      ii. All public hearings on applications for relief conducted by the Board of Trustees shall be conducted in the manner set forth in Section 2-103 of this Article.

      iii. Any application for which the Board of Trustees reserves to itself the responsibility of reviewing and conducting the public hearing will not require a separate recommendation or decision from any subsidiary body. The reservation by the Board of Trustees of the responsibility to conduct a public hearing on an application will not be considered a failure to act by any subsidiary body.

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iv. For each application for which the Board of Trustees has reserved to itself the responsibility of reviewing and conducting the public hearing, the Board of Trustees will include in its final action on the application the following elements:

a) references to all the evidence in the record and to the exhibits, plans or specifications, upon which the Board of Trustee's decision is based,

b) Review criteria for the Board of Trustee's decision corresponding to the standards for granting the requested relief, and

c) any limitations or conditions imposed by the Board of Trustees.

2-103. General Procedures

A. **Procedures Overview**. Table 2-103-A provides an overview of the review and decision-making bodies for all procedures of this Code.

Table 2-103-A: Review Procedures Overview

Key: R = Recommending Body; D = Decision-Making Body; * = Public Hearing Required; ^ = Pre-Application Meeting Required;		Reference	Administrative Agency				
			Village Manager	*Board of Trustees*	*Plan Commission*	*Zoning Board of Appeals*	*Architectural Control Commission*
Administrative Procedures							
Administrative Adjustment	^	2-104-C	D				
Certificate of Occupancy	^	2-105-C	D				
Floodplain Development Permit	^	2-106-C	D				
Interpretations	^	2-107-C	D				
Site Plan	^	2-108-C	D				
Land Use Verification	^	2-109-C	D				
Temporary Use Permit	^	2-110-C	D				
Elected/Appointed Official Procedures							
Administrative Appeal	^	2-111-D				D*	
VG-O District Design Review	^	2-112-C		D			R
Special Permit	^	2-113-C		D	R*		
Variance	^	2-114-C		D	R*	D*	
Variance Combined with other Applications	^	2-114-C		D	R*		
Comprehensive Plan Adoption		2-115-C		D	R*		
Comprehensive Plan Amendment	^	2-116-C		D	R*		

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Table 2-103-A: Review Procedures Overview							
Key: R = Recommending Body; D = Decision-Making Body; * = Public Hearing Required; ^ = Pre-Application Meeting Required;			Administrative Agency				
		Reference	*Village Manager*	*Board of Trustees*	*Plan Commission*	*Zoning Board of Appeals*	*Architectural Control Commission*
Code and Zoning Map Amendment	^	2-117-C		D	R*		
Planned Unit Development	^	2-118-C		D	R*		

B. **Application Requirements**.

1. **Authority to File**.

   a. Applications for development approvals may be made by the landowner, a lessee or person holding an option or contract to purchase or lease land, or an authorized agent of the landowner.

   b. An easement holder may also apply for development approval for such development as is authorized by the terms of the easement.

   c. The Village Manager may require an applicant to present evidence of authority to submit the application as well as a letter from the current landowner.

2. **Pre-Application Meeting**.

   a. The purpose of a pre-application meeting is to provide an opportunity for the applicant and Village staff to review applicable submittal requirements, procedures, and schedules and discuss development requirements.

   b. A pre-application meeting is required for all application types unless waived by the Village Manager of Development and Planning Services.

   c. If a pre-application meeting is required or requested, the applicant shall provide the materials detailed in the Village application requirement checklists.

   d. The pre-application meeting is intended to facilitate the review process. Discussion and review are not binding.

3. **Submittal Provisions**.

   a. **Application Information**. Applications for all procedures of this Code shall include the information detailed per application type in the Northbrook Zoning Applications Manual.

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The Village Manager will prepare Northbrook Zoning Applications Manual and will make it available on the Village website.

b. **Fees.** The Board of Trustees is authorized to establish fees for processing and administering applications. Application fees, as published on the adopted fee schedule, shall be paid at the time of application submittal.

i. Additional fees may be required as determined during the review of the application, when additional fees are determined to be required, fees must be paid prior to initiating the next review step.

c. **Completeness Review**.

i. **Sufficiency to be Determined by Village Manager**. All applications shall be sufficient for processing before the Village Manager is required to review the application. An application shall be sufficient for processing when it contains all of the information necessary, in accordance with the appropriate section of the Northbrook Zoning Applications Manual, to decide whether or not the development as proposed will comply with the requirements of this Code.

ii. **Application Incomplete**. On determining an application is incomplete, the Village Manager shall provide the applicant with written notice of the submittal deficiencies.

iii. **Application Complete**. On determining an application is complete, the Village Manager shall provide written notice to the applicant that the application has been accepted for review.

C. **Void Approval**. Any approval issued in violation of the provisions of this Code, whether intentionally, negligently or innocently, shall be void.

D. **Public Notice Requirements**.

1. **Public Notice Responsibility**.

a. It shall be the responsibility of the applicant to ensure public notice is provided in compliance with the requirements of this Section, including all costs. Should public notice not be provided in compliance with the requirements of this Section, the associated public hearing shall be cancelled, unless determined otherwise by the Village Manager.

b. At the hearing, the applicant shall present to the hearing body an affidavit, certification or other evidence satisfactory to the hearing body, demonstrating, to the satisfaction of the hearing body, that the applicable notice requirements have been satisfied.

2. **Public Notice Content**. Public notices, regardless of type, shall, at a minimum, the date, time and place of such hearing or meeting, a description of the matter to be heard or considered including the specific relief being requested, and the address or particular

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location, as well as a legal description of the subject property, except the legal description does not need to be included on the notices by sign.

3. **Public Notice Types**. Notwithstanding any state requirement requiring a particular type of notice, the following public notice types are established.

   a. **Notice by Posting.** Notice that is published by the Village Manager on the Northbrook Official Government Website. This notice will be posted at least 15 days in advance of the hearing date.

   b. **Notice by Mail.** Notice that is delivered by the applicant, by first class mail, to all owners of all property located, in whole or in part, within 250 feet of the subject property measured in all directions of the subject property excluding public and railroad rights-of-way. This notice will be mailed no less than 15 days, nor more than 30 days, in advance of the hearing date. For purposes of this notice, the mailing of a notice addressed to the name and address on the most recent Cook County or Lake County real estate tax records shall be deemed a satisfaction of any notice by mail requirement.

   c. **Notice by Sign.** Notice that is posted by the applicant on the subject property with a ground sign of approximately six square feet of gross surface area containing the legibly written notice. This sign must be located on the subject property so as to be visible from at least one right-of-way abutting the subject property. The applicant must remove the sign within three days after the hearing is closed.

4. **Public Notice Requirements by Procedure**. Public notice shall be required by procedure type in accordance with Table 2-103-D (4).

Table 2-103-D-4: Public Notification Requirements by Procedure

Key: ● = Notice Required	Reference	Notification Type		
		Posting	*Mail*	*Sign*
Administrative Procedures				
Administrative Adjustment	2-104-C	No Notice Required		
Certificate of Occupancy	2-105-C			
Floodplain Development Permit	2-106-C			
Interpretations	2-107-C			
Site Plan	2-108-C			
Land Use Verification	2-109-C			
Temporary Use Permit	2-110-C			
Elected/Appointed Official Procedures				
Administrative Appeal	2-111-D	●		
VG-O District Design Review	2-112-C	No Notice Required		
Special Permit	2-113-C	●	●	●
Variance	2-114-C	●	●	
Variance Combined with other Applications	2-114-C	●	●	
Comprehensive Plan Adoption	2-115-C	●		

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Table 2-103-D-4: Public Notification Requirements by Procedure				
Key: ● = Notice Required		Notification Type		
	Reference	*Posting*	*Mail*	*Sign*
Comprehensive Plan Amendment	2-116-C	●	● [1]	● [1]
Code and Zoning Map Amendment	2-117-C	●	● [1]	● [1]
Planned Unit Development	2-118-C	●	●	●
Notes				
[1] Required for map amendments only.				

5. **Affidavit of Compliance with Notice by Mail and Notice by Sign.** When notice by mail or notice by sign is required, the applicant must provide a sworn affidavit to the Village, on a form provided by the Village, affirming that the requirements for notice by mail and notice by sign have been met. For notice by mail, the affidavit must contain a complete list of the names and last known addresses of the persons entitled to notice. The applicant must also provide the Village with a list of names, addresses and property identification numbers (PIN) of all notice recipients. This affidavit must be filed with the Village no less than ten days in advance of the scheduled hearing or meeting, exclusive of the date of the hearing or meeting itself.

E. **General Administrative Procedures**. All decisions regarding administrative procedures shall be made based on the objective review criteria established per procedure type.

F. **Appeals**.

1. The finding of fact in an administrative procedure may be appealed to the Zoning Board of Appeals per Section 2-114-D (2).

2. The finding of fact of an elected/appointed official procedure may be appealed to the Circuit Court.

2-104. Administrative Adjustment

A. **Purpose**. Administrative Adjustments are meant to allow the Village Manager to approve or deny limited deviations from the standards of this Code under specified circumstances only.

B. **Applicability**. Administrative Adjustments may be approved for the following Code sections:

1. **Standards Subject to General Review Criteria**.

a. Section 3-106-A: Single-Family District dimensional standards encroachments: allowed encroachments into required yard,

b. Section 4-106-A: Multi-Family and Mixed-use District dimensional standards encroachments: allowed encroachments into required yard setbacks,

c. Section 5-106-A: Office District dimensional standards encroachments: allowed encroachments into required yard setbacks,

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d. Section 6-106-A: Commercial District dimensional standards encroachments: allowed encroachments into required yard setbacks,

e. Section 7-106-A: Industrial District dimensional standards encroachments: allowed encroachments into required yard setbacks,

f. Section 8-106-A: Institutional and Open Space District dimensional standards encroachments: allowed encroachments into required yard setbacks,

g. Section 10-108-B-2(a): Increase in fence height up to 12 feet to accommodate outdoor recreation areas.

2. **Standards Subject to General and Additional Review Criteria**.

a. Section 10-105-D: Adjustments to pedestrian walkway standards due to site topography or natural resources,

b. Article 10 - General Development Standards; Allowed Adjustments to Landscape Standards:

i. Section 10-106-I-2: Adjustment to the minimum width of a building foundation landscape area,

ii. Section 10-106-I-3: Adjustment to the minimum width of a parking area perimeter landscape area,

iii. Section 10-106-I-4: Adjustment to the minimum number of parking area islands,

c. Section 10-107-D-2: Adjustments to roof mounted equipment screening/approval of alternative screening methods.

C. **Procedures**.

1. **Pre-Application Meeting.** If a pre-application meeting is required, in accordance with Table 2-103 Procedures Overview, or requested it shall follow the process detailed in Section 2-103-B-2 Pre-Application Meetings.

2. **Application Submittal and Acceptance**. Application submittal and acceptance shall follow the standards and process established in Section 2-103-B-3.

3. **Village Manager Review and Decision**. Once the application is accepted, the Village Manager shall review the application based on the review criteria, refer the application to appropriate Village Departments as needed, and either:

a. Issue an approval of the Administrative Adjustment, or

b. Issue a denial of the Administrative Adjustment, detailing the application's failure to comply with the review criteria, to the applicant.

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D. **Review Criteria**.

1. **General Review Criteria**.

   a. The modification is consistent with the purpose and intent of the applicable regulation,

   b. The modification, in the case of dimensional standard modifications, is the smallest modification necessary to accommodate the proposed improvement or resolve the subject issue, and

   c. The modification is consistent with the Comprehensive Plan.

2. **Additional Review Criteria**. The Administrative Adjustment is either:

   a. Required to compensate for some unusual aspect of the development site or the proposed development that is not shared by landowners generally (e.g. lot shape or configuration),

   b. Proposed to protect sensitive natural resources or save healthy established trees,

   c. Required to eliminate a minor inadvertent failure to fully comply with a standard,

   d. Required due to natural conditions, such as watercourses, riparian buffers, natural rock formations, or topography,

   e. Required due to the presence of existing utilities or other easements, or

   f. Proposed for site security purposes, based on a site security plan, meeting all requitements.

E. **Effect of Decision**.

1. **Permit Validity.** Upon approval, the Administrative Adjustment shall be valid for one year from the date of the approval, unless construction, or the use, has commenced.

2. **Permit Extension.** The Village Manager may grant one, one-year extension of this period upon submittal by the applicant of sufficient justification for the extension. Sufficient justification may include, but is not limited to, delays in other outside agency permits, financing institution delays, or other similar reasons beyond the control of the applicant.

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2-105. Certificate of Occupancy

A. **Purpose**. The Certificate of Occupancy provides a procedure for the inspection of complete and accurate premises to ensure compliance with this Code and approved plans prior to commencement of the use or occupancy of such premises. The Certificate may also evidence compliance with other provisions of the Northbrook Municipal Code, as set forth in those provisions.

B. **Applicability**. A Certificate of Occupancy shall be required prior to the occupancy of:

1. Any building, structure, or addition thereto, constructed, reconstructed, remodeled, altered or moved after the effective date of this Code;

2. Land vacant as of the effective date of this Code, except the raising of crops;

3. Any land, building, structure, or addition there to, changed to any other use or occupancy, whether or not construction, remodeling, alteration or moving is involved, except for changes involving only substitution of occupants in existing dwelling units.

C. **Procedures.**

1. **Pre-Application Meeting.** If a pre-application meeting is required, in accordance with Table 2-103 Procedures Overview, or requested it shall follow the process detailed in Section 2-103-B-2 Pre-Application Meetings.

2. **Application Submittal and Acceptance**. Application submittal and acceptance shall follow the standards and process established in Section 2-103-B-3.

3. **Village Manager Review and Decision**. Once the application is accepted, the Village Manager shall review the application based on the review criteria, refer the application to appropriate Village Departments as needed, and either:

   a. Issue the Certificate of Occupancy, or

   b. Issue a denial of the Certificate of Occupancy, detailing the application's failure to comply with the review criteria, to the applicant.

D. **Review Criteria.** The following criteria shall be used in the review of Certificates of Occupancy.

1. All applicable standards of this Code are met; and

2. All applicable standards of the Northbrook Municipal Code are met.

E. **Effect of Decision.**

1. The issuance of a Certificate of Occupancy allows for occupancy or use of any building, structure, or land in the Village.

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2. Every Certificate of Occupancy issued pursuant to this Section shall be kept on file in the Office of the Village Manager and shall be a public record open to inspection pursuant to the provisions of the Illinois Freedom of Information Act.

F. **Temporary Certificate of Occupancy**. A Temporary Certificate of Occupancy may be issued for a period not to exceed six months where construction, reconstruction, remodeling or alteration of a structure does not require the vacating of the structure, or where parts of the structure are finished and ready for occupancy before the completion of such construction, reconstruction, remodeling or alteration and are certified upon inspection to be safe for use or occupancy and to be in full compliance with all applicable provisions of this Code, other relevant Codes and Codes of the Village, the applicant's plans as approved, and any conditions attached to any approvals issued pursuant to this Code with respect to such structure or its premises.

G. **Certificate of Occupancy for Existing Uses**. The Village Manager may issue a Certificate of Occupancy certifying the lawful existence and use of any existing building, structure, or land in the same manner, and subject to the same standards and limitations, as authorized by this Section with respect to new structures and uses.

H. **Certificate of Occupancy for Legal Nonconformities**. The Village Manager may issue a Certificate of Occupancy certifying the lawful existence and use of any nonconforming building, structure, or land in the same manner, and subject to the same standards and limitations, as authorized by this Section with respect to new structures and uses and subject also to the additional standards and limitations of Article 12.

2-106. Floodplain Development Permit

A. **Purpose**. The Floodplain Development Permit provides a procedure for ensuring that all development applications within the Village are reviewed to determine whether or not they are located within the floodplain; and all development activities within the flood plain are approved, constructed and maintained in compliance with the National Flood Insurance Program of the Federal Emergency Management Agency, and in compliance with the Rivers, Lakes and Streams Act, 615 ILCS 5/4.9 et seq., as amended.

B. **Applicability**. No person, firm, corporation, or governmental body, unless specifically exempted from regulation by applicable state and federal laws and regulations, shall commence any development in a flood fringe area, a floodway, or a floodplain on which a detailed study has not been conducted and that drains more than one square mile, without first obtaining a Floodplain Development Permit from the Village Manager.

C. **Procedures.**

1. **Pre-Application Meeting.** If a pre-application meeting is required, in accordance with Table 2-103 Procedures Overview, or requested it shall follow the process detailed in Section 2-103-B-2 Pre-Application Meetings.

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2. **Application Submittal and Acceptance**. Application submittal and acceptance shall follow the standards and process established in Section 2-103-B-3 and shall include any required approvals or permits from other governmental agencies, such as but not limited to the Federal Emergency Management Agency; U.S. Army Corps of Engineers; and Cook or Lake County Highway Departments.

3. **Village Manager Review and Determination**. Once the application is accepted, the Village Manager shall review the application based on the review criteria and either:

    a. Determine the development site is not located in a flood fringe area, floodway, or floodplain on which a detailed study has not been conducted and that drains more than one square mile, and issue the Floodplain Development Permit; or

    b. Determine the development site is located in a flood fringe area, floodway, or floodplain on which a detailed study has not been conducted and that drains more than one square mile, refer the application for Professional Engineer Review, and issue or deny the permit per the recommendation of the professional engineer; and/or

    c. Determine the application meets one of the following criteria and requires IDNR/OWR review or permits:

        i. The application is filed by an organization(s) that is exempt from review by local jurisdictions, in accordance with the Illinois Compiled Statutes.

        ii. The application is filed by the IDNR/OWR state, federal, or local unit of government, including projects of the Village and Cook or Lake County and is located in a floodplain deemed to require the review of a registered professional engineer, as specified in the Northbrook Standards and Specifications Manual.

        iii. The application includes alternative transition sections and hydraulically equivalent compensatory storage areas in regulatory floodways.

        iv. The application proposes changes in the mapped floodway or published flood profiles.

        v. The application includes a determination regarding Base Flood Elevation where none now exist.

        vi. The application includes structures within, under, or over publicly navigable rivers, lakes and streams.

4. **Professional Engineer Review**. The professional engineer shall conduct a hydraulic and hydrologic review to ensure that the development meets the minimum requirements of this Code, including, without limitations, 17 Ill. Admin. Code Part 3708, as applicable, and:

    a. If the professional engineer determines the proposal qualifies as an Appropriate Use as listed in 17 Illinois Administrative Code Part 3708, they shall detail that the development

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meets the requirements Section 9-105-G of this Code and recommend the issuance of the Floodplain Development Permit by the Village Manager.

b. If the professional engineer determines that the floodway or base flood elevation is not proposed to be modified and all review criteria are met, they shall recommend the issuance of the Floodplain Development Permit by the Village Manager.

c. If the professional engineer determines that the floodway or base flood elevation is proposed to be modified, the professional engineer shall notify the applicant that a Conditional Letter of Map Revision is required prior to the issuance of the Floodplain Development Permit by the Village Manager.

d. If the professional engineer determines that the review criteria has not been met, they shall recommend denial of the Floodplain Development Permit by the Village Manager.

D. **Review Criteria.** The following criteria shall be used in the review of applications for Floodplain Development Permits.

1. All applicable standards of this Code are met;

2. All applicable standards of the Northbrook Municipal Code are met;

3. The flood profiles, flows and floodway data in the FEMA regulatory floodway study and other maps, studies and data referenced in Section 9-105-C of this Code are used for analysis of the base conditions.

4. If the study data appears to be in error or conditions have changed, the applicant has contacted and received IDNR/OWR approval and concurrence on the appropriate minor modifications to the base conditions data used.

5. If a party disagrees with the Village flood elevation data they have, at their own cost and expense, they prepared an engineering study, in accordance with the Northbrook Standards and Specifications Manual, and submitted the study to the Village Manager, IDNR/OWR and FEMA for review and received approval.

6. If the regulatory floodway elevation at the site of the proposed construction is affected by backwater from a downstream receiving stream with a larger drainage area, the proposed construction is shown to meet the requirements of this Code for the 100 year frequency flood elevations of the regulatory floodway and conditions associated with the receiving stream for normal water elevations.

7. If the applicant learns from IDNR/OWR, county, or local governments, or a private owner that a downstream restrictive bridge or culvert is scheduled to be removed, reconstructed, modified, or a regional flood control project is scheduled to be built, removed, constructed or modified within the next five (5) years, the proposed construction has been analyzed and shown to meet the requirements of this Code for:

a. The existing conditions, and

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b. The expected flood profile conditions when the bridge, culvert or flood control project is built.

8. If a base flood elevation or 100-year frequency flood elevation is not available for a particular site, the protection standard of the historical Storm/Flood of Record and the best existing data available from the Village and the ISWS's Flood Plain Information Repository is used.

E. **Effect of Decision.**

1. The issuance of a Floodplain Development Permit allows for the applicant to obtain a building permit.

2. All information detailed below shall be kept on file in the Office of the Village Manager and shall be a public record open to inspection pursuant to the provisions of the Illinois Freedom of Information Act.

a. Base flood data,

b. SFHA and regulatory floodway maps,

c. Copies of federal or state permit documents,

d. Variation documentation,

e. Conditional Letter of Map Revision,

f. Letter of Map Revision,

g. Letter of Map Amendment, and

h. "As built" elevation and floodproofing or elevation certificates for all structures in or adjacent to the flood plain.

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2-107. Interpretations

A. **Purpose**. The Interpretation authority established by this Section is intended to recognize that the provisions of this Code, though detailed and lengthy, cannot possibly address every specific situation to which they may have to be applied. Many such situations can, however, be readily addressed by an Interpretation of the specific provisions of this Code in light of the general and specific purposes for which those provisions have been enacted. Because the Interpretation authority herein established is an administrative rather than a legislative authority, it is not intended to add to or change the essential content of this Code but, rather, is intended only to allow authoritative application of that content to specific cases.

B. **Applicability**. Applications for Interpretations may be filed by any person having an interest in the circumstances giving rise to the need for an interpretation; provided, however, that interpretations shall not be sought by any person based solely on hypothetical facts or where the interpretation would have no effect other than as an advisory opinion.

C. **Procedures.**

1. **Pre-Application Meeting.** If a pre-application meeting is required, in accordance with Table 2-103 Procedures Overview, or requested it shall follow the process detailed in Section 2-103-B-2 Pre-Application Meetings.

2. **Application Submittal and Acceptance**. Application submittal and acceptance shall follow the standards and process established in Section 2-103-B-3.

3. **Village Manager Review and Decision**. Once the application is accepted, the Village Manager shall review the application based on the review criteria, refer the application to appropriate Village Departments as needed, and inform the applicant, in writing, of their interpretation, stating the specific precedent, reasons and analysis upon which the determination is based.

D. **Review Criteria.** The following criteria shall be used in the review of Interpretations.

1. **General Review Criteria.** Interpretations of the text of this Code shall be based on the applicable purpose and applicability language per Article and the following criteria:

a. The clear and plain meaning of the provision's wording, as defined by the meaning and significance given specific terms used in the provision—as established in Article 14, and by the common and accepted usage of the term,

b. The intended purpose of the provision, as indicated by purpose statements, its context and consistency with surrounding and related provisions, and any legislative history to its adoption,

c. The general purposes served by this Code, as set forth in Article 1, and

d. Consistency with the Comprehensive Plan.

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2. **Use Review Criteria.** Interpretations regarding the uses allowed by the Code shall be based the following criteria:

   a. No use interpretation shall be given with respect to the R-1 through R-8 Residential Districts.

   b. Any use included in this Code shall be interpreted as defined in Article 14.

   c. No use interpretation shall permit a use that is included in a use table (Tables 3-105, 4-105, 5-105, 6-105, 7-105, 8-105) but not allowed as either a permitted or Special Permit use in the subject district.

   d. No use interpretation shall permit any use in any district unless evidence shall be presented that demonstrates that it will comply with all standards of the subject district.

   e. No use interpretation shall permit any use in a district unless such use is substantially similar, in terms of impact on neighboring property, to other uses allowed in the same district.

   f. If the proposed use is most similar to a use permitted only as a Special Permit use in the district in which it is proposed to be located, then any use interpretation permitting such use shall be conditioned on the issuance of a Special Permit for such use (Section 2-113).

   g. No use interpretation shall permit the establishment of any use that would be inconsistent with the statement of purpose of the subject district.

3. **Zoning Map Boundaries Review Criteria**. Interpretations of the boundaries of the Zoning Map shall be based on the following criteria:

   a. Boundaries shown as approximately following a utility line or a street, road, alley, railroad, or other public access way shall be interpreted as following the centerline of the right-of-way or easement for the utility line or access way,

   b. Boundaries shown as approximately following a property line shall be interpreted as following the property line as it existed when the boundary was established. If a subsequent minor adjustment (such as from settlement of a boundary dispute or overlap) results in the property line moving 10 feet or less, the zoning boundary shall be interpreted as moving with the property line,

   c. Boundaries shown as approximately following a watercourse shall be interpreted as following the centerline of the watercourse as it actually exists, and as moving with that centerline to the extent the watercourse moves as a result of natural processes (flooding, erosion, sedimentation, etc.),

   d. Boundaries shown as approximately following the shoreline of a body of water shall be interpreted as following the shoreline and as moving with shoreline to the extent the shoreline moves as a result of natural processes (flooding, erosion, sedimentation, etc.),

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e. Boundaries shown as entering a body of water shall be interpreted as continuing in the direction at which they enter the body of water and extending until they intersect another zoning district boundary or similarly extended boundary, or the limits of the Village's jurisdiction,

f. Boundaries shown as approximately following established municipal corporate limits or other political boundaries shall be interpreted as following the corporate limits or boundary,

g. Boundaries shown parallel to or as extensions of features indicated in this subsection shall be interpreted as such,

h. If the specific location of a depicted boundary cannot be determined from notations on the Zoning Map or application of the above standards, it shall be determined by using the map's scale to determine the boundary's distance from other features shown on the map.

E. **Effect of Decision.** No interpretation shall authorize the establishment of such use nor the development, construction, reconstruction, alteration or moving of any building or structure but shall merely authorize the preparation, filing and processing of applications for any permits and approvals that may be required by the Village, including, but not limited to, a Special Permit, a land use verification, a Building Permit, a Certificate of Occupancy, Subdivision Approval and Site Plan Approval.

2-108. Site Plan

A. **Purpose**. The Site Plan process is established to ensure applicable development complies with all standards and requirements of this Code.

B. **Applicability**. Site Plan approval shall be required prior to the issuance of a building permit for development that meets any of the following criteria and is not otherwise required to receive an elected/appointed official approval:

1. Any development or redevelopment, other than for one single family detached dwelling unit, involving a parcel under single ownership or control having an area in excess of 40,000 square feet.

2. Any development or redevelopment involving the construction of any new structure or structures having a gross floor area in excess of 20,000 square feet or a height of more than three stories.

3. Any development or redevelopment involving an existing structure having a floor area in excess of 20,000 square feet or a height in excess of three stories that would alter any such measure by more than 25 percent.

4. Any development or redevelopment involving the creation or expansion of off-street parking or loading areas.

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5. Any nonresidential development on a lot abutting or across a right-of-way from any residential district.

6. Any development or redevelopment involving wireless telecommunications equipment or towers, that is not a Special Permit use.

7. Individual parcels, buildings, and structures within an approved Planned Unit Development in the C-4 District, as established in Section 2-118 of this Article.

C. **Procedures**.

1. **Pre-Application Meeting.** If a pre-application meeting is required, in accordance with Table 2-103 Procedures Overview, or requested it shall follow the process detailed in Section 2-103-B-2 Pre-Application Meetings.

2. **Application Submittal and Acceptance**. Application submittal and acceptance shall follow the standards and process established in Section 2-103-B-3.

3. **Village Manager Review and Decision**. Once the application is accepted, the Village Manager shall review the application based on the review criteria, refer the application to appropriate Village Departments as needed, and either:

   a. Approve the Site Plan,

   b. Approve the Site Plan subject to modifications, or

   c. Issue a Site Plan denial letter, detailing the application's failure to comply with the review criteria, to the applicant.

D. **Review Criteria**. The following criteria shall be used in the review of Site Plans.

1. All applicable standards of this Code are met.

E. **Effect of Decision**.

1. **Effect of Approval**. Approval of a Site Plan shall not authorize the establishment or extension of any use nor the development, construction, reconstruction, alteration or moving of any building or structure, but shall merely authorize the preparation, filing and processing of applications for any permits or approvals that may be required by the Codes and Codes of the Village, including, but not limited to, a land use verification, a Building Permit, a Certificate of Occupancy and Subdivision Approval.

2. **Required Filing**. A copy of every approved Site Plan shall be filed with the Village Manager and the development of the site shall be in substantial conformity with such approved and filed plan.

3. **Limitations on Site Plan Approval**. Unless an up to one-year extension of time is granted by the Village Manager, no Site Plan approval shall be valid for a period longer than one year unless a building permit is issued, and construction is actually begun within that period and

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is thereafter diligently pursued to completion or unless a Certificate of Occupancy is issued and a use commenced within that period.

F. **Amendments**.

1. During the development of the site, the Village Manager shall have authority to authorize any adjustment to an approved Site Plan that they could have authorized in the course of their original review.

2. After a site is developed in accordance with an approved Site Plan, the approved Site Plan may be amended, varied, or altered in the same manner and subject to the same limitations as provided for the original approval of Site Plans.

2-109. Land Use Verification

A. **Purpose**. A Land Use Verification provides confirmation from the Village Manager regarding whether a potential use is allowed in the district in which it is proposed to be located.

B. **Applicability**. Land Use Verification shall be required prior to the establishment, relocation, or expansion of any land use in the Village.

C. **Procedures**.

1. **Pre-Application Meeting.** If a pre-application meeting is required, in accordance with Table 2-103 Procedures Overview, or requested it shall follow the process detailed in Section 2-103-B-2 Pre-Application Meetings.

2. **Application Submittal and Acceptance**. Application submittal and acceptance shall follow the standards and process established in Section 2-103-B-3.

3. **Village Manager Review and Decision**. Once the application is accepted, the Village Manager shall review the application based on the review criteria and either:

   a. Inform the applicant that the use is allowed in the proposed location,

   b. Inform the applicant that the use is allowed in the proposed location but is subject to supplemental use standards or special use approval, or

   c. Inform the applicant that the use is not allowed in the proposed location.

D. **Review Criteria**. The review of Land Use Verification applications shall be based on the following criteria:

1. Compliance with all applicable standards of this Code.

2. The validity of the Land Use Verification approval is contingent upon the details reviewed.

3. The applicant shall not modify the use or introduce new elements and presume approval within six months of the review.

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E. **Effect of Decision**.

1. Land Use Verification shall not authorize the establishment, expansion or extension of any use nor the development, construction, relocation, alteration or moving of building or structure, but shall merely authorize the preparation, filing and processing of applications for any additional permits and approvals that may be required by the Codes and Codes of the Village, including, but not limited to, a Building Permit, a Certificate of Occupancy and Subdivision Approval.

2. **Validity.** Land Use Verification shall be valid for six months from the date of issuance.

3. **Permit Extension.** The Village Manager may grant one, six-month extension of this period upon submittal by the applicant of sufficient justification for the extension. Sufficient justification may include, but is not limited to, delays in other outside agency permits, financing institution delays, or other similar reasons beyond the control of the applicant.

2-110. Temporary Use Permit

A. **Purpose**. The purpose of the Temporary Use Permit is to establish a clear process for allowing temporary, short-term uses that are not allowed as permitted uses in the zoning districts.

B. **Applicability**. A Temporary Use Permit shall be required prior to the establishment of any new temporary use, as allowed in Sections 3-108, 4-108, 5-108, 6-108, 7-108, and 8-108.

C. **Procedures**.

1. **Pre-Application Meeting.** If a pre-application meeting is required, in accordance with Table 2-103 Procedures Overview, or requested it shall follow the process detailed in Section 2-103-B-2 Pre-Application Meetings.

2. **Application Submittal and Acceptance**. Application submittal and acceptance shall follow the standards and process established in Section 2-103-B-3.

3. **Village Manager Review and Decision**. Once the application is accepted, the Village Manager shall review the application based on the review criteria, refer the application to appropriate Departments as needed, and either:

   a. Issue the Temporary Use Permit,

   a. Issue the Temporary Use Permit with modifications or subject to conditions, or

   b. Deny the Temporary Use Permit in which case the Village Manager shall issue a denial letter detailing the decision to the applicant.

D. **Review Criteria**. The following criteria shall be used in the review of Temporary Use Permit.

1. All applicable standards of this Code are met.

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E. **Effect of Decision**.

1. **Permit Validity.** Upon approval, the Temporary Use Permit shall be valid for the dates identified on the approved permit.

2. **Permit Extension**. Temporary Use Permits cannot be extended.

3. **Permit Revocation.** A Temporary Use Permit may be revoked by the Village Manager if any requirements, limitations, or conditions included in the Temporary Use Permit are not complied with.

2-111. Administrative Appeal

A. **Purpose**. The appeal procedure is provided as a safeguard against arbitrary, ill-considered or erroneous administrative decisions. It is intended to avoid the need to resort to legal action by providing a local procedure for the review and correction of administrative errors. It is not, however, intended to subvert either the clear purposes, intent or meaning of this Code or the rightful authority of the Village Manager to enforce this Code. To these ends, the reviewing body should give all proper deference to the spirit and language of this Code and to the reasonable interpretations of those charged with its administration. The Village Manager shall have the authority to make final administrative decisions regarding the interpretation, application, and enforcement of this Code, subject to review through the appeal process described herein.

B. **Applicability**. An application for appeal to the Zoning Board of Appeals may be filed by any person aggrieved or adversely affected by an order, decision, determination or failure to act of the Village Manager acting pursuant to their authority and duties under this Code.

C. **Concurrent Applications**. An application for an Appeal may be submitted, reviewed, and decided upon concurrently with an application for a Permitted Variance (Section 2-114)

D. **Procedures**.

1. **Pre-Application Meeting.** If a pre-application meeting is required, in accordance with Table 2-103 Procedures Overview, or requested it shall follow the process detailed in Section 2-103-B-2 Pre-Application Meetings.

2. **Application Submittal and Acceptance**. Application submittal and acceptance shall follow the standards and process established in Section 2-103-B-3.

3. **Village Manager Review.** Once the application is accepted, the Village Manager shall:

   a. Stay all proceedings in the furtherance of the action appealed from, unless they certify to the Zoning Board of Appeals that, by reason of facts stated in the certificate, a stay would, in the Village Manager's opinion, cause imminent peril to life or property, in which case the proceedings shall not be stayed other than by a restraining order, which may be granted by the Zoning Board of Appeals or by the Circuit Court on application, upon reasonable written notice to the Village Manager and on due cause shown; and

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b. Schedule the Zoning Board of Appeals Public Hearing.

4. **Zoning Board of Appeals Hearing and Decision**. The Zoning Board of Appeals shall:

a. Conduct a public hearing on the application,

b. Review and discuss the application, and

i. Affirm the decision in whole, either approve or deny the application or refuse issuance of the permit, as applicable,

ii. Affirm the decision in part, either approve or deny the application or refuse issuance of the permit, as applicable,

iii. Reverse the decision in whole, in which case the Village Manager shall issue a denial letter, detailing the decision to the applicant, or

iv. Reverse the decision in part, in which case the Village Manager shall issue a denial letter, detailing the decision to the applicant.

E. **Review Criteria**. An Administrative Appeal shall be granted if a minimum of one of the following findings is made:

1. The decision constituted an erroneous application or interpretation of this Code,

2. The decision constituted an abuse of the Village Manager's discretion to interpret or apply this Code, or

3. The decision was rendered based upon an erroneous material fact.

F. **Effect of Decision**. In any case where this Code imposes conditions and limitations upon any right, any such right granted by the Zoning Board of Appeals on appeal shall be subject to such conditions and limitations in the same manner and to the same extent as if secured without the necessity of an appeal.

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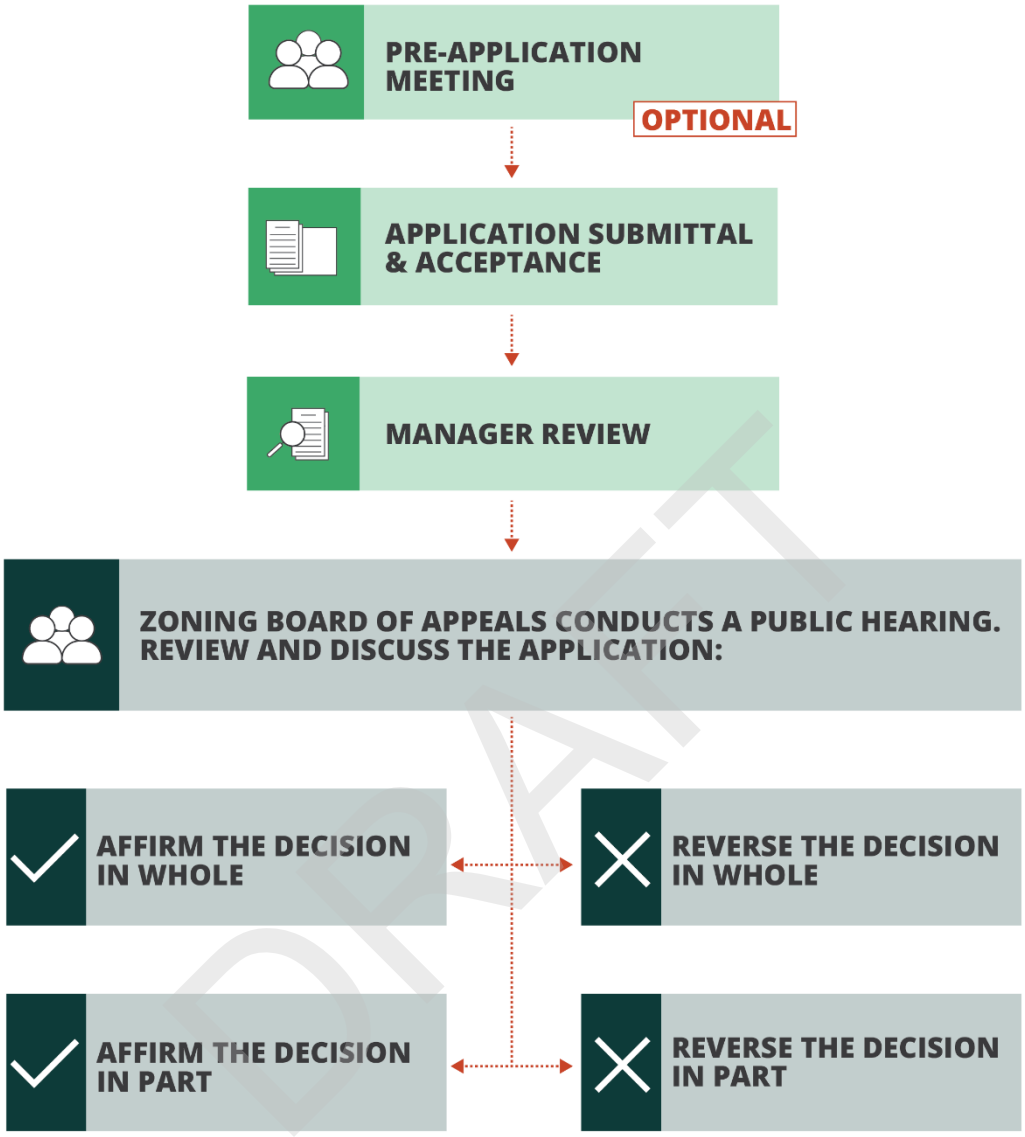

Figure 1 Administrative Appeals

2-112. VG-O District Design Review

A. **Purpose**. The Design Review process is intended to provide a procedure for the review of significant development in the Village Green Overlay District to ensure that it is compatible with the Village Green Overlay area. The design review shall be as set forth in the design review criteria in Section 2-112-D below.

B. **Applicability**. All new development or redevelopment in the VG-O district that will impact between 10,000 square feet and 50,000 square feet of gross floor area or total development site area, shall be subject to the Design Review process.

C. **Procedures**.

1. **Pre-Application Meeting.** If a pre-application meeting is required, in accordance with Table 2-103 Procedures Overview, or requested it shall follow the process detailed in Section 2-103-B-2 Pre-Application Meetings.

2. **Application Submittal and Acceptance**. Application submittal and acceptance shall follow the standards and process established in Section 2-103-B-3.

3. **Village Manager Review.** Once the application is accepted, the Village Manager shall:

   a. Refer the application to appropriate Village Departments for review and comment,

   b. Prepare a report and recommendation on the application, based on the comments received from the referred to Village Departments, and

   c. Schedule the Architectural Control Commission meeting.

4. **Architectural Control Commission Meeting and Recommendation**. The Architectural Control Commission shall review and discuss the application and recommend that the Board of Trustees either:

   a. Issue the Design Review Permit without modification,

   b. Issue the Design Review Permit with modifications or subject to conditions, or

   c. Deny the Design Review Permit.

D. **Review Criteria**.

1. **General Building Design and Relation to Street and Pedestrians**. All building designs shall be evaluated under the following guidelines, as well as the way in which the design relates to the street on which the subject building is, or is proposed to be, located:

   a. **Height, Bulk, Scale and Massing**. Overall height and massing of proposed buildings and structures shall be modulated to reduce the appearance of height and bulk.

   b. **Rooflines**. Rooflines shall be designed to generate visual interest.

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c. **Façade**. Architectural details in building facades shall provide visual interest and be generally compatible with surrounding buildings and properties.

d. **Proportion of Openings**. The size and number of openings (windows, doors, etc.) shall be proportionate to the overall facade.

e. **Rhythm of Entrance Porch and Other Projections**. The scale of entrances and other projections shall be designed to relate proportionately to sidewalks and pedestrians.

f. **Open Spaces**. The quality and location of the open spaces between buildings and in setback spaces between the street and façade shall be suitably located in relation to the street, other open spaces and pedestrian ways.

2. **Visual Compatibility**. Visual compatibility shall be considered and reviewed in terms of the following criteria.

a. **Height**. The height of proposed buildings and structures as it relates to adjacent buildings.

b. **Materials**. The quality of materials and their relationship to those in existing adjacent structures.

c. **Proportion of Front Facade**. The relationship of the width to the height of the front elevation shall be visually compatible with buildings, public ways, and places to which it is visually related.

d. **Proportion of Openings**. The relationship of the width to the height of windows shall be visually compatible with buildings, public ways, and places to which the building is visually related.

e. **Rhythm of Solids to Voids in Front Facades**. The relationship of solids to voids in the front facade of a building shall be visually compatible with buildings, public ways, and places to which it is visually related

f. **Rhythm of Spacing and Buildings on Streets**. The relationship of a building or structure to the open space between it and adjoining buildings or structures shall be visually compatible with the buildings, public ways, and places to which it is visually related.

g. **Relationship of Materials and Texture**. The relationship of the materials and texture of the facade shall be visually compatible with the predominant materials used in the buildings and structures to which it is visually related.

h. **Roof Shapes**. The roof shape of a building shall be visually compatible with the buildings to which it is visually related.

i. **Walls of Continuity**. Building facades and appurtenances such as walls, fences, and landscape masses shall, when it is a characteristic of the area, form cohesive walls of

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enclosure along a street to ensure visual compatibility with the buildings, public ways, and places to which such elements are visually related.

j. **Scale of Building**. The size and mass of buildings and structures in relation to open spaces, windows, door openings, porches, and balconies shall be visually compatible with the buildings, public ways, and places to which they are visually related.

3. **Overall Site Design and Landscaping**. The overall site design shall be reviewed in terms of the quality of the following elements:

a. **Landscaping and Screening**. Parking lots, unsightly equipment and service areas shall be screened from public view by means of landscaping, fencing, or other means of screening.

b. **Lighting**. Exterior lighting shall be architecturally integrated with building style, material and color, and shall not be directed off site.

c. **Parking**. Automobile access, servicing of the property, and impact on vehicular traffic patterns and conditions on-site and in the vicinity of the site, and the retention of trees and shrubs to the maximum extent possible shall also be reviewed.

4. **Special Considerations for Existing Buildings**. For existing buildings the availability of materials, technology, and craftsmanship to duplicate existing styles, patterns, textures, and overall detailing shall be considered.

E. **Effect of Decision**.

1. **Modifications and Conditions**. In approving an application for a Design Review Permit, the Board of Trustees may, by resolution duly adopted, authorize the issuance of the Design Review Permit for plans as submitted, or on condition that specified modifications in such plans be made, or on any other condition deemed necessary to achieving the purposes and objectives of this Section. Such conditions and modifications shall be set forth in the resolution granting approval and in the Design Review Permit. The violation of any such condition or modification shall be a violation of this Code.

2. **Limitation on Permits**.

a. A Design Review Permit shall become null and void 12 months after the date on which it was issued unless, within such period, the work authorized by such permit is commenced.

b. A Design Review Permit shall relate solely to the work shown on plans approved by the issuance of such permit and it shall be unlawful for any person to deviate from such plans without obtaining an amended permit (Section 2-112-E-4).

3. **Extensions of Time.**

a. The Village Manager may, upon written request, for good cause shown and without any notice or hearing, grant extensions of any time limit imposed on an applicant or

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permittee by this Code unless an Code shall expressly provide otherwise. The total period of time granted by such extension or extensions shall not exceed the length of the original period or 90 days, whichever is less. The Village Manager shall inform the Village Board of all extensions granted pursuant to this Subsection.

b. The Village Board may, upon written request, for good cause shown, and without any notice or hearing, grant extensions of any time limit imposed on an applicant or permittee by this Code provided an Code, as appropriate, is duly adopted by a two-thirds vote of the Board of Trustees. The total period of time granted by such extension or extensions shall be specifically stated in the Code.

4. **Amendments**.

a. **Minor Amendments**. Minor amendments to an approved Design Review permit shall be treated as a Site Plan (Section 2-108). Minor amendments include changes to building elevation design and any amendments that do not qualify as a major amendment

b. **Major Amendments**. Major amendments to an approved Design Review Permit shall be treated as a new application for Design Review. Major amendments include:

i. Modification of condition(s), design standards, or other requirements specified by the Design Review Permit,

ii. A change in land use or development type beyond that permitted by the approved Design Review Permit,

iii. When there is introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access,

iv. When there is an increase in the total number of residential dwelling units originally included in the approved Design Review Permit,

v. When the total floor area of a commercial or industrial use is increased more than 10 percent beyond the total floor area last approved by Board of Trustees, or

vi. Any change which alters the basic development concept of the Design Review Permit.

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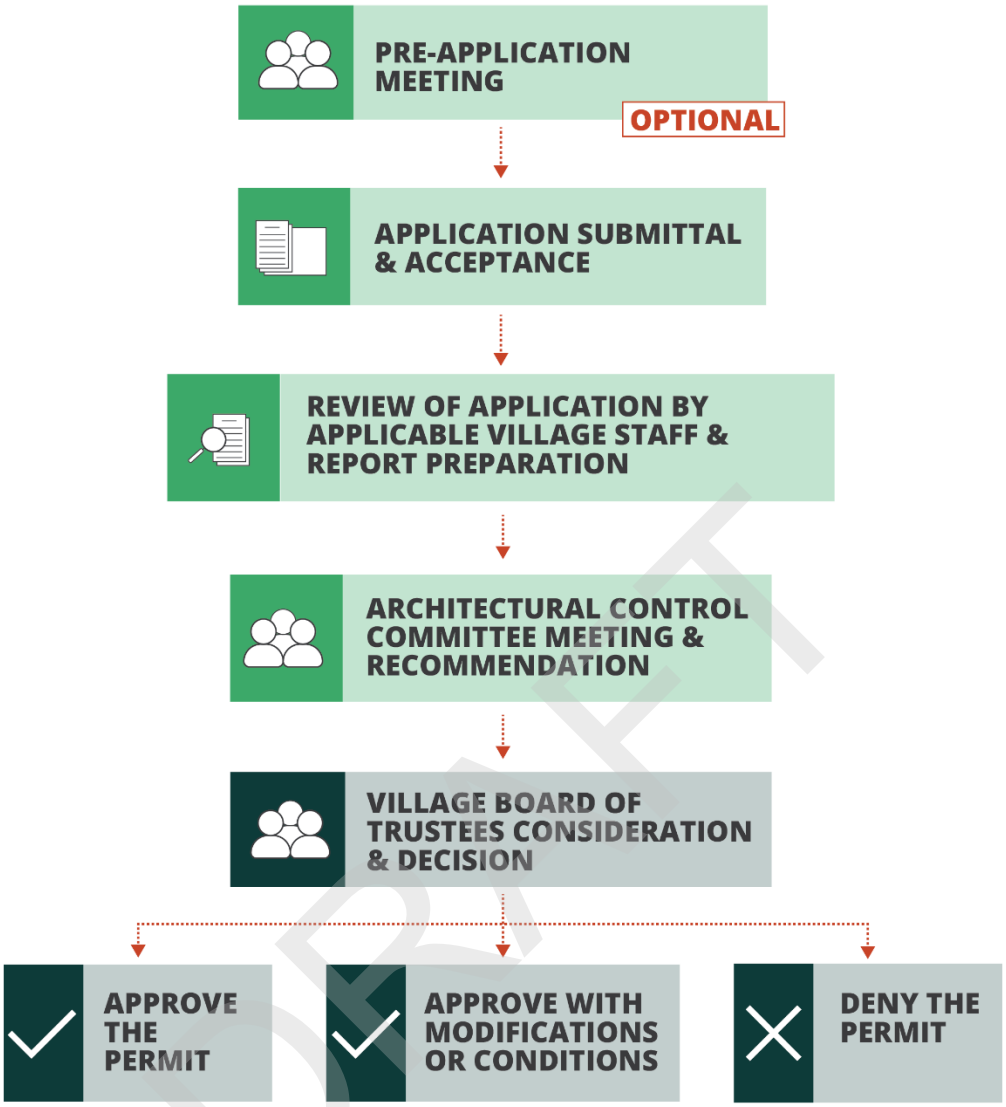

Figure 2 VG-O District Design Review

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2-113.Special Permit

B. **Purpose**. Special Permit uses are those uses having some special impact or uniqueness that require a careful review of their location, design, configuration and impact to determine, against fixed standards, the desirability of permitting their establishment on any given site. Special Permit uses are uses that may or may not be appropriate in a particular location depending on a weighing, in each case, of the public need and benefit against the local impact and effect.

C. **Applicability**.

1. A Special Permit shall be required prior to the establishment of any use identified as a Special Permit use in a particular district in Tables 3-105-A, 4-105-A, 4-105-A, 6-105-A, 7-105-A or 8-105-A.

2. An application for a Special Permit may be filed by the owner of, or any person having a contractual interest in, the subject property.

D. **Procedures**.

1. **Pre-Application Meeting.** If a pre-application meeting is required, in accordance with Table 2-103 Procedures Overview, or requested it shall follow the process detailed in Section 2-103-B-2 Pre-Application Meetings.

2. **Optional Preliminary Consideration**. The applicant may elect to conduct a Preliminary Application Consideration meeting with the Board of Trustees prior to application submittal. If the applicant elects, the following steps shall be taken. If the applicant chooses to waive the Preliminary Application Consideration meeting, the Application Submittal, as outlined in Step 3 (see Section 2-103-B-2(b)), shall be placed on the next available Board of Trustees meeting agenda to acknowledge receipt of application.

    a. **Preliminary Application, Submittal and Acceptance**. Preliminary application submittal and acceptance shall follow the standards and process established in Section 2-103-B-2.

    b. **Preliminary Application, Village Manager Review**. Once the application is accepted, the Village Manager shall schedule the Board of Trustees Preliminary Application Consideration meeting.

    c. **Preliminary Application Board of Trustees Consideration Meeting**. See 2-102.D.

3. **Application Submittal and Acceptance**. Application submittal and acceptance shall follow the standards and process established in Section 2-103-B-3.

4. **Village Manager Review.** Once the application is accepted, the Village Manager shall:

    a. Refer the application to appropriate Village Departments for review and comment,

    b. Prepare a report and recommendation on the application, based on the comments received from the referred to Village Departments, and

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c. Schedule the Plan Commission Public Hearing.

5. **Plan Commission Hearing and Recommendation**. The Plan Commission shall conduct a public hearing on the application; review and discuss the application, Village Manager's report, and public comment received; and recommend the Board of Trustees either:

   a. Issue the Special Permit without modification,

   b. Issue the Special Permit with modifications or subject to conditions, or

   c. Deny the Special Permit in which case the Village Manager shall issue a denial letter, detailing the decision to the applicant.

6. **Board of Trustees Meeting and Decision**. The Board of Trustees shall review the application, the Village Manager's report, and the recommendation of the Plan Commission and either:

   a. Issue the Special Permit without modification,

   b. Issue the Special Permit with modifications or subject to conditions, or

   c. Deny the Special Permit.

7. **Protest.** Any written protest against the proposed Special Permit that is received by the Village Clerk prior to the date on which consideration by the Board of Trustees is scheduled to occur shall be distributed electronically to the members of the Board of Trustees; however, notwithstanding any state statute to the contrary, such protest shall not change the vote requirement for adoption by the Board of Trustees.

E. **Review Criteria**.

1. **General Standards**. No Special Permit shall be recommended or issued unless the applicant establishes that:

   a. The proposed use and development will be in harmony with the general and specific purposes for which this Code was enacted and for which the regulations of the district in question were established and with the general purpose and intent of the Official Comprehensive Plan.

   b. The proposed use, drainage and development will not have a substantial or undue adverse effect upon adjacent property, the public health, safety and general welfare.

   c. The proposed use and development will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations.

   d. The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire

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protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.

e. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets.

f. The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic feature of significant importance.

g. The proposed use and development complies with all additional standards imposed on it by the particular provision of this Code authorizing such use.

2. **Supplemental Standards for Specified Special Permit Uses**. Where the district regulations authorizing any Special Permit use in a particular district impose supplemental standards to be met by such use in such district, a permit for such use in such district shall not be recommended or issued unless the applicant shall establish compliance with such supplemental standards.

3. **Considerations**. In determining whether the applicant's evidence establishes that the foregoing standards have been met, the Plan Commission and Board of Trustees shall consider:

a. **Mitigation of Adverse Impacts**. Whether, and to what extent, all steps possible have been taken to minimize any adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping and screening.

F. **Effect of Decision**.

1. **Violation of Conditions**. Violation of any of the conditions imposed by the Board of Trustees in the approval and issuance of a Special Permit shall be a violation of this Code and shall constitute grounds for revocation of the Special Permit.

2. **Effect of Issuance of a Special Permit**. The granting of a Special Permit shall not authorize the establishment or extension of any use nor the development, construction, reconstruction, alteration or moving of any building or structure, but shall merely authorize the preparation, filing and processing of applications for any permits or approvals that may be required by the Codes and Codes of the Village, including but not limited toa land use verification, a Building Permit, a Certificate of Occupancy and subdivision approval.

3. **Limitations on Special Permits**.

a. Subject to an extension of time granted by the Village Manager, no Special Permit shall be valid for a period longer than one year unless a building permit is issued and construction is actually begun within that period and is there-after diligently pursued to completion or unless a Certificate of Occupancy is issued and a use commenced within that period.

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b. A Special Permit shall be deemed to authorize only the particular use for which it was issued, and such permit shall automatically expire and cease to be of any force or effect if such use shall, for any reason, be discontinued for a period of six consecutive months or more.

c. Except when otherwise provided in the Code granting a Special Permit, a Special Permit shall be deemed to relate to, and be for the benefit of, the current owner or operator of the use or lot in question rather than to the lot itself.

d. The privileges and rights granted by a Special Permit Code may be transferred to another owner or operator that is operating in full compliance with the terms of the Special Permit, but only after:

   i. The execution and filing by the new owner or operator of an unconditional agreement and consent to accept and abide by each and all terms, conditions, and limitations set forth in the Code in a form acceptable to the Village Manager.

4. **Amendments**.

   a. **Administrative Amendments.** Administrative amendments to Special Permits shall be treated as a Site Plan (Section 2-108). Administrative amendments include any amendment that:

      i. The intensity of the use is consistent with, or reduced from, the originally approved special permit.

      ii. The construction or placement of new buildings, building additions, and/or new structures are compliant with the zoning district bulk standards.

      iii. Maintains or reduces any authorized variation or exception, and

      iv. Complies with all special restrictions established in the approved Special Permit Ordinance.

   b. **Minor Amendments.** Minor amendments to Special Permits shall be reviewed and approved by the Board of Trustees following a public hearing meeting all notice requirements of a Special Permit (Section 2-113). Minor amendments include any amendments that have no substantial impact on neighboring properties or the general public.

   c. **Major Amendments.** Major amendments to an approved Special Permit shall be treated as a new application for Special Permit approval. Major amendments include any amendments that do not qualify as an administrative or minor amendment.

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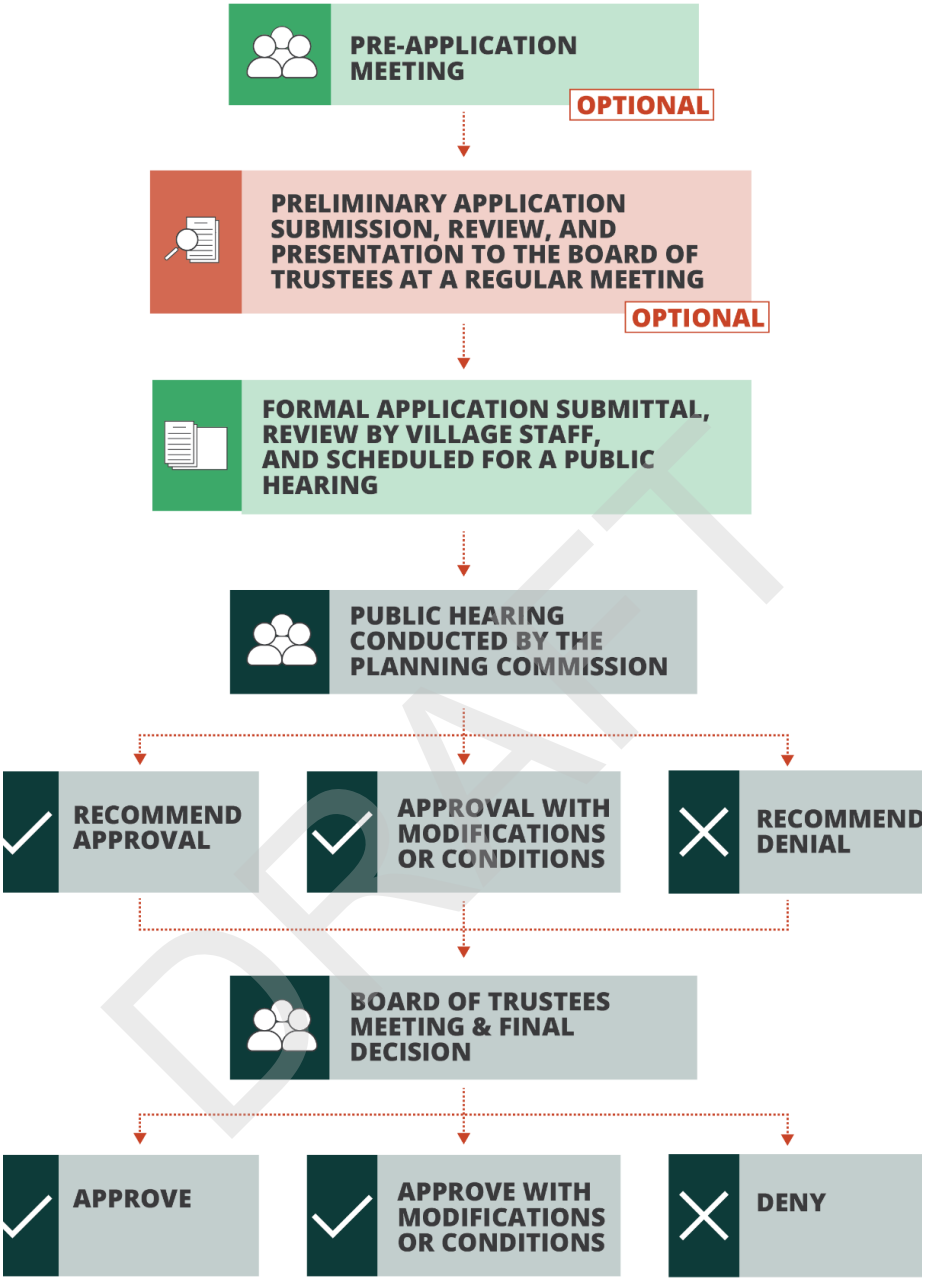

Figure 3 Special Permit

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2-114. Variance

A. **Purpose**. The Variance procedure is intended to provide a narrowly circumscribed means by which relief may be granted from unforeseen, particular applications of this Code that create practical difficulties or particular hardships.

B. **Applicability**. A variance from any standard of this Code, with the exception of the prohibited variances enumerated below, may be requested.

1. **Prohibited Variances**.

a. In no event shall a Variance be considered which would allow the establishment of a use which is not otherwise allowed in a district, or which would change the district classification or the district boundary of the property in question.

b. No Variance shall be considered that is intended as a temporary measure only.

c. No Variances of the Flood Hazard Overlay District regulations shall be considered.

C. **Procedures**.

1. **Pre-Application Meeting.** If a pre-application meeting is required, in accordance with Table 2-103 Procedures Overview, or requested it shall follow the process detailed in Section 2-103-B-2 Pre-Application Meetings.

2. **Application Submittal and Acceptance**.

a. Application submittal and acceptance shall follow the standards and process established in Section 2-103-B-3.

3. **Village Manager Review.** Once the application is accepted, the Village Manager shall:

a. Refer the application to appropriate Village Departments for review and comment,

b. Prepare a report and recommendation on the application, based on the comments received from the referred to Village Departments, and

c. Schedule the Zoning Board of Appeals Public Hearing.

4. **Zoning Board of Appeals Hearing and Decision**. The Zoning Board of Appeals shall conduct a public hearing on the application; review and discuss the application, Village Manager's report, and public comment received; and either:

a. Approve the Variance without modification,

b. Approve the Variance with modifications or subject to conditions, or

c. Deny the Variance.

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5. **Alternative Review Procedure for Combined Applications.** When a Variance is submitted as part of a development application, the Plan Commission shall hold a public hearing and make a recommendation to the Board of Trustees. The Board of Trustees shall take final action. The Variance shall not be referred to the Zoning Board of Appeals in this case.

    a. **Plan Commission Hearing and Recommendation**. The Plan Commission shall conduct a public hearing on the application; review and discuss the application, Village Manager's report, and public comment received; and recommend the Board of Trustees either:

        i. Approve the Variance without modification,

        ii. Approve the Variance with modifications or subject to conditions, or

        iii. Deny the Variance.

    d. **Board of Trustees Meeting and Decision**. The Board of Trustees shall review the application, the Village Manager's report, and the recommendation of the Plan Commission; and either:

        i. Approve the Variance without modification,

        ii. Approve the Variance with modifications or subject to conditions, or

        iii. Deny the Variance.

5. **Protest.** Any written protest against the proposed Variance that is received by the Village Clerk prior to the date on which consideration by the Board of Trustees is scheduled to occur shall be distributed electronically to the members of the Board of Trustees; however, notwithstanding any state statute to the contrary, such protest shall not change the vote requirement for adoption by the Board of Trustees.

D. **Review Criteria**.

1. **Factors for Consideration**. In the review of Variance applications, the Zoning Board of Appeals may take the following factors into consideration:

    a. The existing uses and zoning of nearby properties,

    b. The extent to which a particular zoning regulation diminishes property values,

    c. The extent to which the diminution of the plaintiff's property values promotes the health, safety, morals, or general welfare of the public,

    d. The balance between the gain to the public versus the hardship to the individual property owner,

    e. The property's suitability for the zoned purpose,

    f. The amount of time the subject property has been vacant as zoned in the context of land development in the vicinity, and

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g. The community's need for the proposed use.

2. **Findings of Fact**. Before any Variance is approved, the Zoning Board of Appeals shall make a favorable finding of fact, based upon evidence presented by the applicant, that each of the following criteria has been considered:

a. The Variance is in harmony with the general purpose and intent of the regulation and this Code.

b. There is an unusual hardship in meeting the requirements of this Code that is not the result of any action of the property owner or applicant.

c. The plight of the applicant is due to such unique circumstances that the proposed Variance will not serve as a special privilege, but will alleviate some condition not shared by other property in the same locality and district.

d. The proposed Variance will not alter the essential character of the locality.

e. The proposed Variance will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the streets, increase the danger of fire or crime, diminish the value of nearby property, nor impair the public health, safety, comfort, convenience, or general welfare.

E. **Effect of Decision**.

1. **Conditions on Variations**.

a. The Zoning Board of Appeals may impose conditions and limitations concerning, but not limited to, use, construction, character, location, landscaping, screening upon the premises benefited by a Variance as may be necessary or appropriate to prevent or minimize adverse effects upon other property and improvements in the vicinity of the subject property or upon public facilities and services.

b. Such conditions shall be expressly set forth in the resolution granting the Variance.

c. Violation of any such condition or limitation shall be a violation of this Code and shall constitute grounds for revocation of the Variance.

2. **Limitations on Variances**.

a. An approved Variance shall be valid for a period of one year after the date of its approval, unless a building permit is issued, and construction has actually begun within that period and is thereafter diligently pursued to completion or unless a Certificate of Occupancy is issued, and a use is commenced within that period.

b. The Village Manager may, upon written application made prior to the expiration of the one-year period, grant a single extension which shall not exceed one year. When considering a request for extension of a Variance, the Village Manager shall utilize the

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Review Criteria to determine if the Factors for Consideration and Findings of Fact continue to warrant the Variance.

c. If a Variance is approved for a subdivision, it shall be valid for a period that is coterminous with the period that the tentative subdivision plat is valid per the Northbrook Subdivision and Development Code and shall be run with the land only after the recordation of a duly approved final subdivision plat.

d. A Variance shall be deemed to authorize only the specific construction or development for which it was issued and shall automatically expire and cease to be of any force or effect if such construction or development shall be removed and not replaced within six months following such removal.

3. **Adjustments to Variations.** The Village Manager is authorized to review and approve insignificant adjustments to previously approved zoning variations. An adjustment shall be deemed to be insignificant if, in the opinion of the Village Manager, it does not increase the intensity of use, further reduce any authorized variation, has no discernible impact on neighboring properties or the general public and complies with all special restrictions established in the approved resolution authorizing the variations.

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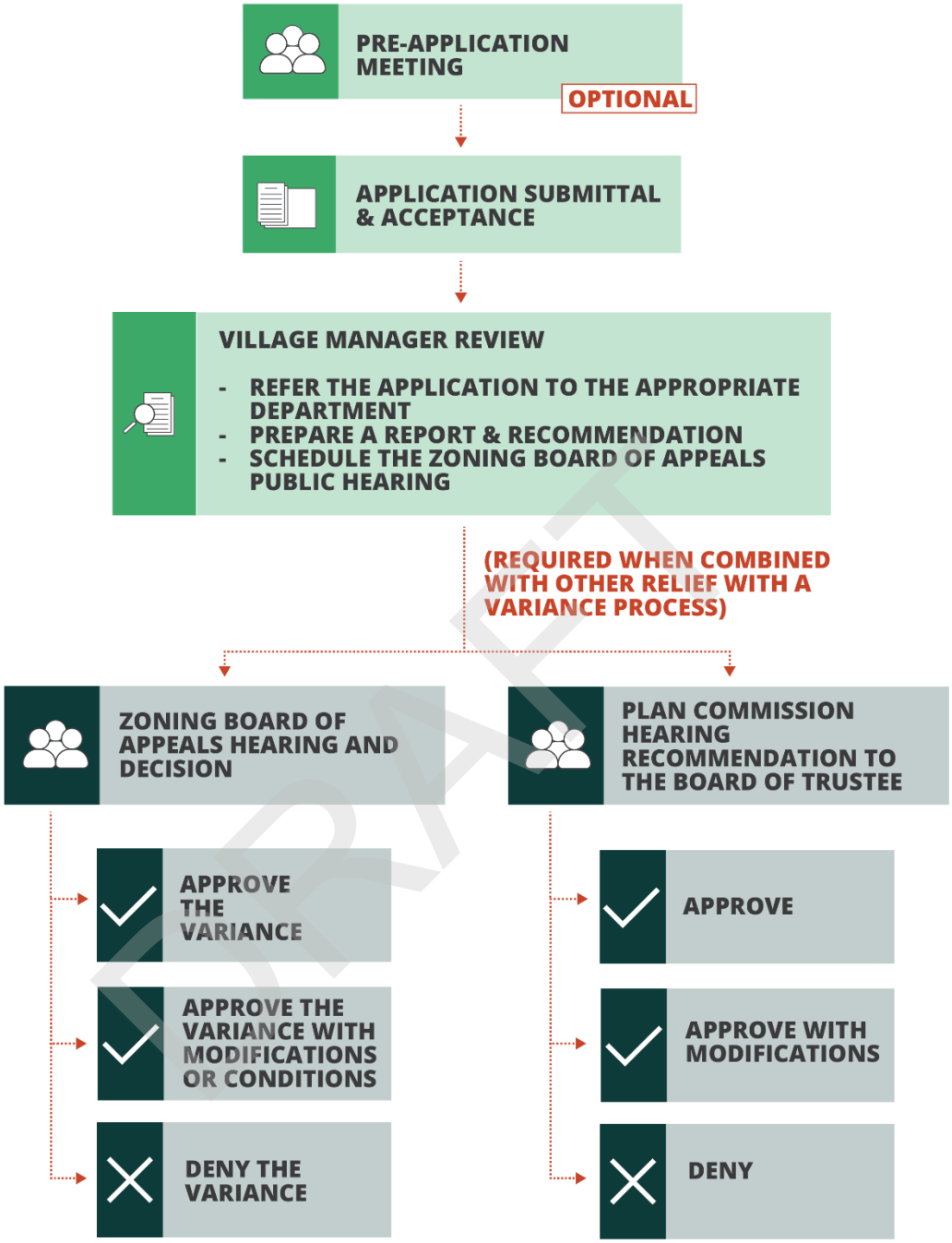

Figure 4 Variance

2-115. Comprehensive Plan Adoption

A. **Purpose**. The Official Comprehensive Plan shall be considered an official statement of the policy of the Village of Northbrook with respect to:

1. The existing and developing character of the various areas of the Village and its vicinity;
2. The proper objectives, standards and direction for future maintenance, growth, development and redevelopment of the Village;
3. The means to be employed to protect existing character or development and to encourage future development that will be in the best interests of the Village; and
4. The actions and programs to be undertaken by the Village with respect to its future maintenance and development.

B. **Applicability**.

1. The Plan Commission, with the assistance of the Village Manager and the Village's staff, are responsible for the development and revision of the Official Comprehensive Plan.
2. The process of plan development is necessarily an informal one, not readily adaptable to rigid procedures, but the Plan Commission and the Village Manager, in developing a plan, shall make all reasonable efforts to obtain the views, comments and criticisms of interested persons.

C. **Procedures**.

1. **Village Manager Review.** Once the plan is developed or revisions are prepared, the Village Manager shall:
   a. Refer the plan to appropriate Village Departments for review and comment,
   b. Prepare a report and recommendation on the plan, based on the comments received from the referred to Village Departments, and
   c. Schedule the Plan Commission Public Hearing.
2. **Plan Commission Hearing and Recommendation**. The Plan Commission shall conduct a public hearing on the plan; review and discuss the policies, goals, objectives, principles and standards of the proposed plan, the Village Manager's report, and public comment received; and recommend the Village Board either:
   a. Adopt the Plan as presented, or
   b. Adopt the Plan with modifications.
3. **Board of Trustees Meeting and Decision**. The Board of Trustees shall review the plan, the Village Manager's report, and the recommendation of the Plan Commission and either:

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a. Adopt the Plan as presented,

b. Adopt the Plan with modifications, or

c. Refer the Plan back to the Plan Commission for further refinement.

D. **Review Criteria**. The wisdom of whether to adopt a proposed plan as the Village's Official Comprehensive Plan is a matter committed to the legislative discretion of the Board of Trustees and is not dictated by any set standard. However, in determining whether a proposed Plan should be adopted, the Board should be guided by the feedback received from the public throughout the course of plan development as well as the recommendation of the Plan Commission.

E. **Effect of Decision**.

1. **Plan Filing and Notice of Adoption**. The Code adopting the Official Comprehensive Plan, or any part thereof, shall provide that the Village Manager shall cause a certified copy thereof to be placed on file in the Office of the Village Clerk, and shall cause a notice evidencing the adoption of such plan, or part thereof, to be filed with the Cook County Recorder of Deeds.

2. **Effect of Adoption**. After the adoption of the Official Comprehensive Plan, or a part thereof, no Code, regulation or Official Map relating to the physical maintenance, development, or redevelopment of the Village or any land within it shall be enacted, established, amended or varied and no right-of-way, street, utility or public structure or land shall be authorized, established, developed, redeveloped or modified in location or extent except in accordance with the policies, goals, objectives, principles and standards of the Official Comprehensive Plan or relevant part thereof unless the Board of Trustees shall first make a specific finding that the facts and circumstances affecting the particular matter justify a departure from the Plan.

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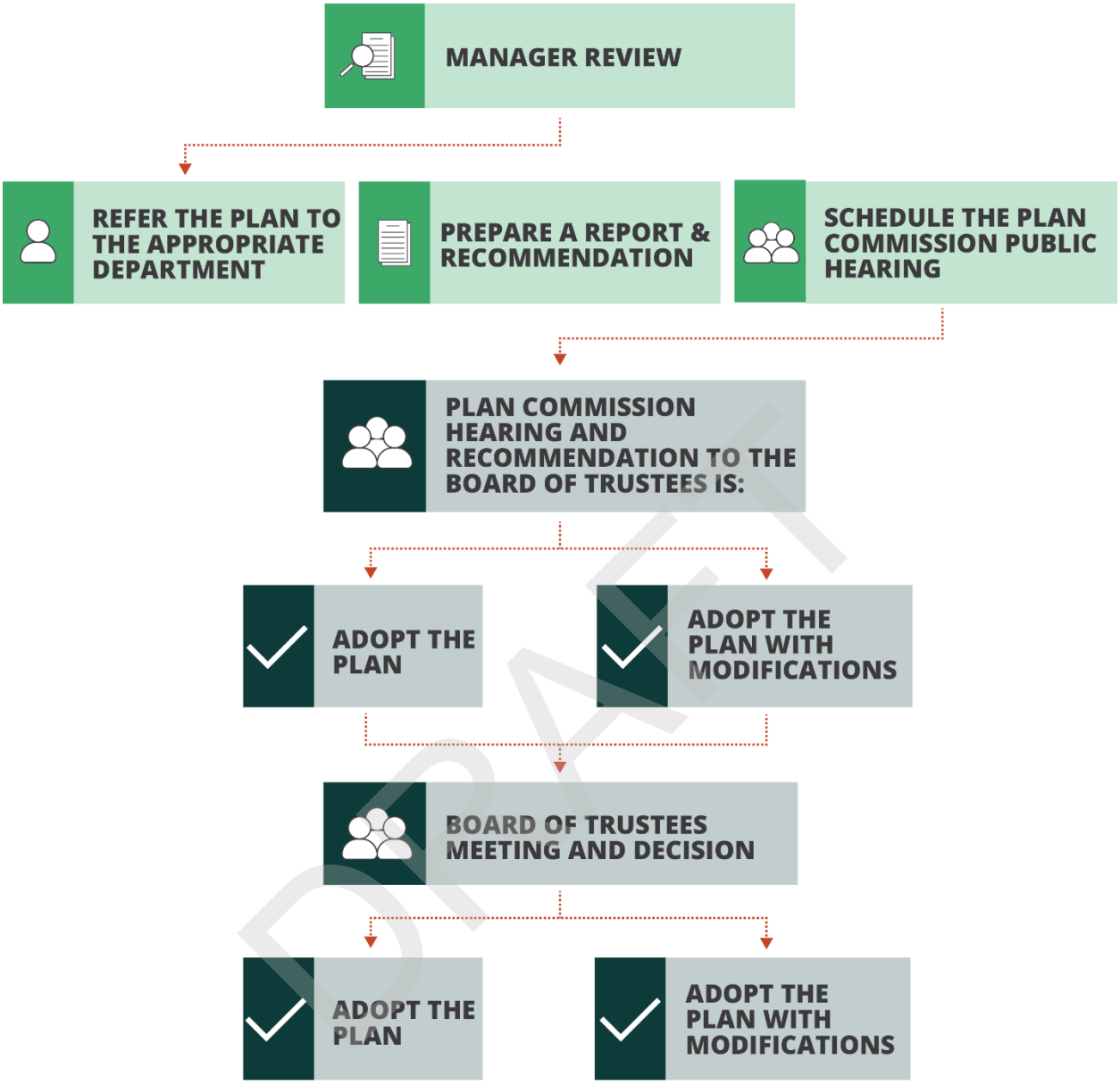

Figure 5 Comprehensive Plan Adoption

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2-116. Comprehensive Plan Amendment

A. **Purpose**. The Comprehensive Plan Amendment process established by this Section is intended to provide a means for making changes to the Plan that have more or less general significance or application. It is not intended to relieve particular hardships nor to confer special privileges or rights. Rather, it is intended as a tool to adjust the provisions of this Code in light of changing, newly discovered or newly important conditions, situations or knowledge.

B. **Applicability**. A Comprehensive Plan Amendment may be initiated by the Board of Trustees, the Plan Commission, the Village Manager, or by any owner of property affected by the provisions of such plan sought to be amended.

C. **Procedures**.

1. **Pre-Application Meeting**. If a pre-application meeting is required, in accordance with Table 2-103 Procedures Overview, or requested it shall follow the process detailed in Section 2-103-B-2 Pre-Application Meetings.

2. **Application Submittal and Acceptance**.

   a. Amendments initiated by the Board of Trustees, the Plan Commission or the Village Manager shall require no formal application and shall be processed following the Comprehensive Plan Adoption procedures.

   b. Amendments initiated by the owner of affected property shall follow the standards and process established in Section 2-103-B-3.

3. **Village Manager Review**. Once the application is accepted, the Village Manager shall:

   a. Refer the application to appropriate Village Departments for review and comment,

   b. Prepare a report and recommendation on the application, based on the comments received from the referred to Village Departments, and

   c. Schedule the Plan Commission Public Hearing.

4. **Plan Commission Hearing and Recommendation**. The Plan Commission shall conduct a public hearing on the application; review and discuss the application, Village Manager's report, and public comment received; and recommend the Board of Trustees either:

   a. Amend the Official Comprehensive Plan as presented,

   b. Amend the Official Comprehensive Plan with conditions, or

   c. Deny the Amendment.

5. **Board of Trustees Meeting and Decision**. The Board of Trustees shall review the application, the Village Manager's report, and the recommendation of the Plan Commission and either:

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a. Amend the Official Comprehensive Plan as presented,

b. Amend the Official Comprehensive Plan with conditions, or

c. Deny the Amendment, in which case the Village Manager shall issue a denial letter, detailing the decision to the applicant.

6. **Protest.** Any written protest against the proposed Comprehensive Plan Amendment that is received by the Village Clerk prior to the date on which consideration by the Board of Trustees is scheduled to occur shall be distributed electronically to the members of the Board of Trustees; however, notwithstanding any state statute to the contrary, such protest shall not change the vote requirement for adoption by the Board of Trustees.

D. **Review Criteria**. In the review of a Comprehensive Plan Amendment application, the Plan Commission and Board of Trustees shall ensure the amendment is generally consistent with the overall policies, goals, objectives, principles and standards of the Official Comprehensive Plan.

E. **Effect of Decision**.

1. After the adoption of an amendment to the Official Comprehensive Plan, or a part thereof, no Code, regulation or Official Map relating to the physical maintenance, development, or redevelopment of the Village or any land within it shall be enacted, established, amended or varied and no right-of-way, street, utility or public structure or land shall be authorized, established, developed, redeveloped or modified in location or extent except in accordance with the policies, goals, objectives, principles and standards of the Official Comprehensive Plan or relevant part thereof unless the Board of Trustees shall first make a specific finding that the facts and circumstances affecting the particular matter justify a departure from the Plan.

2. **Amendment Filing and Notice of Adoption**. The Code adopting the amendment to the Official Comprehensive Plan, or any part thereof, shall provide that the Village Manager shall cause a certified copy thereof to be placed on file in the Office of the Village Clerk, and shall cause a notice evidencing the adoption of such amendment, or part thereof, to be filed with the Cook County Recorder of Deeds.

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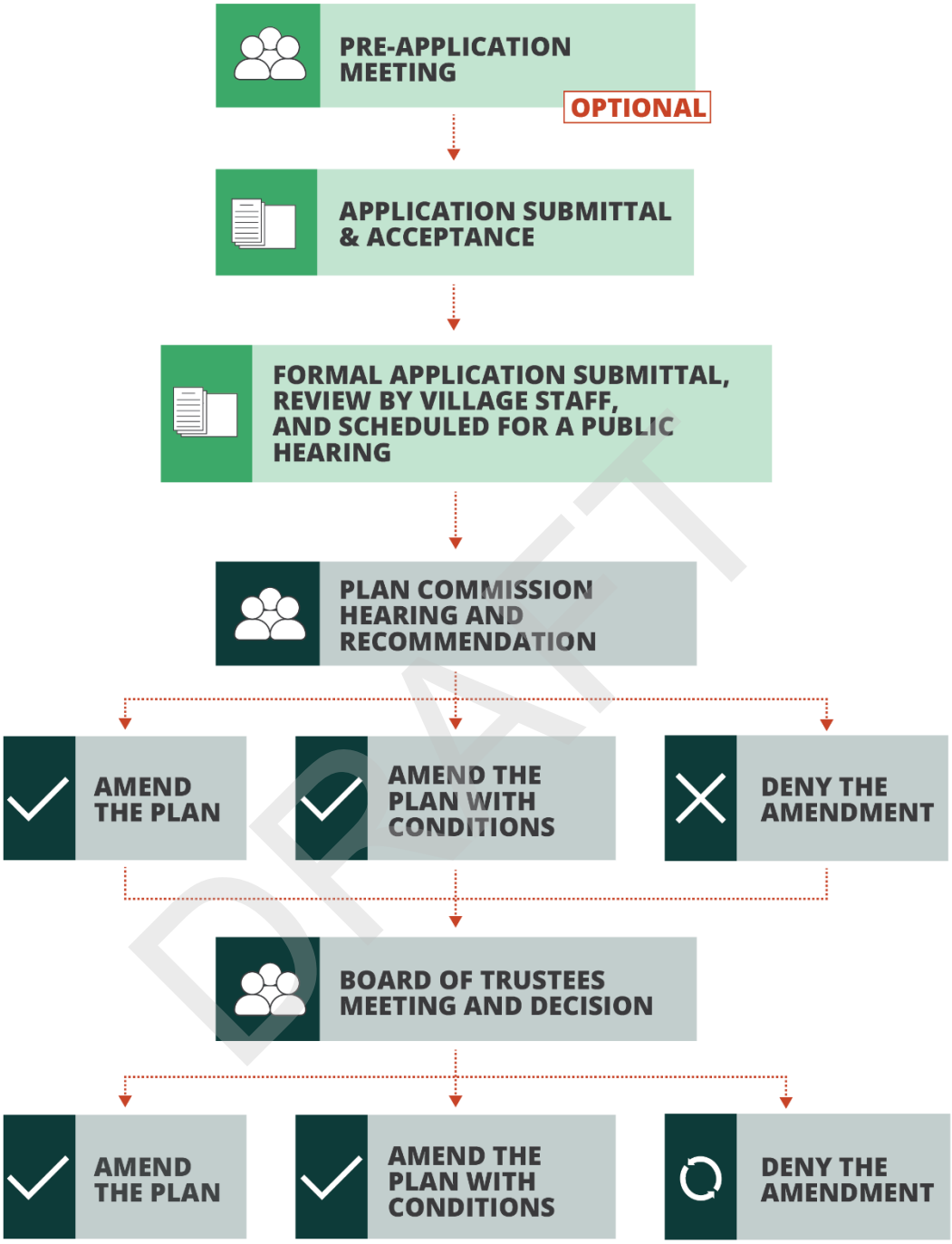

Figure 6 Comprehensive Plan Amendment

2-117. Code and Zoning Map Amendment

A. **Purpose**. The Code and Zoning Map Amendment process established by this Section is intended to provide a means for making changes in the text of this Code that have more or less general significance or application. It is not intended to relieve particular hardships nor to confer special privileges or rights. Rather, it is intended as a tool to adjust the provisions of this Code in light of changing, newly discovered or newly important conditions, situations or knowledge.

B. **Applicability**. An application for an Code and Zoning Map Amendment may be filed by the Board of Trustees, the Plan Commission, the Zoning Board of Appeals, the Village Manager, and any person interested in a proposed amendment to the text of this Code, or the owner of, or any person having a contractual interest in any property to be affected by a proposed amendment to the Zoning Map.

C. **Procedures**.

1. **Pre-Application Meeting**. If a pre-application meeting is required, in accordance with Table 2-103 Procedures Overview, or requested it shall follow the process detailed in Section 2-103-B-2 Pre-Application Meetings.

2. **Optional Preliminary Consideration**. The applicant may elect to conduct a Preliminary Application Consideration meeting with the Board of Trustees prior to application submittal. If the applicant elects, the following steps shall be taken. Applicants who choose to waive the Preliminary Application Consideration meeting with the Board of Trustees shall have the Application Submittal, as outlined in Step 3 (see Section 2-103-B-2(b)), shall be placed on the next available Board of Trustees meeting agenda to acknowledge receipt of application.

    a. **Preliminary Application Submittal and Acceptance**. Preliminary application submittal and acceptance shall follow the standards and process established in Section 2-103-B-2.

    b. **Village Manager Review**. Once the application is accepted, the Village Manager shall schedule the Board of Trustees Preliminary Application Consideration meeting.

    c. **Board of Trustees Preliminary Application Consideration Meeting**.

        i. Village staff shall present the preliminary application in sufficient detail to broadly acquaint the Board of Trustees with the proposal during a public meeting.

        ii. The Board of Trustees may provide the applicant with any preliminary views or concerns that they may have at a time in the process when positions are still flexible, and adjustment is still possible prior to the time when the applicant is required to expend the funds necessary to prepare the complete documentation required for a formal application.

        iii. The Board of Trustees may make any comments, suggestions or recommendations regarding the preliminary application deemed necessary or appropriate by that

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member; provided, however, that no final or binding action shall be taken with respect to any preliminary application.

iv. Any views expressed during the Board of Trustees Preliminary Application Consideration meeting shall be deemed to be only preliminary and advisory and only the individual views of the members expressing them. Nothing said or done during such review shall be deemed to create, or to prejudice, any rights of the applicant or to obligate the Board of Trustees, or any member of it, to approve or deny any formal application following full consideration thereof as required by this Code.

3. **Application Submittal and Acceptance**. Application submittal and acceptance shall follow the standards and process established in Section 2-103-B-3.

4. **Village Manager Review.** Once the application is accepted, the Village Manager shall:

   a. Refer the application to appropriate Village Departments for review and comment,

   b. Prepare a report and recommendation on the application, based on the comments received from the referred to Village Departments, and

   c. Schedule the Plan Commission Public Hearing.

5. **Plan Commission Hearing and Recommendation**. The Plan Commission shall conduct a public hearing on the application; review and discuss the application, Village Manager's report, and public comment received; and recommend the Board of Trustees either:

   a. Amend the Code or Zoning Map as presented,

   b. Amend the Code or Zoning Map with conditions, or

   c. Deny the Amendment.

6. **Board of Trustees Meeting and Decision**. The Board of Trustees shall review the application, the Village Manager's report, and the recommendation of the Plan Commission and either:

   a. Amend the Code or Zoning Map as presented,

   b. Amend the Code or Zoning Map with conditions,

   c. Refer the Code or Zoning Map back to the Plan Commission for additional refinement, or

   d. Deny the Amendment, in which case the Village Manager shall issue a denial letter, detailing the decision to the applicant.

7. **Protest.** Any written protest against the proposed Amendment that is received by the Village Clerk prior to the date on which consideration by the Board of Trustees is scheduled to occur shall be distributed electronically to the members of the Board of Trustees; however, notwithstanding any state statute to the contrary, such protest shall not change the vote requirement for adoption by the Board of Trustees.

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D. **Review Criteria**. The wisdom of amending the Code and/or Zoning Map is a matter committed to the legislative discretion of the Board of Trustees and is not dictated by any set standard. However, in determining whether a proposed amendment should be granted or denied, the Board should be guided by the principle that its power to amend this Code is not an arbitrary one but one that may be exercised only when the public good demands or requires the amendment to be made. In considering whether that principle is satisfied in any particular case, the Board should weigh the following factors:

1. The existing uses and zoning classifications of properties in the vicinity of the subject property.
2. The trend of development in the vicinity of the subject property, including changes, if any, in such trend since the subject property was placed in its present plan designation or zoning classification.
3. The extent to which the value of the subject property is diminished by the existing plan designation or zoning classification applicable to it.
4. The extent to which such diminution in value is offset by an increase in the public health, safety, and welfare.
5. The extent, if any, to which the use and enjoyment of adjacent properties would be affected by the proposed amendment.
6. The extent, if any, to which the value of adjacent properties would be affected by the proposed amendment.
7. The extent, if any, to which the future orderly development of adjacent properties would be affected by the proposed amendment.
8. The suitability of the subject property for uses permitted or permissible under its present plan designation and zoning classification.
9. The length of time, if any, that the subject property has been vacant, considered in the context of the pace of development in the vicinity of the subject property.
10. The community need for the proposed map amendment and for the uses and development it would allow.

E. **Effect of Decision**.

1. After the adoption of an Code or Zoning Map Amendment no physical maintenance, development, or redevelopment of the Village or any land within it shall be done except in accordance with the amended Code or map.
2. **Zoning Map Amendment Filing and Notice of Adoption**. The Code adopting the Zoning Map amendment shall provide that the Village Manager shall cause a certified copy thereof to be placed on file in the Office of the Village Clerk.

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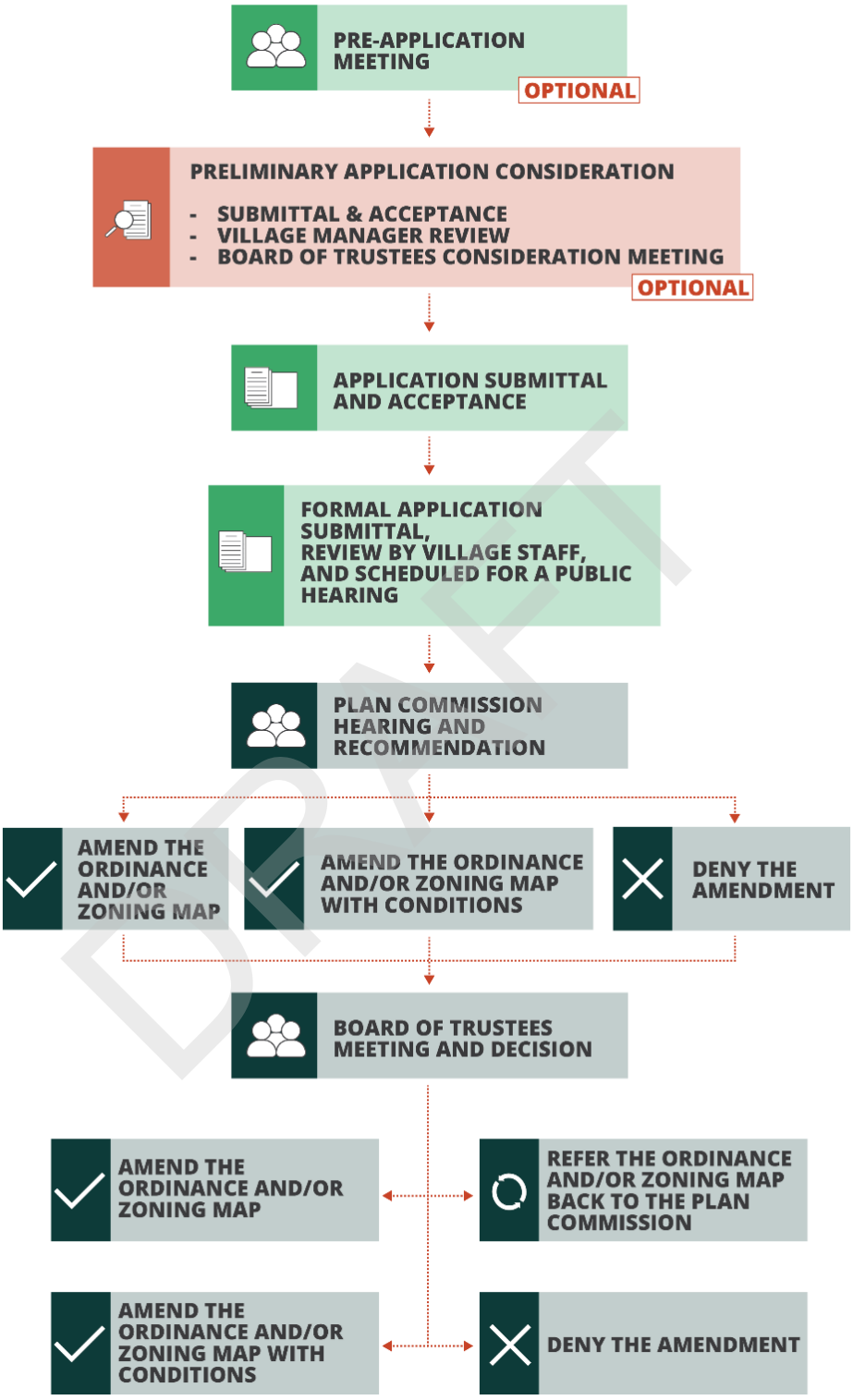

Figure 7 Code and Zoning Map Amendment

2-118. Planned Unit Development

A. **Purpose**. The Planned Unit Development (PUD) process is established to achieve high quality, creative, and innovative land planning and site design that furthers the objectives of the Village, as detailed in Table 4-102, but which cannot be achieved through the strict application of the development and design standards of this Code. The PUD is a process by which deviations from base district development and design standards, that meet the needs and character of the site-specific features and context of the district, may be approved.

B. **Applicability**.

1. **Village Green Overlay District**. All new development or redevelopment in the VG-O district that will impact more than 50,000 square feet of gross floor area or total development site area, shall be subject to the PUD process regardless of whether deviations from base and overlay district standards are sought.

2. **All Other Districts**. In all other districts, except the C-4 District, a PUD may be considered for any new development or redevelopment impacting 200,000 square feet or more of gross floor area or development site area.

3. **C-4 District**.

a. In the C-4 District, any new development or redevelopment occurring after October 30, 2023, shall undergo a PUD process. The development shall be approved as a planned development in accordance with the procedures outlined in this Section and the special permit requirements set forth in Section 2-113. Once approved, all development within the PUD shall be governed by the final plan approved as part of the planned development.

b. Any use or structure existing in the C-4 District as of October 30, 2023, that is not part of a planned development approved on or after October 30, 2023, shall be deemed to be a legal nonconformity subject to the provisions of Article 12 of this Code.

C. **Procedures**.

1. **Pre-Application Meeting**. If a pre-application meeting is required, in accordance with Table 2-103 Procedures Overview, or requested it shall follow the process detailed in Section 2-103-B-2 Pre-Application Meetings.

2. **Optional Preliminary Consideration**. The applicant may elect to conduct a Preliminary Application Consideration meeting with the Board of Trustees prior to application submittal. If the applicant elects, the following steps shall be taken. Applicants who elect to waive the Preliminary Application Consideration meeting will still have their Application Submittal, as outlined in Step 3 (see Section 2-103-B-2(b)), shall be placed on the next available Board of Trustees meeting agenda to acknowledge receipt of t application.

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a. **Preliminary Application, Submittal and Acceptance**. Preliminary application submittal and acceptance shall follow the standards and process established in Section 2-103-B-2.

a. **Preliminary Application, Village Manager Review**. Once the application is accepted, the Village Manager shall schedule the Board of Trustees Preliminary Application Consideration meeting.

b. **Preliminary Application Board of Trustees Consideration Meeting**. See Section 2-102.D.

3. **Application Submittal and Acceptance**.

a. Application submittal and acceptance shall follow the standards and process established in Section 2-103-B-3.

b. When a subdivision of land, subject to the Northbrook Subdivision Code, is proposed in connection with a planned development, review of the tentative plat of the proposed subdivision shall be carried out simultaneously with review of the PUD application.

4. **Village Manager Review.** Once the application is accepted, the Village Manager shall:

a. Refer the application to appropriate Village Departments for review and comment,

b. Prepare a report and recommendation on the application, based on the comments received from the referred to Village Departments, and

c. Forward the application as follows:

i. For major redevelopment and new development applications under 50,000 square feet, the application shall be reviewed by the Architectural Control Commission and Village Board.

ii. For major redevelopment and new development over 50,000 square feet, the application shall proceed through the PUD process, including a public hearing.

5. **Architectural Control Commission and Plan Commission Meeting and Recommendation**. The Architectural Control Commission and Plan Commission, as applicable, shall review and discuss the application, Village Manager's report, and either:

a. Recommend Approval of the PUD,

b. Recommend Approval of the PUD with conditions, or

c. Recommend Denial of the PUD, in which case the Village Manager shall issue a denial letter, detailing the decision to the applicant.

6. **Board of Trustees Meeting and Decision**. The Board of Trustees shall review the application, the Village Manager's report, and the recommendation of the Architectural Control Commission or Plan Commission; and either:

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a. Approve the PUD,

b. Approve the PUD with conditions,

b. Refer the PUD back to the Architectural Control Commission or Plan Commission, as applicable, for additional refinement, or

c. Deny the PUD, in which case the Village Manager shall issue a denial letter, detailing the decision to the applicant.

7. **Protest**. Any written protest against the proposed PUD that is received by the Village Clerk prior to the date on which consideration by the Board of Trustees is scheduled to occur shall be distributed electronically to the members of the Board of Trustees; however, notwithstanding any state statute to the contrary, such protest shall not change the vote requirement for adoption by the Board of Trustees.

D. **Review Criteria**.

1. **General Review Criteria**. In the review of all PUDs, the Board of Trustees shall find that all of the following objectives are met:

a. **Plan Alignment**. The PUD is consistent with and clearly puts into effect the goals, objectives, and policies set forth in adopted plans and policy documents of the Village.

b. **Placemaking**. The PUD has a distinctive identity and brand that is utilized in signs, streetscape, public art, architecture, public gathering spaces, and open spaces.

c. **Integrated Design with Identifiable Centers and Edges**. The PUD is laid out and developed as a unit in accordance with an integrated overall design. The design provides identifiable centers and edges through the harmonious grouping of buildings, uses, facilities, community spaces, and open spaces. The design is highly connected internally and externally and maximizes multimodal transportation.

d. **Compatibility with Adjacent Land Uses**. The PUD includes uses which are generally compatible with the uses of adjacent parcels, with consideration given to the level of activity or intensity, noise, light, and odor. If the uses are not generally compatible, adverse impacts are mitigated through building design, height, and placement; significant screening; landscaping; public open space; and other buffering features that protect uses within the development and surrounding properties beyond what is otherwise required by this Code.

e. **Landscape Conservation and Visual Enhancement**. The PUD preserves and enhances existing natural features and amenities, such as stands of mature trees, riparian areas, wildlife habitat, unique landforms or topography, and significant viewsheds, beyond that which is required by the Village.

f. **Open and Public Gathering Space**. The PUD includes prominent and accessible open space and public gathering space, meeting the ownership and maintenance standards of

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Article 8. The Board of Trustees may elect to condition their approval of the PUD on the dedication of open space and public gathering space to the Village for public use.

g. **Archaeological, Historical, or Cultural Impact**. The PUD does not substantially, adversely impact archaeological, historical, or cultural resources, including historic properties eligible for or listed in the National Register of Historic Places located on or off the parcel(s) proposed for development. Examples of adverse impacts include but are not limited to:

i. Neglect, destruction, damage, or removal of resources; alteration of property inconsistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties,

ii. Change of the character of the physical features of the resource's setting and association that contribute to its historic significance, and

iii. Introduction of visual, atmospheric, or audible elements that diminish the integrity of the property's significant historic features.

2. **Modification Standards**. A PUD shall justify any request(s) for deviation from base or overlay district development and design standards by meeting at least one of the following standards that further the Village's adopted policies and goals.

a. **Environmentally Sustainable Site and Building Design**. The PUD is designed with consideration given to various methods of site design and building location, architectural design of individual buildings, and landscaping design in order to:

i. Substantially reduce energy, waste and water consumption, for example, by meeting environmentally friendly building or site certification standards or adaptive reuse,

ii. Enhance local food systems, or

iii. Improve onsite stormwater management and water quality, for example, by designing to the 100-year storm event.

b. **Other**. The applicant may propose an alternative modification standard for consideration by the Board of Trustees.

E. **Effect of Decision**.

1. **Regulation During and Following Completion of Development**. Following Final Plan approval, the approved deviations from base district development and design standards shall control in the event of an express conflict between the provisions of the Final Plan and this Code. Any base district development and design standard both in effect at the time of PUD adoption or established/amended in the future, which does not receive deviation approval, shall be complied with.

2. **PUD Filing and Notice of Adoption**. The Code adopting the PUD shall provide that the Village Manager shall cause a certified copy thereof to be placed on file in the Office of the

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Village Clerk, and shall cause a notice evidencing the adoption of such plan, or part thereof, to be filed with the Cook County Recorder of Deeds.

3. **Amendments**.

   a. **Administrative Amendments**. Insignificant amendments to PUDs shall be treated as a Site Plan (Section 2-108). Administrative amendments include any amendments that:

      i. Does not increase the intensity of the use,

      ii. Further reduce any authorized variation or exception,

      iii. Has no discernible impact on neighboring properties or the general public, and

      iv. Complies with all special restrictions established in the approved Special Permit Code.

   b. **Minor Amendments**. Minor amendments to PUDs shall be reviewed and approved by the Board of Trustees following a public meeting. Minor amendments include any amendments that have no substantial impact on neighboring properties, the general public, or those intended to occupy or use the proposed development.

   c. **Major Amendments**. Major amendments to an approved PUD shall be treated as a new application for PUD approval. Major amendments include any amendments that do not qualify as an administrative or minor amendment.

   d. **C-4 District Amendments.** Any subsequent amendment to a planned development special permit approved pursuant to 2-118-B-3 of this Section, shall require approval in accordance with the applicable provisions of this Code governing amendments to planned development special permit ordinances. However, property owners required to apply for or consent to any such amendment shall be limited to those property owners directly impacted by the proposed amendment.

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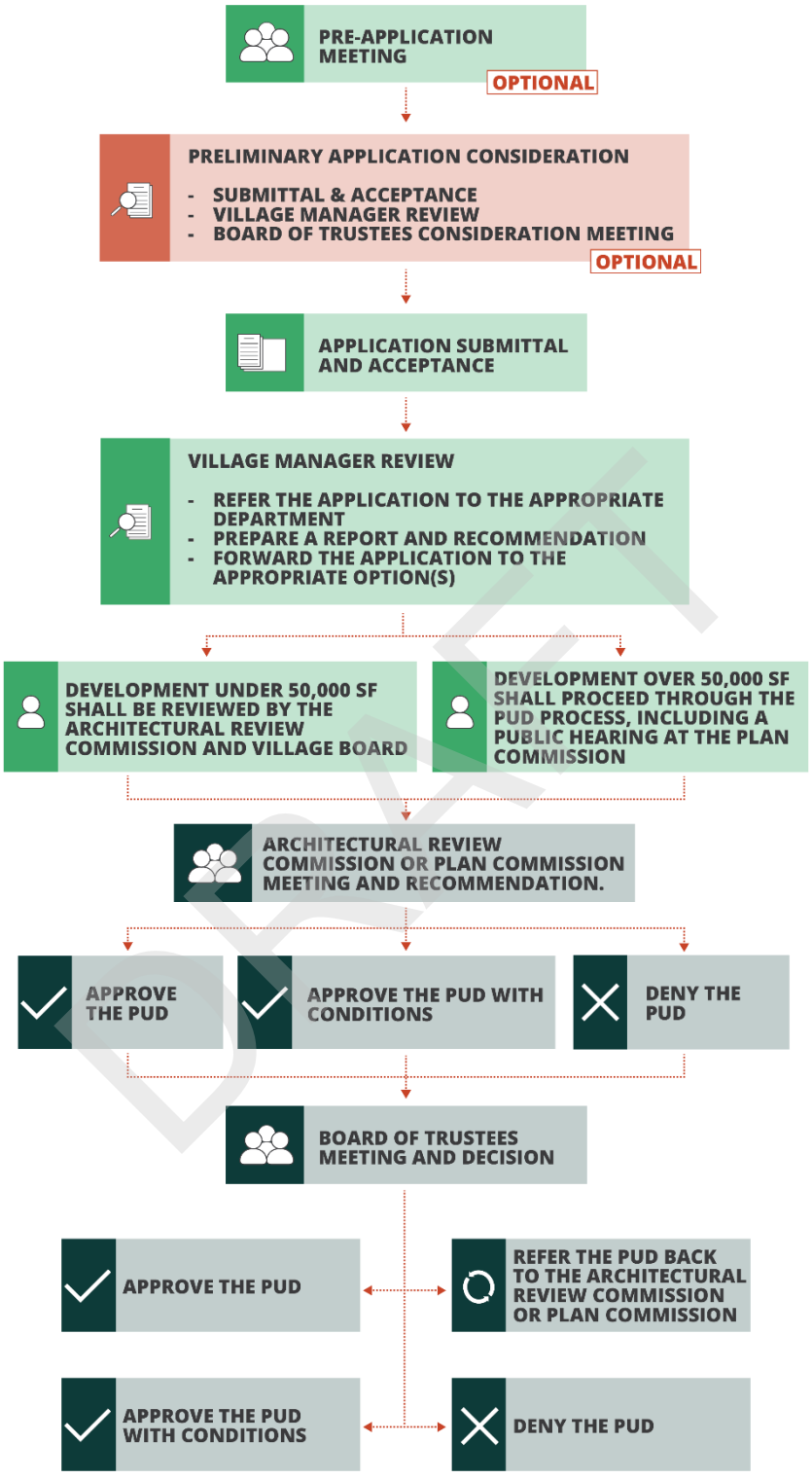

Figure 8 Planned Unit Development

2-119. Enforcement

A. **Types of Violations**. Any violation of an Code adopted pursuant to this Code shall constitute a violation of this Code, including the following types of violations.

1. **Development Without Authorization.** Engaging in the development, use, construction, land disturbance, or any other activity subject to the jurisdiction of this Code without all required plan approvals, permits, certificates, or other forms of authorization required by this Code shall constitute a violation of this Code.

2. **Development Inconsistent with Approval**. Engaging in development, use, construction, land disturbance or other activity subject to the jurisdiction of this Code inconsistent with any approved plan, plat, permit, certificate, other form of authorization granted for such activity, including conditions of such approvals, shall constitute a violation of this Code.

3. **Violation by Act or Omission**. Undertaking any activity contrary to the provisions of this Code, including but not limited to any act or omission, or failure to comply with any other provisions, procedures, or standards as required by this Code shall constitute a violation of this Code.

B. **Enforcement Procedures**.

1. **Complaints Regarding Violations**. When the Village Manager identifies or is made aware of a potential violation of this Code, the enforcement procedures shall take place in accordance with this Section. Any person may submit a complaint alleging a violation of this Code.

   a. Upon receiving a complaint that fully states the basis for the allegation, including the apparent cause of the alleged violation, the Village Manager shall properly record such complaint, investigate the alleged violation, and take appropriate action as provided by this Code.

   b. Nothing shall limit the Village Manager from investigating possible violations of this Code without receiving a complaint.

2. **Inspection and Investigation**. The Village Manager is authorized to conduct any lawful inspection and investigation necessary to ensure compliance with this Code.

   a. Inspections may be conducted from public areas or common areas, including premises open to the general public, public right-of-way, as well as adjacent private areas where permission has been granted by the property owner. These inspections shall be carried out during normal business hours unless the Village Manager determines there is a special circumstance or an emergency necessitating inspection at another time.

   b. Inspections of private areas not visible from a public area may only occur upon presentation of proper credentials and with the consent of the premises owner or with an administrative inspection warrant.

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c. No person shall willfully resist, delay, or obstruct an authorized representative, employee, or agent of the Village while that person is inspecting or attempting to inspect land or structures nor shall any person obstruct, hamper, or interfere with any such representative while in the process of carrying out their official duties.

3. **Notice of Violation and Correction Order**. Upon finding that a violation of this Code exists, the Village shall provide written notice of the violation and correction order.

   a. **Contents of Written Notice of Violation**. The notice of the violation and correction order shall:

      i. Describe the location and nature of the violation,

      ii. State the actions necessary to abate the violation,

      iii. Order that the violation be corrected within a specified reasonable time period not to exceed 30 days after receipt of the notice of the violation and correction order and with the limit for correction of the violation beginning five days after the notice if posted on the property,

      iv. State that remedies and penalties may be assessed if the violation is not addressed within the time period for correction, and

      v. State a notice of the violation and correction order may be appealed via local adjudication. The owner, other party, or person with standing has 30 days from receipt of the written notice of the determination within which to file an appeal.

   b. **Delivery of Written Notice of Violation**. The notice of the violation and correction order shall be served to the responsible entity(ies) and the landowner of the property (if different) on which the violation exists and the person causing or maintaining the violation.

      i. The notice of violation and correction order shall be delivered in any manner permitted by the State of Illinois, including:

         a) Personal delivery,

         b) Electronic delivery,

         c) First-class mail, or

         d) Posted on the property.

      ii. The person providing the notice of the violation and correction order shall certify to the local government that the notice was provided, and the certificate shall be deemed conclusive in the absence of fraud.

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iii. In the absence of evidence to the contrary, notice given by first-class mail is deemed received on the third business day following deposit of the notice for mailing with the United States Postal Service.

c. **Initial Notice Shall Constitute Final Notice**. The initial written notice of a violation shall constitute final notice regarding a violation, though additional written notice may be provided, at the sole discretion of the Village Manager.

d. **Extension of Time Limit to Correct Violation.** On receiving a written request for an extension of the time limit for correction specified in the Notice of the Violation and Correction Order, the Village Manager may grant a single extension of up to 90 days for good cause shown. The notice of extension shall state the date prior to which the correction must be made, or the violator will be subject to the penalties described in the Notice of the Violation and Correction Order.

e. **Emergency Enforcement Without Notice.** If it is determined that delay in correcting the violation would pose a danger to the public health, safety, or welfare, the Village Manager may seek immediate enforcement without prior written notice by invoking any of the remedies and penalties authorized in Subsection C; Remedies and Subsection D Penalties, below.

f. **Repeat Violations.** If the same violation is repeated by the same offender over any two-year period, the Village may commence the application of remedies or penalties at the stage in the process where the previous violation was resolved.

C. **Remedies**.

1. **Stop Work and Cease-and-Desist Orders.**

a. The Village Manager may issue a stop work or cease and desist order whenever any development subject to this Code, including a building or structure that is being constructed, demolished, renovated, altered, or repaired, is in violation of any applicable provision of this Code.

b. The stop work or cease and desist order shall be in writing, directed to the person doing the work, and shall state the specific work to be stopped, the specific reasons for cessation, and the action(s) necessary to lawfully resume work.

2. **Revocation of Certificate, Permit, or Other Approval**. The Village Manager may revoke any permit, certificate, or other approval granted under this Code, by written notice to the permit, certificate, or other approval holder, when:

a. False statements or misrepresentations were made in securing the permit, certificate, or other approval,

b. Work is being or has been done in substantial departure from the approved application or plan, including all conditions,

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c. There has been a failure to comply with the requirements of this Code, or

d. A permit or approval has been mistakenly granted in violation of this Code.

3. **Denial or Withholding of Related Permits**. The Village Manager may deny or withhold a Certificate of Compliance or Certificate of Occupancy in accordance with the Building Code or deny or withhold any permit, approval, or other authorization under this Code to use or develop any land, structure, or improvements—until an alleged violation related to such land, use, or development is corrected and any associated civil penalty is paid.

4. **Removal of Illegal Signs**.

a. The Village may remove any sign placed within the public right-of-way of a Village or state-maintained street in violation of the standards in this Code.

b. The Village Manager shall have the authority to summarily remove, abate, or remedy a sign or sign structure which the building inspector has determined to be dangerous or prejudicial to the public health or safety.

c. The expense of the action shall be paid by the sign owner or if the sign owner cannot be ascertained, by the property owner.

5. **Abatement; Liens**. Where authorized by state statute, the Village Manager may order any work necessary to abate any violation of this Code and shall assess the cost of such work to the property owner. Upon the failure of the owner to pay such cost, the Village Manager shall file a lien for such costs, and for all costs of collection, against the property in question.

D. **Penalties**. Any person who shall violate, disobey, omit, neglect or refuse to comply with, or who shall resist enforcement of, any provision of this Code shall be subject to as set forth in the annual fee Code. Each day a violation continues to exist shall constitute a separate offense.

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Article 3. Single-Family Residential District Standards

3-101. General Provisions

3-102. Establishment, Purpose, and Intent of Single-Family Residential Districts

3-103. Dimensional Standards

3-104. General Use Standards

3-105. Principal Uses

3-106. Dimensional Standards Encroachments, Exceptions, & Adjustments

3-107. Accessory Uses

3-108. Temporary Uses

3-101. General Provisions

A. **Purpose**. The purpose of this Article is to establish the single-family zoning districts of the Village including their purpose, dimensional standards, and allowed encroachments, to:

1. Implement the intent of this Code and the Comprehensive Plan,
2. Allow for orderly development, and
3. Protect natural resources.

B. **Applicability**. The zoning districts established in this Article shall apply to all parcels in single family residential districts (Section 3-102) within the Village of Northbrook as detailed on the Village of Northbrook Zoning Map.

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3-102. Establishment, Purpose, and Intent of Single-Family Residential Districts

Table 3-102 Establishment, Purpose, and Intent of Single-Family Residential Districts	
District Name	**District Purpose and Intent**
R-1 Single-Family Residential District	The R-1 Single-Family Residential District is established to provide land for very low-density single family detached estate development on large lots in a semi-rural setting.
R-2 Single-Family Residential District	The R-2 Single-Family Residential District is established to provide land for single-family detached residential development in a low-density setting with relatively large, wide lots in the Village.
R-3 Single-Family Residential District	The R-3 Single-Family Residential District is established to provide land for single-family detached residential development in a low- to moderately dense setting.
R-4 Single-Family Residential District	The R-4 Single-Family Residential District is established to provide land for single-family detached residential development in a moderately dense setting.
R-5 Single-Family Residential District	The R-5 Single-Family Residential District is established to provide land for single-family detached residential development in a moderate to high density setting with narrow lots.

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3-103. Dimensional Standards

Table 3-103: Single Family Residential Districts Dimensional Standards											
1 = Single Family Detached *2 = Duplex* *3 = All Other Uses*	R-1		R-2		R-3		R-4		R-5		
	1	*3*	*1*	*3*	*1*	*3*	*1*	*3*	*1*	*2*	*3*
Lot Standards (Minimum)											
Lot Area, Interior Lot (sq ft)	50,000	50,000	30,000	30,000	20,000	20,000	10,000	20,000	7,000	7,000	20,000
Lot Area, Corner Lot (sq ft)	50,000	50,000	30,000	30,000	20,000	20,000	11,000	20,000	8,000	8,000	20,000
Lot Width, Interior Lot (ft)	175	175	125	125	100	100	65	110	50	50	110
Lot Width, Corner Lot (ft)	175	175	125	125	110	110	80	110	65	65	110
Building Setbacks											
Front, Minimum (ft)	60	60	40	40	35	35	30	30	25	25	25
Corner Side, Minimum (ft)	60	60	40	40	35	35	30	30	25	25	25
Interior Side, Minimum (ft)	40	20 (1)	12	20 (1)	10	20 (1)	9	9 (1)	6	6	6 (1)
Rear, Minimum (ft)	40	40	40	40	40	40	40	40	40	40	40
Building Standards											
Height, Maximum (ft)	40	40	35	35	35	35	35	35	30	30	35
Height, Maximum (stories)	3	3	3	3	3	3	3	3	2	2	2
Lot Coverage, Maximum (%)	50	70	50	70	50	70	50	70	50	50	70
Building Coverage, Maximum (%)	35	35	35	35	35	35	35	35	35	35	35
Notes											
(1) A minimum of 40 feet shall be required when adjacent to a single-family detached residential use. (2) Buildings purpose built for Place of Worship uses may have a maximum height of 55 feet and may include spires and minarets with a maximum height of 70 feet.											

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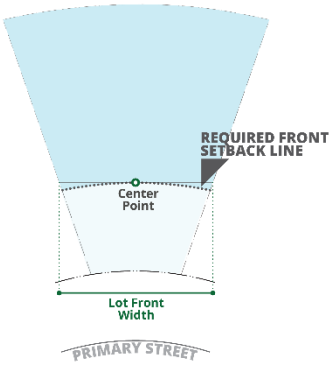

Figure 1 Lot Width 01

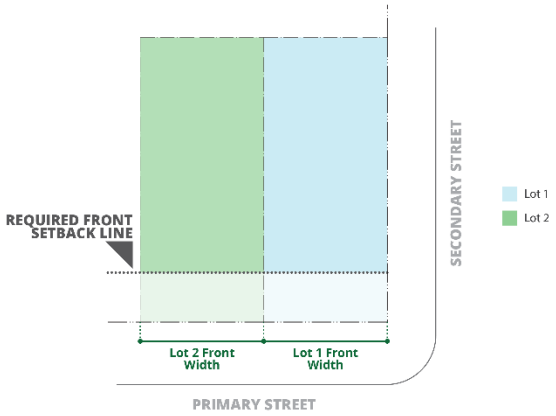

Figure 2 Lot Width 02

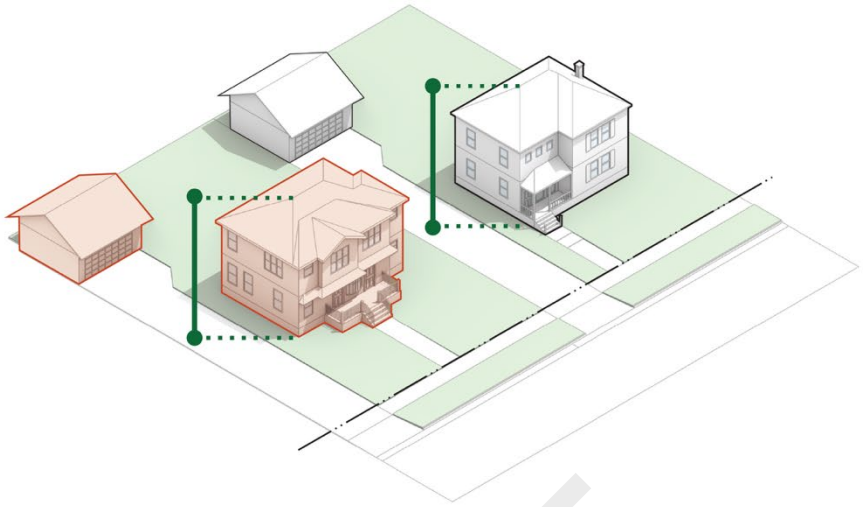

Figure 3 Building Height

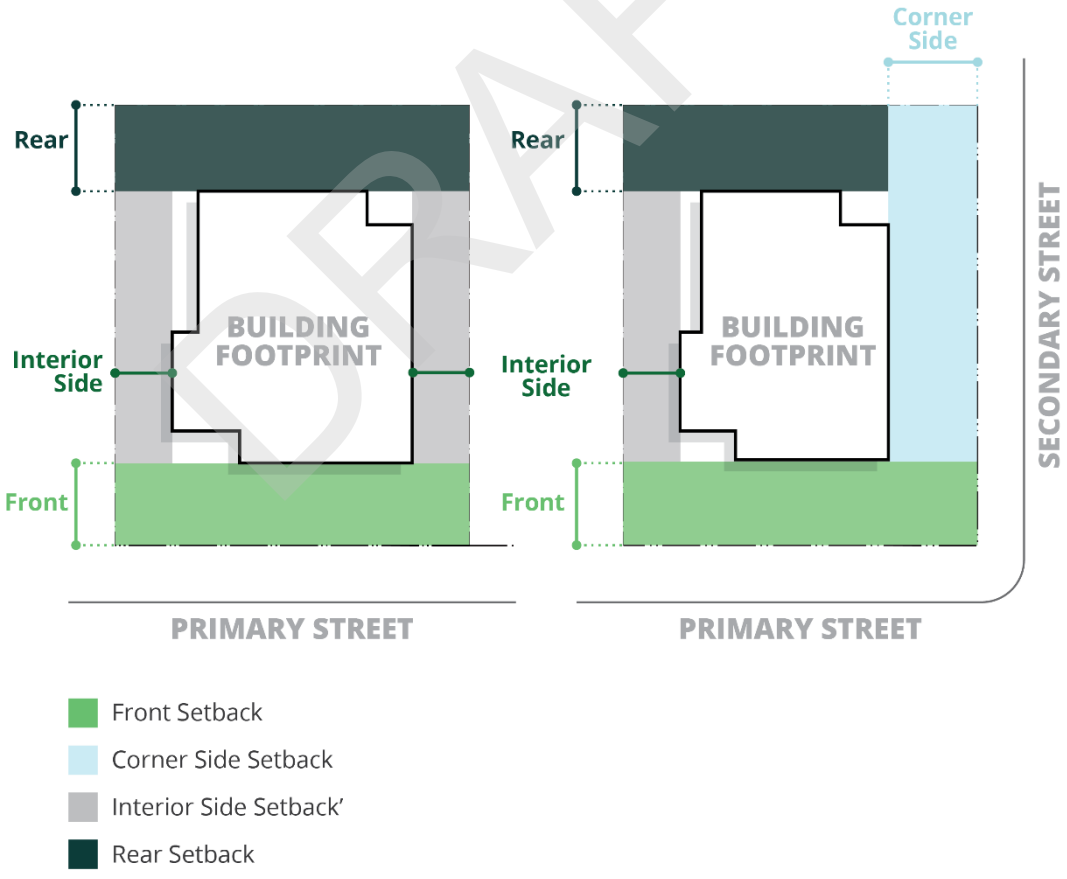

Figure 4 Building Setbacks

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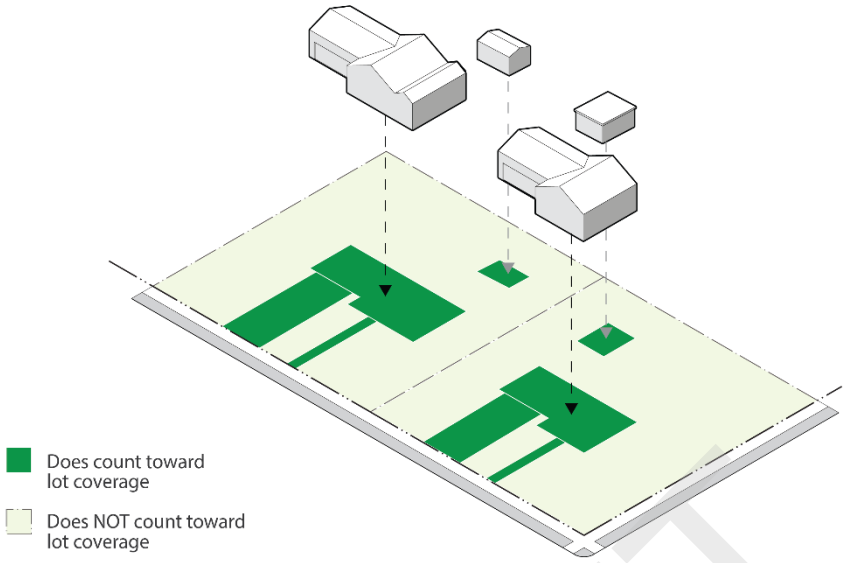

Figure 5 Lot Coverage

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3-104. General Use Standards

A. **Purpose.** The purpose of this Section is to establish the allowed uses in the Single-Family Districts of the Village including how they are allowed (permitted, special use, etc.) and supplemental standards that must be met for use establishment.

B. **Applicability**. The uses and supplemental use standards established in this Article shall apply to parcels within Single-Family Residential Districts of the Village of Northbrook, as designated on the Village of Northbrook Zoning Map.

C. **General Use Types**. In order to regulate the use of land, general use types have been established. General use types provide a systematic basis for assigning land uses to appropriate categories with other similar uses. General use types classify land uses and activities based on common functional, product or physical characteristics.

1. Characteristics include the type and amount of activity, the hours of operation, the type of customers or residents, how goods or services are sold or delivered, likely impact on surrounding properties and site conditions.

2. Where a general use definition contains a list of example uses, the list is to be considered non-inclusive. Uses shall be categorized through the Interpretation process established in Section 2-107.

C. **Qualified Uses**.

1. **Floor Dependent**.

a. If a use includes “above ground floor only” in the title, it shall be allowed on the second story or higher of a building only.

b. If a use does not include “above ground floor only” in the title, it shall be allowed on all building stories.

2. **Square Footage Dependent**.

a. If a use includes a qualifying statement regarding square footage, such as “less than 2,500 sq ft” the total square footage of the building, or tenant space, in which the use may operate shall not exceed what is specified.

b. If a use does not include a qualifying statement regarding square footage, the total square footage of the building in which the use may operate is not restricted, unless otherwise stated in this Code.

3. **Public or Private Designation**.

a. If a use includes “public” in the title, it shall be owned and operated by a governmental entity, non-profit organization, or other non-taxing body.

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b. If a use includes "private" in the title, it shall be owned and operated by a for-profit organization or business.

D. **Principal Uses**.

1. **Allowance**.

a. Principal uses are allowed by district as established in Table 3-105-A Principal Uses.

b. A parcel shall not contain more than one principal uses or principal structures.

2. **Use Categories**.

a. **Residential**. Premises for long-term human habitation by means of ownership or rental, excluding short-term leasing or rental of less than one (1) month.

b. **Public and Institutional**. Premises for organizations dedicated to religion, government, arts and culture, recreation and sports, and other similar areas of public assembly in addition to uses and premises dedicated to education, social service, and health care.

c. **Commercial**. Premises for the commercial sale of merchandise, prepared foods, and food and drink consumption; the transaction of general business and the provision of services; and short-term human habitation, including daily and weekly rental.

d. **Industrial and Vehicle-Related**. Premises for the creation, assemblage, storage, and repair of items including their wholesale or retail sale in addition to uses and premises dedicated to the sale, maintenance, servicing or storage of automobiles or similar vehicles.

e. **Utilities and Infrastructure**. Uses and structures dedicated to transportation, communication, and utilities.

f. **Agriculture and Animal Related**. Premises for growing crops, raising animals, harvesting timber, and harvesting fish and other animals from a farm, ranch or their natural habitat and all related functions in addition to animal care facilities located in commercial settings.

E. **Accessory Uses**. Accessory uses are allowed by district, as established in Table 3-107-A Accessory Uses, but only incidental to a legally established, conforming principal use.

F. **Temporary Uses**. Temporary uses are allowed by district as established in Table 3-108-A Temporary Uses.

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3-105. Principal Uses

A. **Principal Uses Table**. The following shall be used in the interpretation of Table 3-105-A.

1. **Permitted Uses (P)**. Uses which are marked as "P" in the table shall be allowed principal uses subject to all applicable regulations of this Zoning Code.

2. **Special Uses (S)**. Uses which are marked as "S" in the table shall require approval with a Special Permit as detailed in Section 2-113 prior to establishment.

3. **Prohibited Uses**. A blank space in the table indicates that a use is prohibited.

4. **Uses Not Listed**. A use not specifically listed is prohibited unless, through the Interpretation process established in Section 2-107, it is determined that the use is a part of a general use type as described in Section 3-104-C.

5. **Additional Regulation**. If a use has supplemental standards, they are referenced in the Additional Regulations column. Supplemental standards shall apply to the use, regardless of whether it is a Permitted or Special Use.

Table 3-105-A: Principal Uses by Single-Family Residential District

Use	Additional Regulation	R-1	R-2	R-3	R-4	R-5
Residential Uses	Additional Regulation	R-1	R-2	R-3	R-4	R-5
Community Residences (up to 8 residents)	3-105-B-1	P	P	P	P	P
Dwelling, Cottage Court	3-105-B-2					P
Dwelling, Duplex						P
Dwelling, Single-Family Detached		P	P	P	P	P
Dwelling, Townhouse						
Dwelling, Triplex/Quadplex						
Live-Work Unit						
Multi-Unit Building, 13+ Units						
Multi-Unit Building, 5-12 Units						
Multi-Unit Dwelling Complex						
Multi-Unit Dwelling, Above Ground Floor Only						
Senior Living Facility, Dependent						
Senior Living Facility, Independent						
Transitional Service Facilities, with up to 9 residents	3-105-B-4	S	S	S		

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Table 3-105-A: Principal Uses by Single-Family Residential District						
Use	**Additional Regulation**	**R-1**	**R-2**	**R-3**	**R-4**	**R-5**
Transitional Service Facilities with up to 15 residents	3-105-B-4	S	S			
Public and Institutional Uses	*Additional Regulation*	R-1	R-2	R-3	R-4	R-5
Cemetery						
Day Care		S	S	S	S	S
College/University						
Hospital						
Membership Organizations, 2,500 sq ft or less						
Membership Organizations, More than 2,500 sq ft						
Park						
Place of Worship, 2,500 sq ft or less		P	P	S	S	S
Place of Worship, More than 2,500 sq ft		P	P	S	S	S
Public Cultural and Community Facilities						
Public Service/Safety Facility						
School, Elementary						
School, High						
School, Middle						
School, Vocational/Technical						
Vacant Land/Vacant Building		P	P	P	P	P
Commercial Uses	*Additional Regulation*	R-1	R-2	R-3	R-4	R-5
Adult Uses						
Alcohol/Liquor Sales						
Amusement and Recreation Services, 2,500 sq ft or less						
Amusement and Recreation Services, More than 2,500 sq ft						
Bank, Credit Union, Financial Services						
Bar/Tavern						
Cannabis Dispensary, Adult Use						

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Table 3-105-A: Principal Uses by Single-Family Residential District						
Use	**Additional Regulation**	**R-1**	**R-2**	**R-3**	**R-4**	**R-5**
Cannabis Dispensary, Medical Use						
Coworking Space						
Firearms Dealer						
Funeral Home						
General Retail						
Golf Course						
Hotel						
Medical Clinic						
Medical Spa						
Meeting/Event Facility						
Microbrewery/Winery/Distillery With Tasting Room						
One-on-One Educational Services						
One-on-One Personal Fitness Facilities						
Personal Service						
Physical Fitness Facilities, 2,500 sq ft or less						
Physical Fitness Facilities, 2,500 sq ft or more						
Professional Services						
Restaurant						
Short-Term Rental	3-105-B-5	P	P	P	P	P
Tobacco Retail Sale						
Industrial and Vehicle Related Uses	*Additional Regulation*	R-1	R-2	R-3	R-4	R-5
Artisan Manufacturing						
Brewery/Winery/Distillery						
Car Wash						
Cannabis Cultivation Center						
Cannabis Craft Grower						
Cannabis Infuser						
Cannabis Processor						
Commercial Kitchen						
Contractor Facility						

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Table 3-105-A: Principal Uses by Single-Family Residential District						
Use	**Additional Regulation**	**R-1**	**R-2**	**R-3**	**R-4**	**R-5**
Crematorium						
Dry Cleaning Facility, Processing On-Site						
Building Material, Machinery, and Equipment Sales or Storage						
Fuel Sales						
Industry, Heavy						
Industry, Light						
Materials Salvage Yard/Recycling Operations						
Microbrewery/Winery/Distillery With or Without Tasting Room						
Motor Vehicle Sales/Rental, With Open Sales Lot						
Motor Vehicle Sales/Rental, Without Open Sales Lot						
Off-Street Parking						
Personal / Self Serve Storage						
Trucking Company						
Vehicle Services - Major Repair/Body Work						
Vehicle Services - Minor Maintenance/Repair						
Warehouse, Distribution/Storage						
Wholesale Trade						
Utilities and Infrastructure	*Additional Regulation*	R-1	R-2	R-3	R-4	R-5
Electrical Substations						
Public Utility Facilities		S	S	S	S	S
Required Detention Facilities		P	P	P	P	P
Transit Facilities						
Wireless Telecommunications Equipment						
Wireless Telecommunications Tower						
Agriculture and Animal Related	*Additional Regulation*	R-1	R-2	R-3	R-4	R-5
Animal Production						

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Table 3-105-A: Principal Uses by Single-Family Residential District						
Use	**Additional Regulation**	**R-1**	**R-2**	**R-3**	**R-4**	**R-5**
Community Garden		P	P	P	P	P
Crops and Horticulture						
Indoor Agriculture						
Nursery & Garden Center, With Open Sales Lot						
Nursery & Garden Center, Without Open Sales Lot						
Veterinary and Animal Care Services, indoor and outdoor						
Veterinary and Animal Care Services, indoor only						

B. **Principal Use Supplemental Standards.**

1. **Community Residences.** Community residences shall comply with the following standards.

   a. **Maximum Occupancy.** Shall have no more than eight (8) residents.

   b. **Separation Required.** Shall be at least 1,500 feet from any other community residence; and

   c. **Registration.** Shall be registered with the Village Manager.

   d. **Compliance With Standards.** Prior to occupancy, the owner or operator must demonstrate that the Community Residences shall:

      i. Comply with the Municipal Code standards for maximum occupancy and the Zoning District requirements.

      ii. The Community Residence shall be maintained in compliance with standards for off-street parking at all times.

2. **Dwelling, Cottage Court**.

   a. **Number of Cottage Courts**. A maximum of one cottage court shall be allowed per development site.

   b. **Dwelling Unit Standards**.

      i. **Dwelling Unit Lot Standards**. If the dwelling, cottage court buildings are located on individual lots, the following standards shall apply.

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a) **Lot Area**. The minimum size of a dwelling, cottage court building lot shall be 2,500 square feet.

ii. **Size of Dwelling Units**.

a) A dwelling, cottage court building utilized as a dwelling shall have a maximum floor area of 1,800 square feet.

b) A dwelling, cottage court building utilized as a common amenity space shall have a maximum floor area of 4,000 square feet.

iii. **Number of Dwelling Units**.

a) A maximum of one dwelling unit shall be allowed per building in a dwelling, cottage court.

b) A dwelling, cottage court development site shall have a minimum of four buildings per site.

c) One of the allowed dwelling, cottage home court buildings may be utilized for common amenity space.

iv. **Building Orientation**.

a) Buildings shall be oriented with their main entrance facing the shared common court open space, except for corner buildings.

b) Corner buildings shall be oriented with their main entrance facing either the shared common court open space or the public right of way.

v. **Permanent Foundation Required.** Individual cottage court buildings shall be affixed to the ground with a permanent foundation.

c. **Common Court Open Space**.

i. Buildings in a dwelling-cottage court shall be arranged around a common court.

ii. The common court shall be open to and visible from the public right of way.

iii. The common court shall have a minimum area of 2,500 square feet.

iv. The common court shall have a minimum width of 30 feet as measured from the interior of the pedestrian walkway.

v. Required building setbacks do not count as common court open space.

vi. A maximum of 30 percent of a common court open space may be used for stormwater management if designed as a rain garden or bioswale.

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d. **Pedestrian Access**.

i. A pedestrian walkway with a minimum width of five feet shall connect all buildings to the public right of way, common court open space, and parking areas.

ii. The pedestrian walkway shall be setback a minimum of six feet from building entrances.

e. **Vehicle Access and Parking**.

i. Parking and driveways shall be located to the rear of the buildings in a dwelling-cottage court.

ii. Parking shall be accessed by an alley if an alley exists.

iii. If no alley exists, parking shall be accessed by a single driveway.

iv. The driveway shall be located either:

a) From the secondary street for a corner development site, or

b) To the interior side of the buildings on the development site.

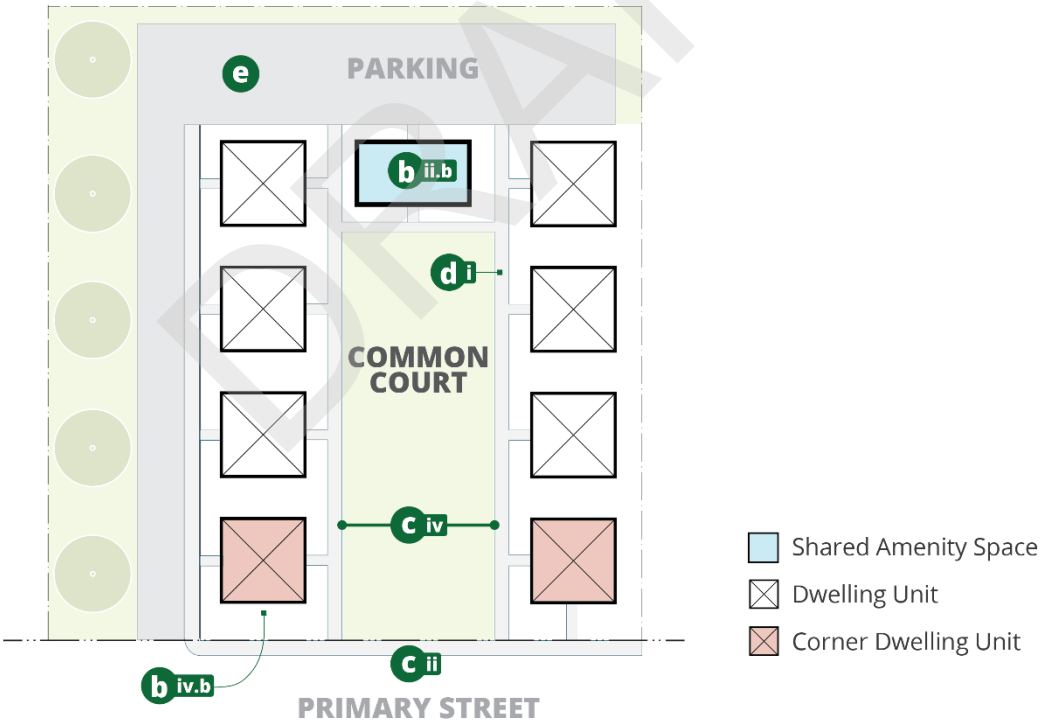

Figure 6 Dwelling, Cottage Court

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3. **Dwelling, Duplex.**

   a. **Design**. Duplex dwellings shall be designed to maintain the character of the surrounding single-family residences.

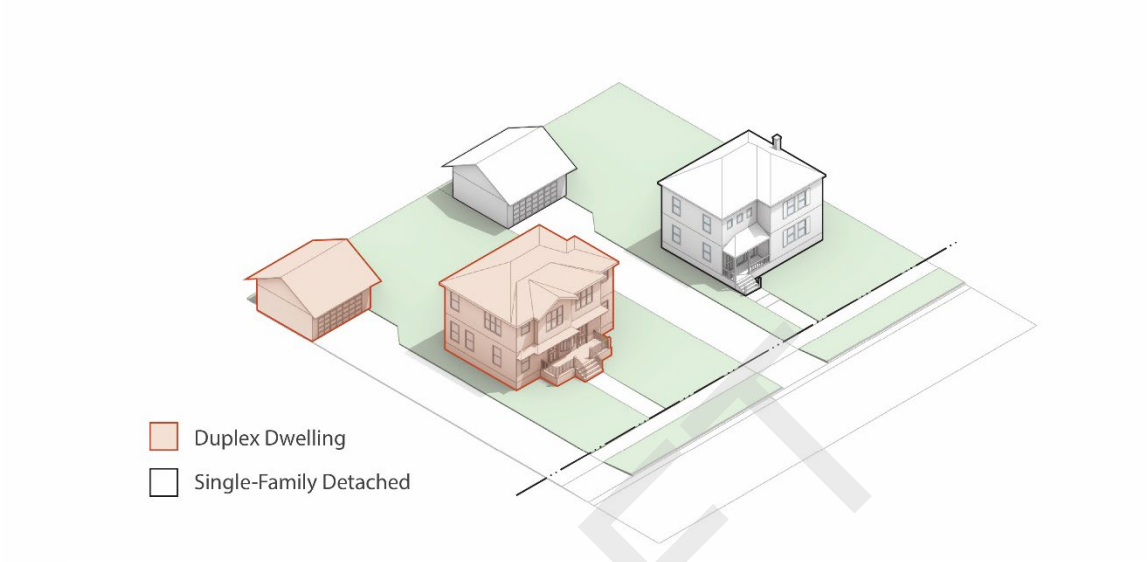

Figure 7 Dwelling, Duplex

   b. **Parking**. A minimum of one of the parking spaces, as required in Section 10-102, shall be provided in an attached or detached garage per unit.

4. **Transitional Service Facilities.**

   a. **Required Approvals.** No transitional service facility shall be established without the prior licensing, certification or other approval of any required public agency or department charged with the regulation or supervision of any facet of the activity of the proposed facility. Every application for a Special Permit for a transitional service facility shall set forth each agency or department that must approve the establishment or operation of the facility and shall be accompanied by a formal acknowledgment of approval from each such public agency or department as may be required by state or federal statute, law, or regulations. In the event any such approval has been delayed, the application shall set forth the status of each such application, and shall state any facts known to the applicant that might have contributed to the delay of any required approval that has not been obtained as of the time of the filing of the application for a Special Permit.

   b. **Structure Type.** Every transitional service facility shall be located in a single family dwelling of the type permitted in the district where the facility is located. The type of construction shall be in compliance with the Village building code. No alteration of any such single family dwelling that would prevent its future use as a single family dwelling shall be permitted.

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c. **Supervision.** Every transitional service facility shall provide qualified and experienced supervisory personnel in sufficient numbers and during sufficient and appropriate hours of the day and night to meet all standards of any required public agency or department responsible for the licensing or regulation of the transitional service facility and such additional service as may be required by the Board of Trustees as a condition of the Special Permit to operate the transitional service facility. The Special Permit shall specifically establish minimum standards for supervision. 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.

d. **Availability of Facilities.** Every transitional service facility shall be provided with, or have ready 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 public transportation.

e. **Financial Stability.** No Special Permit for a transitional service facility shall be granted unless the applicant therefor shall establish to the satisfaction of the Board of Trustees that 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.

f. **Separation Requirement.** No transitional service facility with more than eight residents may be located any closer than 2,500 feet from another transitional service facility with more than eight residents.

g. **Occupancy Limits.** No Special Permit for a transitional service facility shall be granted unless the applicant therefor demonstrates compliance with the Municipal Code standards for maximum occupancy and the Zoning Code standards for off-street parking. The Transitional Service Facility shall be maintained in compliance with such standards at all times.

5. **Short-Term Rentals.**

a. Only properties with a principal single-family detached residential use may be used or offered as short-term rentals. No exclusively commercial, office, industrial or institutional property or portion thereof may be used or offered as a short-term rental.

b. No single-family detached dwelling unit may be used or offered as a short-term rental as its principal use.

c. No dwelling unit may be used or offered as a short-term rental unless the owner or long-term tenant of the dwelling units resides on the premises for the entire duration of any short-term rental.

d. No short-term rental may be rented for a period shorter than two consecutive nights.

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e. No more than two bedrooms within a dwelling unit may be used or offered as a short-term rental at any one time. Notwithstanding this limit, at no time may all bedrooms within a dwelling unit be offered as short-term rentals simultaneously.

f. No bedroom used or offered as a short-term rental may be rented and occupied by more than two adults simultaneously.

g. Accessory dwelling units on a lot may not be used or offered as short-term rentals.

h. All overnight parking for persons renting a short-term rental must be provided on the same lot as the short-term rental and must be located on an improved hard surface. Street parking may not be used by persons renting a short-term rental.

i. No dwelling unit may be used for a short-term rental unless the owner or long-term tenant of the dwelling unit has registered with the Village their intent to offer and use the dwelling unit as a short-term rental.

j. Prior to the first rental of a short-term rental in any calendar year, the owner or long-term tenant of the dwelling unit must deliver written notice by mail or personal delivery to the owners of all parcels that abut the property on which the short-term rental will be located of the owner's or long-term tenant's intent to offer their dwelling unit as a short-term rental. The written notice must include the rental registration number of the property, as provided by the Village Manager, and contact information for the owner or long-term tenant of the short-term rental.

k. All short term rentals must incorporate and contain all fire protection equipment and systems required pursuant to Chapter 6 of the Municipal Code in an operable manner.

l. All garbage and refuse must be stored in compliance with the requirements of the Municipal Code. Refuse containers may not be placed outdoors, except on the designated day for garbage and refuse collection.

m. Advertising and Signage.

   i. No sign advertising or otherwise promoting a short-term rental may be installed or erected on the premises.

   ii. All online advertising regarding short-term rentals, including listings on short-term rental platforms, must:

      a) List a valid short-term rental registration number issued by the Village; and

      b) Only advertise a short-term rental that complies with all of the short-term rental regulations and restrictions set forth in this Section.

n. **Penalty.** Any person who violates any of the provisions of this Section will be fined in the amount set forth in Section 2-119-D of this Code. Each day that a violation exists constitutes a separate offense.

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3-106. Dimensional Standards Encroachments, Exceptions, & Adjustments

A. **Allowed Encroachments into Required Yards**.

Table 3-106-A. Allowed Encroachments into Required Yard

Encroachment Type	Allowed Location	Limitations of Encroachment
Air Conditioning Units	rear and interior side yard	Shall be a minimum of five feet from any lot line.
Antennae	rear and interior side yard	Shall be a minimum of three feet from any lot line.
Accessibility Ramps and Fire Escapes required by the Illinois State Building Code	any required yard	Shall be a minimum of five feet from the property line unless otherwise approved by the Village Manager as a Administrative Modifications per Section 2-104.
Basketball equipment	any required yard	A maximum of one per front yard shall be allowed. Shall be a minimum of five feet from side and rear lot lines and ten feet from a front lot line.
Bay Windows and Balconies	front and corner side yard	Shall extend no more than three feet from the applicable elevation of the building and at least five feet from the property line. May not have any foundation or footing and may only project from a façade.
	interior side and rear yard	Shall be a minimum of three feet from the applicable building elevation. May not have any foundation or footing and may only project from a façade.
Clothesline	rear yard	Shall be a minimum of five feet from any lot line.
Compost bin	rear yard	Shall be a minimum of five feet from any lot line.

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Table 3-106-A. Allowed Encroachments into Required Yard		
Encroachment Type	**Allowed Location**	**Limitations of Encroachment**
Covered Porches, Covered Decks, Covered Patios, Pergolas, and Gazebos	front and corner side yard	• May encroach up to five feet from the applicable elevation of the building and no closer than five feet to the property line, whichever is greater. • May not exceed 30 inches in height above the average finished grade. • May not be screened-in or enclosed.
Cornices, Gutters, Eave Overhangs, and Similar Architectural Projections	any required yard	May encroach up to two feet from the applicable elevation of the building or approved by the Village Manager or Village Engineer per per Section 2-104.
Driveways	any required yard	• Shall comply with the standards of Section ###. • Shall be a minimum of two feet from the interior side property line.
Fences, Walls, and Berms	any required yard	Shall comply with the standards of Section 10-108.
Flagpoles	any required yard	Shall be a minimum of five feet from the property line.
Generators	rear and interior side yard	Shall be a minimum of five feet from any lot line.
Lighting: landscape, building façade, outdoor recreational, and pedestrian	front and corner side yard	Shall comply with the standards of Article 10.
Signs	any required yard	Shall comply with the standards of Article 11.
Parking	As allowed and in accordance with the standards of Section 10-102.	
Uncovered and Unenclosed Steps and Stairs	front and corner side yard	May encroach up to six feet from the applicable elevation of the building and no closer than five feet to the property line, whichever is greater.

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Table 3-106-A. Allowed Encroachments into Required Yard		
Encroachment Type	**Allowed Location**	**Limitations of Encroachment**
Uncovered Porches, Decks, Patios, and similar Features	rear and side yard	Shall be a minimum of five feet from the property line.
Permeable Path	Interior side yard	As approved by Village Engineer.

B. **Allowed Front and Corner Side Yard Adjustment.** For a lot in any district that is subject to a platted setback line, the front and/or corner side yard setback for the lot shall be either the platted setback line or the yard setback requirement for the governing district, whichever is greater.

C. **Allowed Height Exceptions.** Buildings purpose built for Place of Worship uses may have a maximum height of 55 feet and may include spires and minarets with a maximum height of 70 feet.

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3-107. Accessory Uses

A. **Accessory Uses Table**. The following shall be used in the interpretation of Table 3-107-A.

1. **Permitted Uses (P)**. Uses which are marked as "P" in the table shall be allowed accessory uses subject to all applicable regulations of this Zoning Code.

2. **Special Uses (S)**. Uses which are marked as "S" in the table shall require approval with a Special Permit as detailed in Section 2-113 prior to establishment.

3. **Prohibited Uses**. A blank space in the table indicates that a use is prohibited.

4. **Uses Not Listed**. A use not specifically listed is prohibited unless, through the Interpretation process established in Section 2-107, it is determined that the use is a part of a general use type as described in Section 3-104-C.

5. **Additional Regulation**. If a use has supplemental standards, they are referenced in the Additional Regulation column. Supplemental standards shall apply to the use, regardless of whether it is a Permitted or Special Use.

Table 3-107-A: Accessory Uses by Single-Family Residential District

Use	Additional Regulation	R-1	R-2	R-3	R-4	R-5
Attached Accessory Dwelling Unit	3-107-B-1	P	P	P	P	P
Accessory Structure	3-107-B-2	P	P	P	P	P
ATM						
Day Care Nursery						
Drive-Through Facility						
Electric Vehicle Charging Station – Commercial						
Garden		P	P	P	P	P
Home Based Daycare		S	S	S	S	S
Home Occupation	3-107-B-3	P	P	P	P	P
Outdoor Display - Permanent						
Sale of Merchandise – Permanent						
Outdoor Seating for Eating and Drinking Uses						
Outdoor Storage / Open Lot						
Pool		P	P	P	P	P
Solar Energy Collection System, Canopy Mounted	3-107-B-4	P	P	P	P	P

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Table 3-107-A: Accessory Uses by Single-Family Residential District						
Use	**Additional Regulation**	**R-1**	**R-2**	**R-3**	**R-4**	**R-5**
Solar Energy Collection System, Ground Mounted	3-107-B-5	P	P	P	P	P
Solar Energy Collection System, Roof Mounted	3-107-B-6	P	P	P	P	P

B. **Accessory Use Supplemental Standards**.

1. **Attached Accessory Dwelling Units.**

a. An AADU must be located on the same lot and remain under the same ownership as the principal single family detached dwelling to which the AADU is accessory.

b. An AADU must be attached to, and architecturally integrated into, the principal single family detached dwelling structure to which the AADU is accessory.

c. An AADU shall comply with all dimensional standards for the District as specified in Section 3-103.

d. An AADU must be subordinate in area to the principal single family detached dwelling structure to which the AADU is accessory and may not exceed 600 square feet in floor area, or 25 percent of the total floor area of the principal structure, whichever is less.

e. The principal single family detached dwelling structure must be occupied by the owner of the lot on which the AADU is located and used as the owner's principal place of residence for no less than six months during each calendar year.

f. In the event that ownership of the lot on which the AADU is located is sold, transferred, or conveyed, the new record owner must, as soon as practicable after taking title to the property, file an affidavit indicating compliance with the requirements of this Section of the Zoning Code, and must do so on an annual basis thereafter.

g. No more than one AADU may be constructed or maintained on any lot.

h. The principal single family detached dwelling structure must maintain the appearance of a single-family residence with a single front entrance in terms of roof pitch and façade design and features.

i. A secondary entrance providing access to an AADU, if any, may only be located on the rear or side of the principal residential structure, unless the Village specifically allows otherwise as part of the Special Permit approval process.

j. An AADU may not be used as a short-term rental.

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k. All overnight parking for an AADU must be provided on the same lot as the AADU and must be located on an improved hard surface. Overnight street parking may not be used by persons residing in an AADU.

l. An AADU must incorporate and contain all fire protection equipment and systems required pursuant to Chapter 6 of the Municipal Code and all such equipment must be maintained in an operable manner.

m. All garbage and refuse generated by an AADU or its occupants must be stored in compliance with the requirements of the Municipal Code.

2. **Accessory Structure.**

a. **Number.**

i. **All Accessory Structures**. The number of all accessory structures on a lot shall not exceed the maximum allowed lot coverage per district as established in Section 3-103.

ii. **Total Number of Accessory Structures.** The total number of all accessory structures shall not exceed one per 3,000 square feet of lot area.

b. **Compatibility.** The exterior of an accessory structure shall be compatible with the principal building in terms of color, exterior building cladding materials, and roof style and materials, and shall be compatible with the residential nature of the surrounding area.

c. **Standards For Specific Accessory Structures.**

i. **Pools.** No pool, or any equipment appurtenant thereto, shall be located:

a) In any required front yard;

b) In any required corner side yard; or

c) Less than six (6) feet from any property line if located in any required rear yard or required interior side yard. See also Chapter 6 of the Northbrook Municipal Code for pool fence requirements.

ii. **Accessory Parking Lots in Single Family Residential Districts.** Except when approved as part of a Special Permit, parking lots shall not be permitted as an accessory use in any single-family residential district.

iii. **Campers, Recreational Vehicles, Etc. Prohibited For Use:** Campers, travel trailers and recreational vehicles shall not be permitted for use as accessory structures in single-family residential districts. These vehicles shall not be connected to utilities, occupied, or located in front of a principal structure within these districts.

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d. **Dimensional Standards.** Accessory structures shall meet the dimensional standards established in Table 3-107-B-2(d).

Table 3-107-B-2(d). Accessory Building/Structure Dimensional Standards	
Yard Setbacks	
Front, Minimum	Five feet behind front elevation of principal building or shall adhere to the front setback of the district, whichever is greater
Corner Side, Minimum	Five feet behind corner side elevation of principal building or shall adhere to the corner side setback of the district, whichever is greater
Interior Side, Minimum	5 feet
Rear, Minimum	5 feet
Building Standards	
Height, Maximum	15 feet
Building Area, Maximum	1,000 square feet or 20 percent of gross lot area, whichever is greater, however in no instance shall an accessory structure exceed the area of the principal building

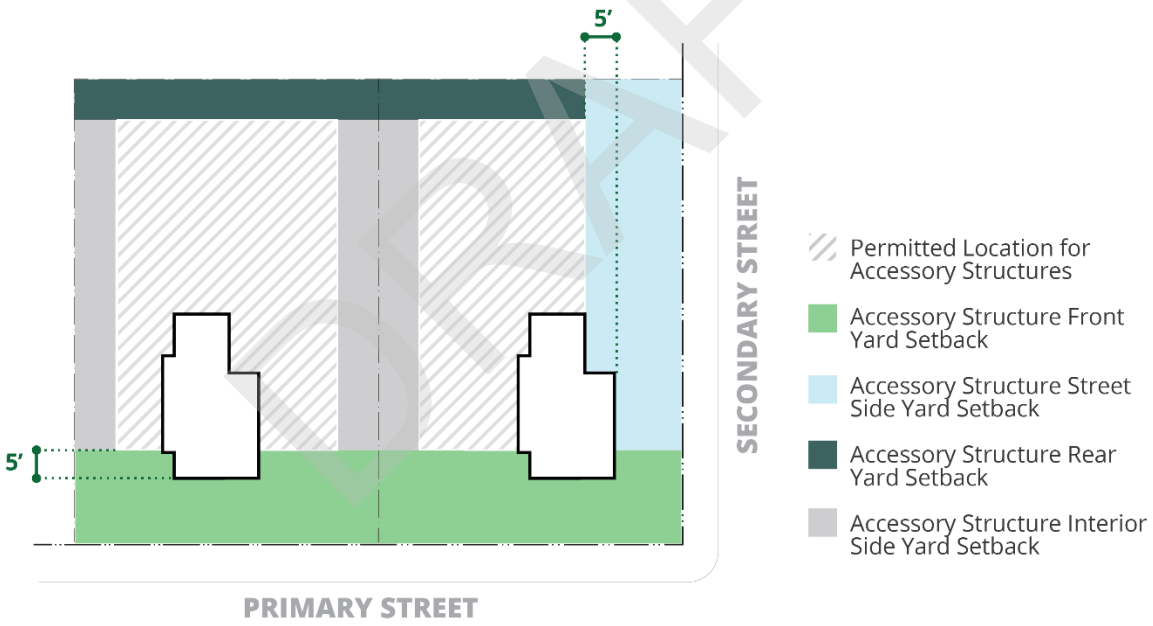

Figure 8 Accessory Structure

3. **Home Occupation.**

a. **Use Accessory To**. Home occupations shall be allowed accessory to any Single-Family Detached use.

b. **Location**. A home occupation shall be located interior to the principal dwelling.

c. **Employees.** At least one resident of the residential unit of the property shall be employed by a home occupation.

d. **Outside Entrance.** A home occupation shall not have a separate entrance.

e. **On-Site Customers/Clients/Employees.** A home occupation may have no more than three employees, customers or clients on site at any one time.

f. **Signs.** No advertising sign, other than a name plate not exceeding one square foot in total area, shall be displayed in connection with a home occupation.

g. **Prohibited Home Occupations**. The following uses shall be prohibited as home occupations:

   i. All public and institutional uses,

   ii. All commercial uses with the exception of personal services and professional services,

   iii. All industrial and automotive uses,

   iv. All utilities and infrastructure uses, and

   v. All agriculture and animal related uses.

   vi. All firearms dealers.

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4. **Solar Energy Collection System, Canopy Mounted.**

   a. Canopy solar energy collection systems are permitted over any principal or accessory parking lot.

   b. The height of canopy solar energy collection systems shall not exceed the height of the principal building that the parking area serves or 20 feet, whichever is greater.

   c. The minimum height of solar energy collection systems shall allow clearance for emergency and service vehicles.

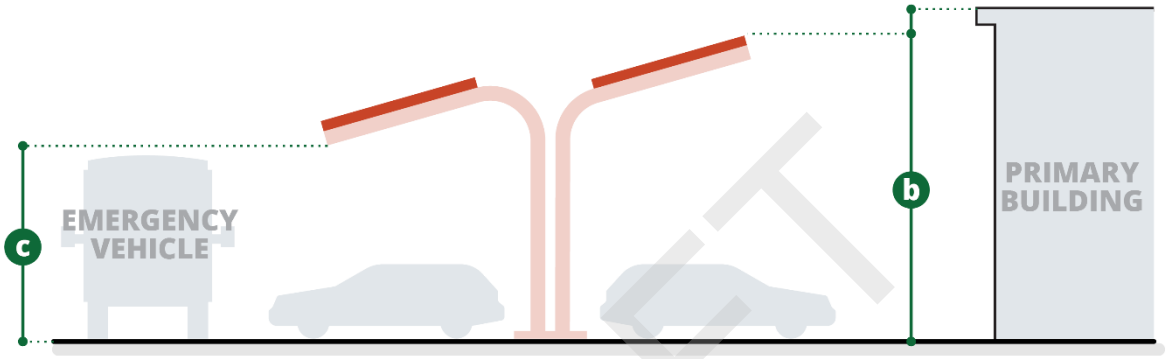

Figure 9 Solar Energy Collection System, Canopy Mounted

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5. **Solar Energy Collection System, Ground Mounted.**

   a. Ground-mounted solar energy collection systems shall be permitted in accordance with the principal structure setbacks on the front, street sides, and any applicable accessory structure setbacks.

   b. The maximum height of ground-mounted solar energy collection systems shall be five feet, measured from the grade at the base of the pole to the highest edge of the system.

   c. The minimum clearance between the lowest point of the system and the surface on which the system is mounted shall be 12 inches.

   d. Ground-mounted solar energy collection systems shall be exempt from the impervious surface limits if the ground directly under the solar panel is planted with native plantings and groundcover other than turf grass.

   e. All parts of the freestanding system shall be set back five feet from the side and rear lot lines and shall not be located in an easement.

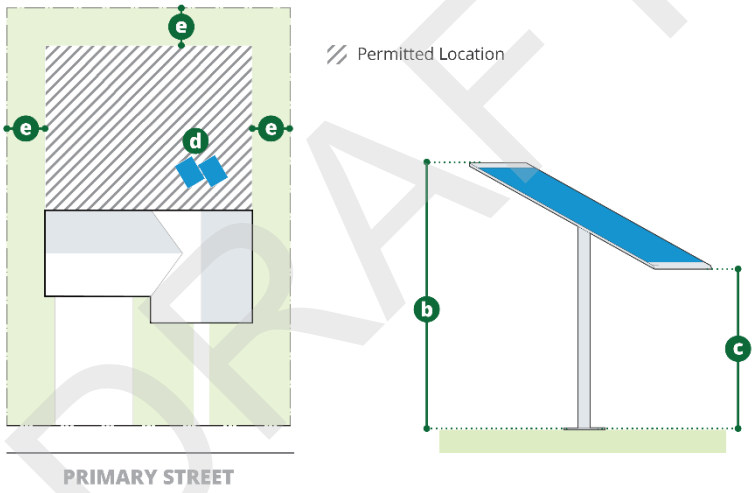

Figure 10 Solar Energy Collection System, Ground Mounted

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6. **Solar Energy Collection System, Roof Mounted.**

   a. Roof-mounted solar energy collection systems may be located on any roof face of principal or accessory buildings. Systems should be flush mounted when possible.

   b. Systems on structures 35 feet or less in height shall not extend beyond 12 inches parallel to the roof surface.

   c. Systems on structures greater than 35 feet in height shall not extend beyond 36 inches parallel to the roof surface.

   d. Systems on all structures shall not extend above the highest peak of a pitched roof.

   e. All materials used for racking, mounts, mounting clamps, and flashings shall be of a color consistent with the color of the roof surface to minimize visibility, or black.

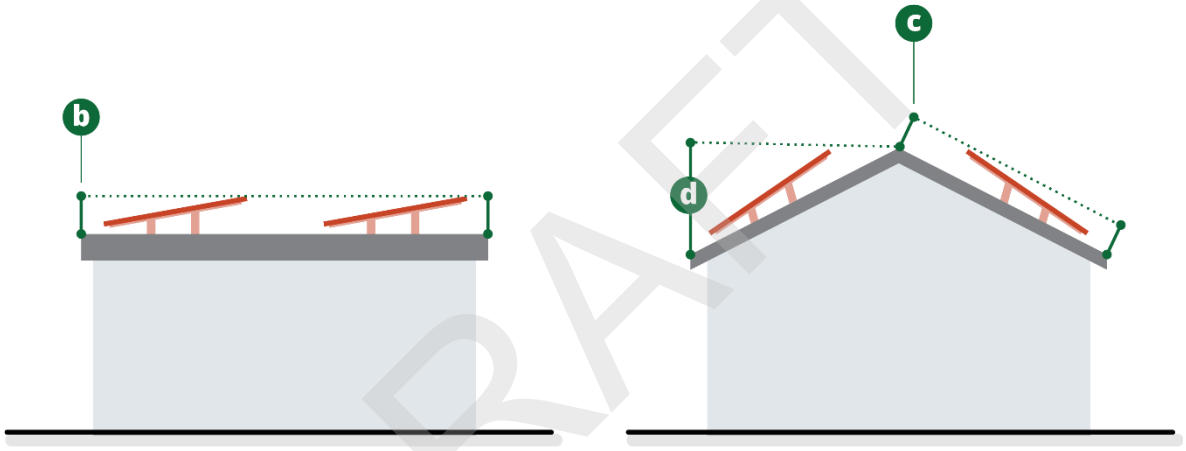

Figure 11 Solar Energy Collection System, Roof Mounted

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3-108. Temporary Uses

A. **Temporary Uses Table**.

1. **Permitted Uses (P)**. Uses which are marked as "P" in the table shall be allowed temporary uses subject to all applicable regulations of this Zoning Code.
2. **Temporary Uses (T)**. Uses which are marked as "T" in the table shall be allowed temporary uses after the approval of a Temporary Use Permit, as detailed in Section 2-110
3. **Special Uses (S)**. Uses which are marked as "S" in the table shall require approval as a Special Use as detailed in Section 2-113 prior to establishment.
4. **Prohibited Uses**. A blank space in the table indicates that a use is prohibited.
5. **Uses Not Listed**. A use not specifically listed is prohibited unless, through the Interpretation process established in Section 2-107, it is determined that the use is a part of a general use type as described in Section 3-104-C.
6. **Additional Regulation**. If a use has supplemental standards, they are referenced in the Additional Regulation column. Supplemental standards shall apply to the use, regardless of whether it is a permitted or special use.

Table 3-108-A: Temporary Uses by Single-Family Residential District

Use	Additional Regulation	R-1	R-2	R-3	R-4	R-5
Civic Uses of Public Property						
Contractor Trailer / Temporary Real Estate Sales	3-108-B-1	T	T	T	T	T
Farmers Market						
Garage Sales	3-108-B-2	P	P	P	P	P
Parking of Trailers, Boats, and Other Vehicles	3-108-B-3	P	P	P	P	P
Portable Outdoor Storage Device	3-108-B-4	T	T	T	T	T
Seasonal Sales						
Special Event Tents	3-108-B-5	T	T	T	T	T

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B. **Temporary Use Supplemental Standards**.

1. **Contractor Trailer / Temporary Real Estate Sales.**

   a. Contractors' trailers and temporary real estate sales model units are allowed when accessory to a construction project or a new development.

   b. Contractors' trailers and temporary real estate sales model units shall be limited to a period not to exceed the duration of the active construction phase of such project or the active selling and leasing of space in such development.

   c. Contractors' trailers and temporary real estate sales model units shall not contain any sleeping or cooking accommodations, except if located in a model unit.

   d. No such trailer, unit, or office shall be used as the general office or headquarters of any firm.

   e. Contractors' trailers and temporary real estate sales model units shall be located within the buildable setback of the where it is located.

2. **Garage Sales**.

   a. **Certificate of Zoning Compliance.** No Certificate of Zoning Compliance shall be required for garage sales authorized pursuant to this Paragraph 1.

   b. **Frequency.** Garage sales shall be limited to a period not to exceed three consecutive days. No more than four garage sales shall be conducted from the same dwelling unit in any calendar year, and no more than one such sale shall occur in any 30-day period.

   c. **Hours of Operat**ion. No garage sales shall operate before 7 am or after 9 pm.

   d. **Sign Limitations.** Notwithstanding the provisions of Section 9-106 of this Code, only off-site directional signs not to exceed four square feet in area shall be permitted for the purpose of advertising garage sales. Such signs shall not be erected in excess of 24 hours prior to the commencement of the garage sale and shall be removed within two (2) hours after the termination of the sale.

   e. **Location of Sale.** No portion of any garage sale shall take place on any public or private landscaped area, on any public sidewalk, or on any public right-of-way.

3. **Parking of Trailers, Boats, and Other Vehicles.** Trailers, boats, and other vehicles shall not be parked in the front yard or corner side yard.

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4. **Portable Outdoor Storage Device.**

    a. Only one portable outdoor storage device may be located on a lot at a time.

    b. No portable outdoor storage devices shall block any public sidewalk or public/private street right of way or interfere with their use.

    c. The portable outdoor storage device shall not exceed:

        i. Eight feet in width,

        ii. 12 feet in length, and

        iii. Eight feet in height, or

    d. The portable outdoor storage device must be located on a hard paved surface approved by the Village Manager.

    e. Every portable outdoor storage device must be locked and secured when not being loaded or unloaded.

5. **Tents.**

    a. No tent shall be allowed to remain for a period of more than four days longer than the period during which the principal or accessory use with which it is associated with is allowed to remain or, in the absence of any such period, 10 days.

    b. Unless waived in writing by the Village Manager, every tent shall comply with bulk, yard and space requirements applicable to accessory structures pursuant to Section 3-107-B.

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Article 4. Multi-Family Residential and Mixed-Use District Standards

4-101. General Provisions

4-102. Establishment, Purpose, and Intent of Multi-Family Residential and Mixed-use Districts

4-103. Dimensional Standards

4-104. General Use Standards

4-105. Principal Uses

4-106. Dimensional Standards Encroachments, Exceptions, & Adjustments

4-107. Accessory Uses

4-108. Temporary Uses

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4-101. General Provisions

A. **Purpose**. The purpose of this Article is to establish the multifamily zoning districts of the Village including their purpose, dimensional standards, and allowed encroachments, to:

1. Implement the intent of this Code and the Comprehensive Plan,
2. Allow for orderly development, and
3. Protect natural resources.

B. **Applicability**. The zoning districts established in this Article shall apply to all parcels zoned in multifamily or mixed-use districts (Section 4-102) within the Village of Northbrook as detailed on the Village of Northbrook Zoning Map.

4-102. Establishment, Purpose, and Intent of Multi-Family Residential and Mixed-use Districts

Table 4-102 Multi-Family Residential Base Districts	
District Name	**District Purpose and Intent**
R-6 Multi-Family Residential District	The R-6 Multi-Family Residential District is established to provide land for a mix of single family detached, duplex, triplex, quadplex, cottage court, and townhouse residential development in a moderate to high density setting. The district is intended to function as a transition between single family detached neighborhoods and other, less restrictive, zoning districts. Transitions in density and height between development in the R-6 district and adjacent single family detached neighborhoods is required to ensure compatibility.
R-7 Multi-Family Residential District	The R-7 Multi-Family residential district is established to provide land for single family detached, duplex, triplex, quadplex, cottage court, townhouse, senior and assisted living, and multi-family residential development in a high density setting. The district is intended to function as a transition between lower density neighborhoods and other, less restrictive, zoning districts. Transitions in density and height between development in the R-7 district and adjacent single family detached neighborhoods is required to ensure compatibility.
R-8 Multi-Family Residential District	The R-8 Multi-Family residential district is established to provide land for townhouse, senior and assisted living, and multi-family residential development in a high density, master planned, campus setting. The district is intended to function as a transition between residential neighborhoods and nonresidential development. Transitions in density and height between development in the R-8 district and adjacent residential neighborhoods is required to ensure compatibility.

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Table 4-102 Multi-Family Residential Base Districts	
District Name	**District Purpose and Intent**
RS Residential Specialty District	The RS Residential Specialty District is established to provide opportunities for a wide range of residential uses of an institutional nature that provide housing and may also provide some level of personal care for residents, such as independent senior living facilities, assisted living facilities, and other group homes. Development in the RS District is generally compatible with other types of multi-family uses, however the facilities constructed in this district may be of a larger scale and more specialized function than other multi-family buildings. The district may function as a transition between residential neighborhoods and nonresidential development. Transitions in density and height between development in the RS district and adjacent residential neighborhoods is required to ensure compatibility.
MFRC Multiple Family Residential and Commercial District	The MFRC Multi-Family Residential and Commercial District is established to provide greater interaction between residential, retail, entertainment and other related uses. The district is intended to create environments that expand the range of living, entertaining, and business opportunities within the Village while not adversely impacting nearby residential neighborhoods. The district should be located in areas with convenient access to major arterial highways, expressways, or tollways that are part of the regional transportation network.
RLC Residential and Limited Commercial District	The RLC Residential and Limited Commercial District is established to provide a diversity of residential uses and certain limited community-based commercial uses that complement the Village's Central Business District. The district 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.

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Table 4-102 Multi-Family Residential Base Districts	
District Name	**District Purpose and Intent**
VGRC Village Green Residential Commercial District	The VGRC Village Green Residential and Commercial District is intended to provide opportunities for single-family detached, townhouse, and multi-family residential development in or in close proximity to the Village's central business area. Development in the district is pedestrian-oriented and should conform to the planning and design principles of the central business area as a whole. The complementary uses that enhance the vibrancy and pedestrian oriented nature of the Village Green such as neighborhood serving commercial uses, parks, and places of worship are also allowed.

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4-103. Dimensional Standards

A. **R-6 District Dimensional Standards.**

Table 4-103-A: R-6 Dimensional Standards						
1 = Single-Family Detached, Duplex;			*4 = Cottage Court;*			
2 = Triplex/Quadplex			*5 = Independent Senior / Assisted Living Facility;*			
3 = Townhouse;			*6 = All Other Uses*			
	1	*2*	*3*	*4*	*5*	*6*
Lot Standards						
Lot Area, Minimum (sq ft)	7,500	15,000 [1]	5,000 [2]	20,000 [1]	40,000 [1]	20,000
Lot Width, Minimum (ft)	60	60	40 [2]	60	60	60
Yard Setbacks						
Front, Minimum (ft)	25	25	25	25	25	25
Corner Side, Minimum (ft)	25	25	25	25	25	25
Interior Side, Minimum (ft)	6	6 [3]	6 [3]	6	6	6
Rear, Minimum (ft)	30	30	30	30	30	30
Building Standards						
Height, Maximum (ft)	35	35	35	25	35	35
Height, Maximum (stories)	3	3	3	2	3	3
Lot Coverage, Maximum (%)	50	65	65	65	65	65
Notes						
[1] Standard shall apply to the entire lot on which the use is located and not to individual dwelling units.						
[2] Standard shall apply to individual dwelling units.						
[3] Setback may be 0 feet if fire rated partition wall provided.						

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B. **R-7; R-8; and RS District Dimensional Standards**.

Table 4-103-B: R-7, R-8, and R-S District Dimensional Standards

1 = Single-Family Detached, Duplex, Triplex / Quadplex; *4 = Cottage Court;*

2 = Multi-Unit Building, R-7: 5-12 Units | R-8, RS: All Units; *5 = Independent Senior / Assisted Living Facility;*

3 = Townhouse; *6 = All Other Uses*

	1	*2*	*3*	*4*	*5*	*6*
Lot Standards						
Lot Area, Minimum (sq ft)	7500 [1]	15,000 [1] [2]	3,000 [3]	20,000 [1]	40,000 [1]	20,000
Lot Width, Minimum (ft)	60	60	24 [3]	60	60	60
Yard Setbacks						
Front, Minimum (ft)	25	25	25	25	25	25
Corner Side, Minimum (ft)	25	25	25	25	25	25
Interior Side, Minimum (ft)	6	6	6 [4]	6	6	6
Rear, Minimum (ft)	30	30	30	30	30	30
Building Standards						
Height, Maximum (ft)	35	35 [5]	35	25	35	35
Height, Maximum (stories)	3	3 [5]	3	2	3	3
Lot Coverage, Maximum (%)	50	65	65	65	65	65
Notes						
[1] Standard shall apply to the entire lot on which the use is located and not to individual dwelling units.						
[2] In the R-8 and RS Districts a minimum of 3,000 square feet of lot area shall be provided per dwelling unit.						
[3] Standard shall apply to individual dwelling units.						
[4] Setback may be 0 feet if fire rated partition wall provided.						
[5] In the R-8 District a maximum height of 65 feet and 5 stories is allowed.						

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C. **MFRC and RLC District Dimensional Standards**.

Table 4-103-C: MFRC and RLC District Dimensional Standards			
1 = Multi-Unit Building, All Units;	MFRC		RLC
2 = All Other Uses	*1*	*2*	*2*
Lot Standards			
Lot Area, Minimum (sq ft)	460,000	40,000	45,000
Lot Width, Minimum (ft)	N/A	N/A	200
Lot Depth, Minimum (ft)	300	300	n/a
Yard Setbacks			
Front, Minimum (ft)	40	40	100
Corner Side, Minimum (ft)	40	40	100
Interior Side, Minimum (ft) [1]	75	75	6
Rear, Minimum (ft) [1]	40	40	25
Building Standards			
Height, Maximum (stories)	4	3	4
Height, Maximum (ft)	55	50	65
Maximum Lot Coverage (%)	50	50	70
Notes			
[1] Standard shall depend on required buffer yards as detailed in Section 10-106-B-4.			

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D. **VGRC District Dimensional Standards**.

Table 4-103-D VGRC District Dimensional Standards				
1 = Single-Family Detached		*3 = Townhouse;*		
2 = Multi-Unit Building, All Units;		*4 = All Other Uses*		
	1	*2*	*3*	*4*
Lot Standards				
Lot Area, Minimum (sq ft)	25,000	25,000	25,000	25,000
Lot Width, Minimum (ft)	40	18	100	40
Yard Setbacks				
Front, Minimum (ft)	20	10	25	10
Corner Side, Minimum (ft)	20	10	12	10
Interior Side, Minimum (ft)	5	5	12	5
Rear, Minimum (ft)	20	15	20	15
Building Standards				
Height, Maximum (ft)	30	45	45	45 [1]
Height, Maximum (stories)	2	4	4	4
Lot Coverage (%)	60	80	75	N/A
Note				
[1] A Planned Development may, by right, be constructed to a maximum height of 64 feet or 5 stories, whichever is less.				

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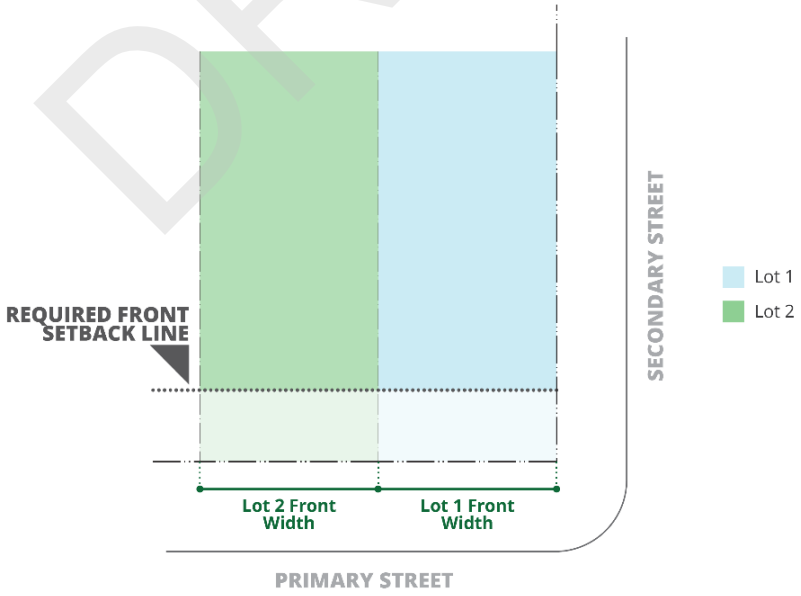

Figure 1 Lot Width



Figure 2 Building Height - Hip, Gable, Gambrel

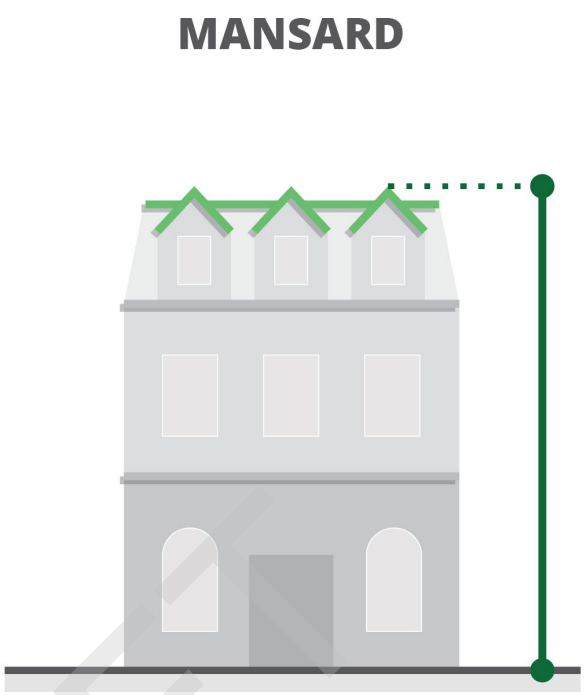

Figure 3 Building Height - Mansard

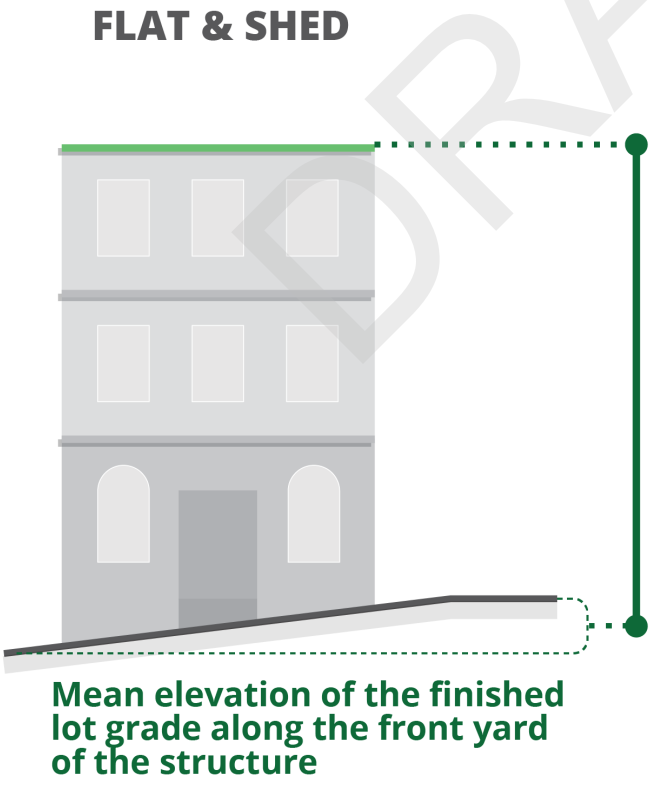

Figure 4 Building Height - Flat, Shed

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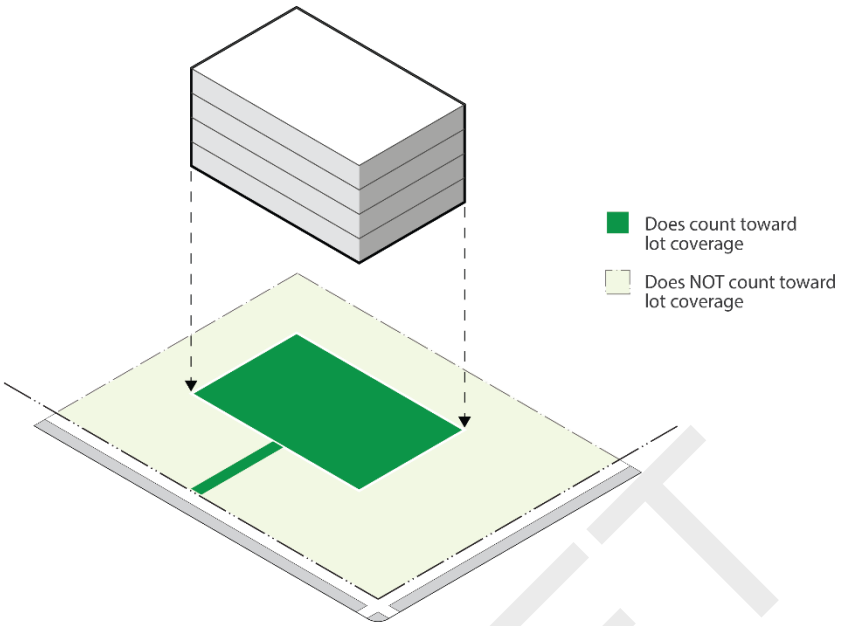

Figure 6 Lot Coverage

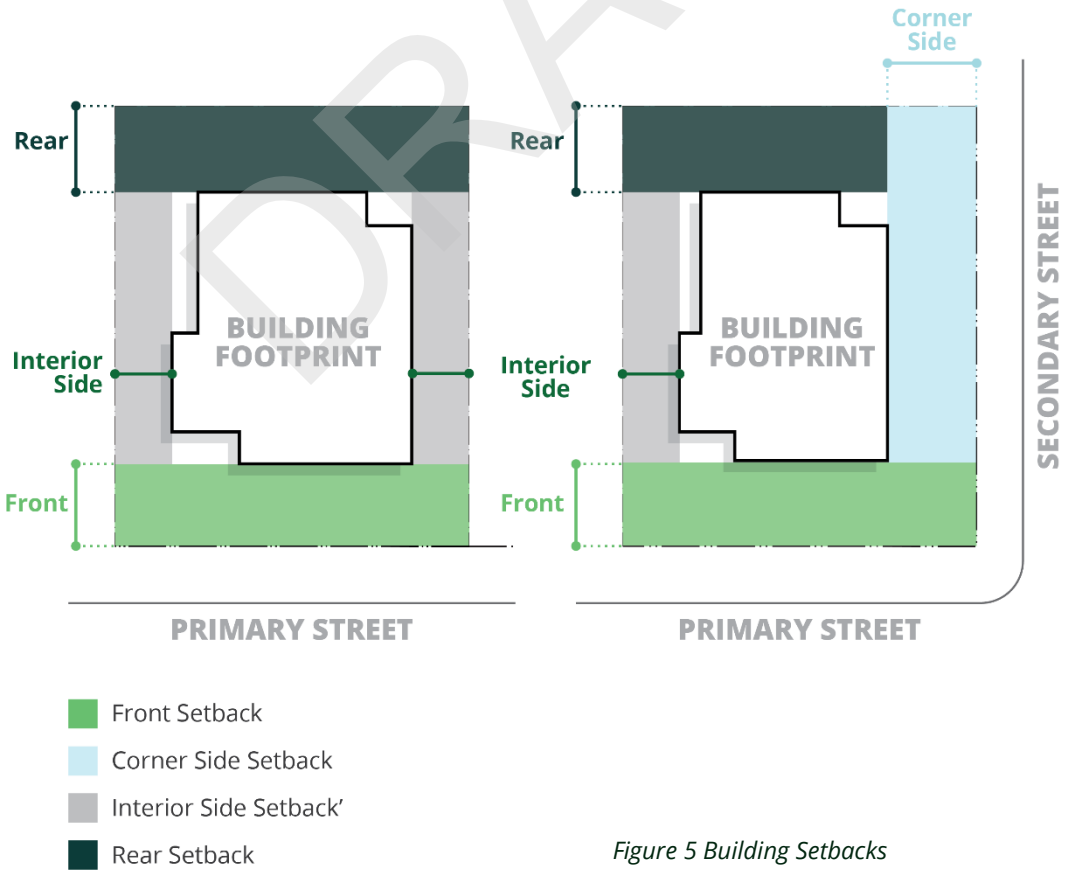

Figure 5 Building Setbacks

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4-104. General Use Standards

A. **Purpose**. The purpose of this Section is to establish the allowed uses in the Multi-Family Districts of the Village including how they are allowed (permitted, special use, etc.) and supplemental standards that must be met for use establishment.

B. **Applicability**. The uses and supplemental use standards established in this Article shall apply to parcels within Multi-Family and Mixed-use Districts of the Village of Northbrook, as designated on the Village of Northbrook Zoning Map.

C. **General Use Types**. In order to regulate the use of land, general use types have been established. General use types provide a systematic basis for assigning land uses to appropriate categories with other similar uses. General use types classify land uses and activities based on common functional, product or physical characteristics.

1. Characteristics include the type and amount of activity, the hours of operation, the type of customers or residents, how goods or services are sold or delivered, likely impact on surrounding properties and site conditions.

2. Where a general use definition contains a list of example uses, the list is to be considered non-inclusive. Uses shall be categorized through the Interpretation process established in Section 2-107.

D. **Qualified Uses**.

1. **Floor Dependent**.

a. If a use includes “above ground floor only” in the title, it shall be allowed on the second story or higher of a building only.

b. If a use does not include “above ground floor only” in the title, it shall be allowed on all building stories.

2. **Square Footage Dependent**.

a. If a use includes a qualifying statement regarding square footage, such as “less than 2,500 sq ft” the total square footage of the building, or tenant space, in which the use may operate shall not exceed what is specified.

b. If a use does not include a qualifying statement regarding square footage, the total square footage of the building in which the use may operate is not restricted, unless otherwise stated in this Code.

3. **Public or Private Designation**.

a. If a use includes “public” in the title, it shall be owned and operated by a governmental entity, non-profit organization, or other non-taxing body.

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b. If a use includes "private" in the title, it shall be owned and operated by a for-profit organization or business.

E. **Principal Uses**.

1. **Allowance**.

a. Principal uses are allowed by district as established in Table 4-105-A Principal Uses.

b. A parcel may contain one or more principal uses or principal buildings in the RS, MFRC, RLC, and VGRC Districts only. The establishment of multiple principal uses or principal buildings on a parcel shall require a Special Permit as specified in Section 2-112.

c. A development with multiple principal uses shall include only those principal uses designated in Table 4-105-A Principal Uses as allowed in the applicable zoning district, and each principal use shall be subject to all applicable supplemental standards.

2. **Use Categories**.

a. **Residential**. Premises for long-term human habitation by means of ownership or rental, excluding short-term leasing or rental of less than one (1) month.

b. **Public and Institutional**. Premises for organizations dedicated to religion, government, arts and culture, recreation and sports, and other similar areas of public assembly in addition to uses and premises dedicated to education, social service, and health care.

c. **Commercial**. Premises for the commercial sale of merchandise, prepared foods, and food and drink consumption; the transaction of general business and the provision of services; and short-term human habitation, including daily and weekly rental.

d. **Utilities and Infrastructure**. Uses and structures dedicated to transportation, communication, and utilities.

F. **Accessory Uses**. Accessory uses are allowed by district, as established in Table 4-107-A Accessory Uses, but only incidental to a legally established, conforming principal use.

G. **Temporary Uses**. Temporary uses are allowed by district as established in Table 4-108-A Temporary Uses.

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4-105. Principal Uses

A. **Principal Uses Table**. The following shall be used in the interpretation of Table 4-105-A.

1. **Permitted Uses (P)**. Uses which are marked as "P" in the table shall be allowed principal uses subject to all applicable regulations of this Zoning Code.

2. **Special Uses (S)**. Uses which are marked as "S" in the table shall require approval with a Special Permit as detailed in Section 2-113 prior to establishment.

3. **Prohibited Uses**. A blank space in the table indicates that a use is prohibited.

4. **Uses Not Listed**. A use not specifically listed is prohibited unless, through the Interpretation process established in Section 2-107, it is determined that the use is a part of a general use type as described in Section 4-104-C.

5. **Additional Regulation**. If a use has supplemental standards, they are referenced in the Additional Regulation column. Supplemental standards shall apply to the use, regardless of whether it is a permitted or special use.

Table 4-105-A: Principal Uses by Multi-Family Residential District

Use	Additional Regulation	R-6	R-7	R-8	RS	MFRC	RLC	VGRC
Residential Uses	Additional Regulation	R-6	R-7	R-8	RS	MFRC	RLC	VGRC
Community Residences (up to 8 residents)	4-105-B-1	P	P	P	P			
Dwelling, Cottage Court	4-105-B-2	P	P	P	P	P	P	
Dwelling, Duplex	4-105-B-3	P	P	P	P		P	
Dwelling, Single-Family Detached		P	P	P	P		P	
Dwelling, Townhouse	4-105-B-4	P	P	P	P	P	P	
Dwelling, Triplex/Quadplex	4-105-B-5	P	P	P	P	P	P	
Live-Work Unit	4-105-B-6					P	P	P
Multi-Unit Building, 5-12 Units	4-105-B-7		P	P	P	P	P	
Multi-Unit Building, 13+ Units	4-105-B-8			P	P	P	P	
Multi-Unit Dwelling Complex	4-105-B-9			P	P		P	P
Multi-Unit Dwelling, Above Ground Floor Only						P	P	P
Senior Living Facility, Dependent	4-105-B-10	S	S	P	P			
Senior Living Facility, Independent	4-105-B-10	S	S	P	P		S	
Transitional Service Facilities, up to 9 residents								
Transitional Service Facilities, up to 15 residents								

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Table 4-105-A: Principal Uses by Multi-Family Residential District								
Use	**Additional Regulation**	**R-6**	**R-7**	**R-8**	**RS**	**MFRC**	**RLC**	**VGRC**
Public and Institutional Uses	*Additional Regulation*	R-6	R-7	R-8	RS	MFRC	RLC	VGRC
Cemetery								
Day Care	4-105-B-11	S	S	S	S			
College/University								
Hospital								
Membership Organizations, 2,500 sq ft or less								
Membership Organizations, More than 2,500 sq ft								
Park					S			
Place of Worship, 2,500 sq ft or less		P	P	P	P		S	S
Place of Worship, More than 2,500 sq ft		S	S	P	P		S	S
Public Cultural and Community Facilities								
Public Service/Safety Facility								
School, Elementary								
School, High								
School, Middle								
School Vocational/Technical								
Vacant Land/Vacant Building		P	P	P	P	P	P	P
Commercial Uses	*Additional Regulation*	R-6	R-7	R-8	RS	MFRC	RLC	VGRC
Adult Uses								
Alcohol/Liquor Sales							S	
Amusement and Recreation Services, 2,500 sq ft or less								
Amusement and Recreation Services, More than 2,500 sq ft								
Bank, Credit Union, Financial Services						P	P	
Bar/Tavern								
Cannabis Dispensary, Adult Use								
Cannabis Dispensary, Medical Use								
Coworking Space						P	P	
Firearms Dealer								
Funeral Home								

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Table 4-105-A: Principal Uses by Multi-Family Residential District								
Use	**Additional Regulation**	**R-6**	**R-7**	**R-8**	**RS**	**MFRC**	**RLC**	**VGRC**
General Office							P	P
General Retail							P	P
Golf Course								
Hotel						P		
Medical Clinic						P	P	
Medical Spa								
Meeting/Event Facility								
Microbrewery/Winery/Distillery With Tasting Room						P	P	P
One-on-One Educational Services								
One-on-One Personal Fitness Facilities								
Personal Service							P	P
Physical Fitness Facilities, 2,500 sq ft or less								S
Physical Fitness Facilities, 2,500 sq ft or more								S
Restaurant						P	P	P
Short-Term Rental	4-105-B-14							
Tobacco Retail Sale							S	
Industrial and Vehicle Related Uses	*Additional Regulation*	R-6	R-7	R-8	RS	MFRC	RLC	VGRC
Artisan Manufacturing								
Brewery/Winery/Distillery								
Car Wash								
Cannabis Cultivation Center								
Cannabis Craft Grower								
Cannabis Infuser								
Cannabis Processor								
Commercial Kitchen								
Contractor Facility								
Crematorium								
Dry Cleaning Facility, Processing On-Site								
Building Material, Machinery, and Equipment Sales or Storage								
Fuel Sales								

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Table 4-105-A: Principal Uses by Multi-Family Residential District								
Use	**Additional Regulation**	**R-6**	**R-7**	**R-8**	**RS**	**MFRC**	**RLC**	**VGRC**
Industry, Heavy								
Industry, Light								
Materials Salvage Yard/Recycling Operations								
Microbrewery/Winery/Distillery With or Without Tasting Room								
Motor Vehicle Sales/Rental, With Open Sales Lot								
Motor Vehicle Sales/Rental, Without Open Sales Lot								
Off-Street Parking								
Personal / Self Serve Storage								
Trucking Company								
Vehicle Services - Major Repair/Body Work								
Vehicle Services - Minor Maintenance/Repair								
Warehouse, Distribution/Storage								
Wholesale Trade								
Utilities and Infrastructure	*Additional Regulation*	R-6	R-7	R-8	RS	MFRC	RLC	VGRC
Electrical Substations						S	S	
Public Utility Facilities	4-105-B-13						S	S
Required Detention Facilities		P	P	P	P	P	P	P
Transit Facilities								
Wireless Telecommunications Equipment	4-105-B-15					S	S	
Wireless Telecommunications Tower								
Agriculture and Animal Related	*Additional Regulation*	R-6	R-7	R-8	RS	MFRC	RLC	VGRC
Animal Production								
Community Garden		P	P	P				
Crops and Horticulture								
Indoor Agriculture								
Nursery & Garden Center, With Open Sales Lot								
Nursery & Garden Center, Without Open Sales Lot							S	
Veterinary and Animal Care Services, indoor and outdoor								

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Table 4-105-A: Principal Uses by Multi-Family Residential District								
Use	Additional Regulation	R-6	R-7	R-8	RS	MFRC	RLC	VGRC
Veterinary and Animal Care Services, indoor only								

B. **Principal Use Supplemental Standards**.

1. **Community Residences.** Community residences shall comply with the following standards.

   a. **Maximum Occupancy.** Shall have no more than eight (8) residents.

   b. **Separation Required.** Shall be at least 1,500 feet from any other community residence; and

   c. **Registration.** Shall be registered with the Village Manager.

   d. **Compliance With Standards.** Prior to occupancy, the owner or operator must demonstrate that the Community Residences shall:

      i. Comply with the Municipal Code standards for maximum occupancy and the Zoning District requirements.

      ii. The Community Residence shall be maintained in compliance with standards for off-street parking at all times.

2. **Dwelling, Cottage Court**.

   a. **Number of Cottage Courts**. A maximum of one cottage court shall be allowed per development site.

   b. **Dwelling Unit Standards**.

      i. **Dwelling Unit Lot Standards**. If the dwelling, cottage court buildings are located on individual lots, the following standards shall apply.

         a) **Lot Area**. The minimum size of a dwelling, cottage court building lot shall be 2,500 square feet.

      ii. **Size of Dwelling Units**.

         a) A dwelling, cottage court building utilized as a dwelling shall have a maximum floor area of 1,800 square feet.

         b) A dwelling, cottage court building utilized as a common amenity space shall have a maximum floor area of 4,000 square feet.

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iii. **Number of Dwelling Units**.

a) A maximum of one dwelling unit shall be allowed per building in a dwelling, cottage court.

b) A dwelling, cottage court development site shall have a minimum of four buildings per site.

c) One of the allowed dwelling, cottage home court buildings may be utilized for common amenity space.

iv. **Building Orientation**.

a) Buildings shall be oriented with their main entrance facing the shared common court open space, except for corner buildings.

b) Corner buildings shall be oriented with their main entrance facing either the shared common court open space or the public right of way.

v. **Permanent Foundation Required.** Individual cottage court buildings shall be affixed to the ground with a permanent foundation.

c. **Common Court Open Space**.

i. Buildings in a dwelling-cottage court shall be arranged around a common court.

ii. The common court shall be open to and visible from the public right of way.

iii. The common court shall have a minimum area of 2,500 square feet.

iv. The common court shall have a minimum width of 30 feet as measured from the interior of the pedestrian walkway.

v. Required building setbacks do not count as common court open space.

vi. A maximum of 30 percent of a common court open space may be used for stormwater management if designed as a rain garden or bioswale.

d. **Pedestrian Access**.

i. A pedestrian walkway with a minimum width of five feet shall connect all buildings to the public right of way, common court open space, and parking areas.

ii. The pedestrian walkway shall be setback a minimum of six feet from building entrances.

e. **Vehicle Access and Parking**.

i. Parking and driveways shall be located to the rear of the buildings in a dwelling-cottage court.

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ii. Parking shall be accessed by an alley if an alley exists.

iii. If no alley exists, parking shall be accessed by a single driveway.

iv. The driveway shall be located either:

a) From the secondary street for a corner development site, or

b) To the interior side of the buildings on the development site.

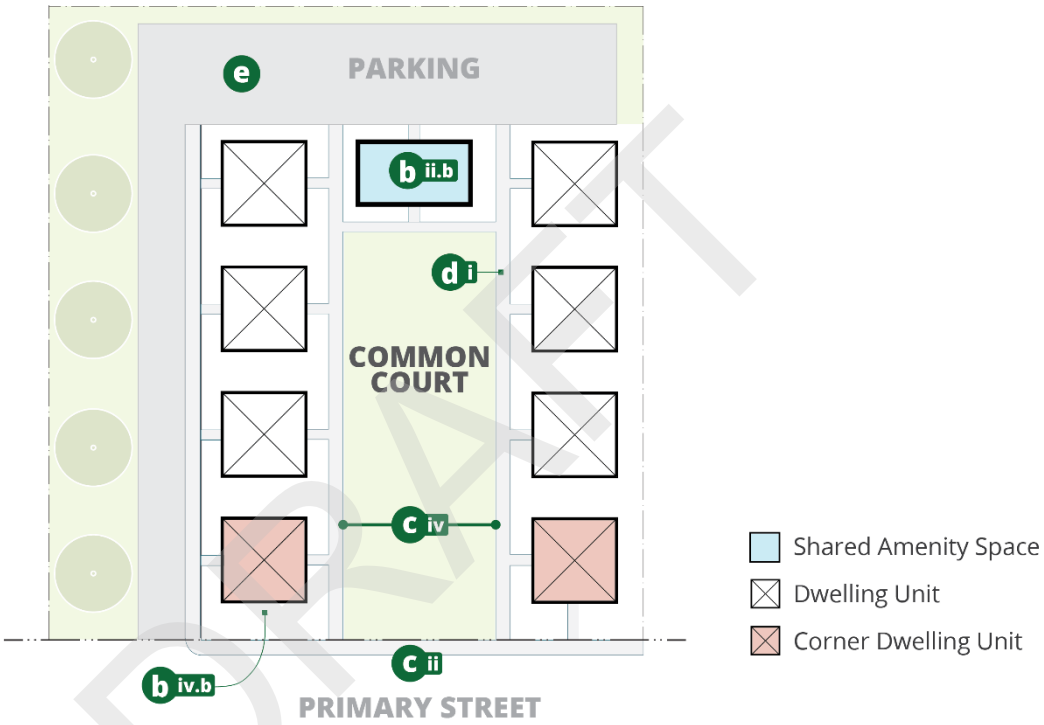

Figure 7 Dwelling, Cottage Court

3. **Dwelling, Duplex.**

a. **Orientation**. Duplex dwellings shall be oriented with their primary entrances toward the designated front, or corner side, lot line.

b. **Parking**.

i. A minimum of one (1) of the parking spaces, as required in Section 10-102, shall be provided in an attached or detached garage per unit.

ii. Attached garages located on the primary façade shall be setback a minimum of 25 feet from the front property line and shall be in-line with the front façade of the dwelling, exclusive of a front porch or other allowed encroachment per Table 4-106.

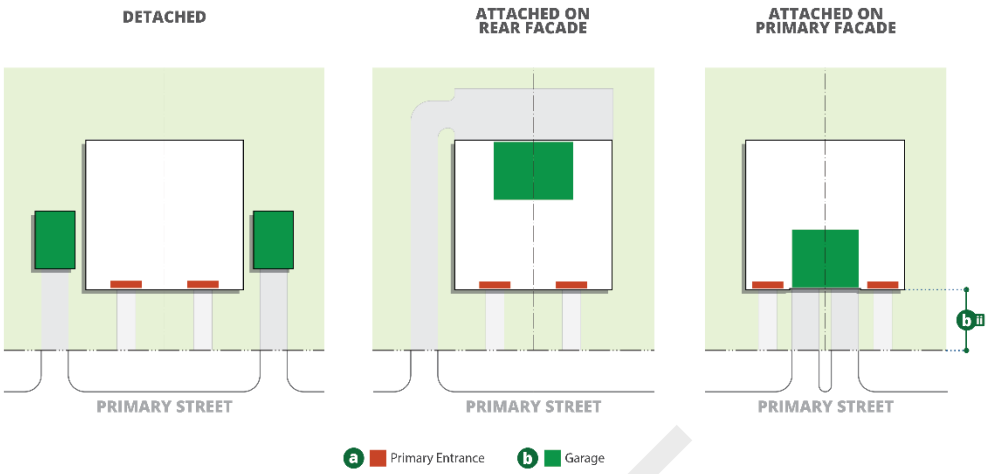

Figure 8 Dwelling, Duplex

4. **Dwelling, Townhouse.**

   a. **Orientation**. Townhouse dwellings shall be oriented with their primary entrances either:

      i. **Toward the designated front, or corner side, lot line.** The primary entrance of end unit townhouses on corner lots may be oriented toward the designated front or exterior side lot line.

      ii. **Toward an internal courtyard space.** The primary entrance of end unit townhouses closest to the designated front lot line shall be oriented toward the designated front lot line.

   b. **Articulation**. Individual units shall be articulated through the exterior design of the townhome cluster. This can be accomplished through the use of two of more of the following design features:

      i. dormers,

      ii. porches,

      iii. vertical design elements,

      iv. varying roof forms, or

   c. **Cluster Standards**.

      i. Townhouse unit clusters shall not exceed 150 linear feet in gross length.

      ii. The siting of townhouse units in a cluster shall be staggered in order to define street edges, entry points, and public gathering spaces.

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iii. Townhouse clusters shall be separated by a minimum distance of 12 feet.

d. **Parking.**

i. Garage access to townhouses may be from a private parking court. Such parking court may not exceed 150 feet in length.

ii. All additional off-street parking, as required in Section 10-102 of this Zoning Code, shall be located to the rear or interior side of the primary building and shall be setback a minimum of five (5) feet from the front and street side elevations of the primary building.

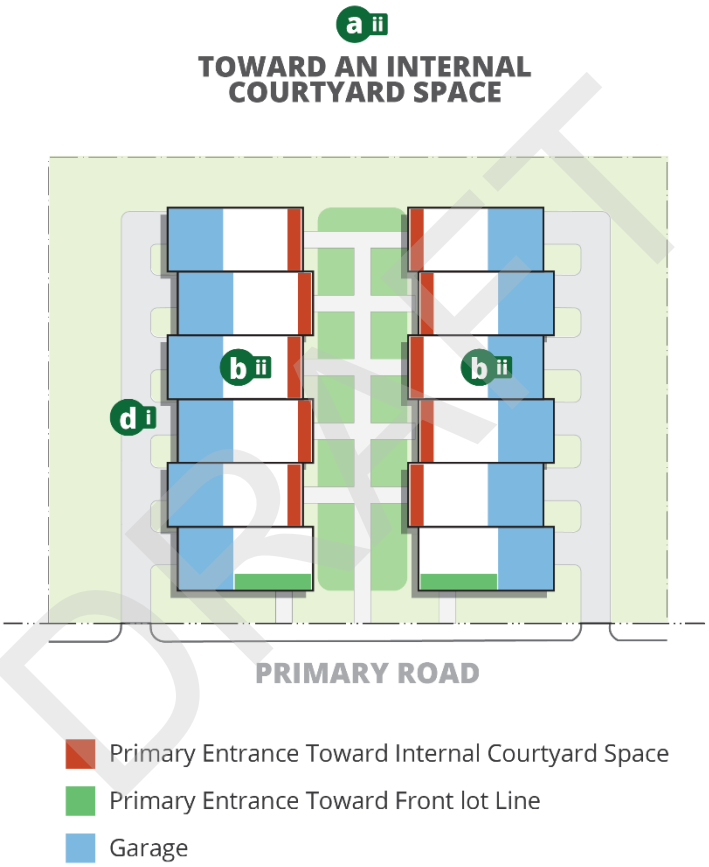

Figure 9 Dwelling, Townhouse

5. **Dwelling, Triplex/Quadplex.**

a. **Orientation**. Triplexes and quadplexes shall be oriented with their primary entrances toward the designated front, or corner side, lot line.

b. **Parking.**

i. Parking shall be located to the interior side or rear of a triplex or quadplex building.

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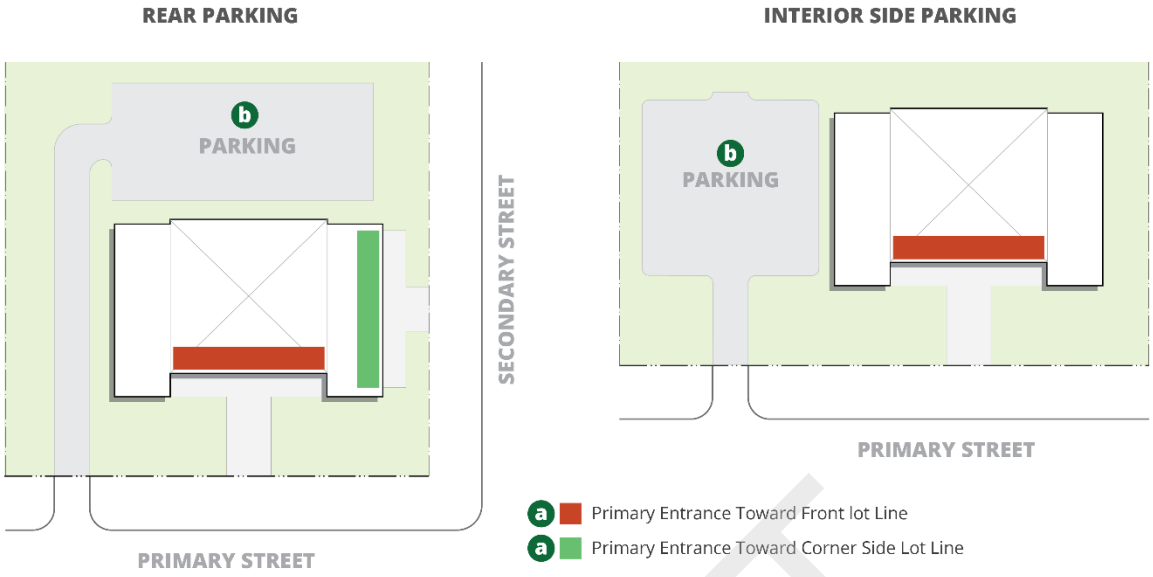

Figure 10 Dwelling, Triplex-Quadplex

6. **Live-Work Unit.**

   a. The operator of the nonresidential portion of a live-work unit shall be the same person or persons as the resident(s) of the residential component of a live-work unit.

   b. The residential component of a live-work unit may be located on the ground floor or upper floors.

   c. The nonresidential component of a live-work unit shall be located on the ground floor and shall be directly adjacent to windows on a street facing façade if applicable.

   d. Outdoor storage, operations, or activities are prohibited.

   e. Outdoor operations or activities may be approved with a temporary use permit.

7. **Multi-Unit Building, 5-12 Units.**

   a. **Orientation**. Multi-unit buildings with five to 12 dwelling units shall be oriented with their primary entrances toward the designated front, or corner side, lot line.

   b. **Parking.** Parking shall be located to the interior side or rear of a multi-unit buildings with five to 12 dwelling units building.

8. **Multi-Unit Building, 13+ Units.**

   a. **Orientation**. Multi-unit buildings with 13 or more dwelling units shall be oriented with their primary entrances toward the designated front, or corner side, lot line.

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b. **Parking.** Parking shall be located to the interior side or rear of a multi-unit buildings with 13 or more dwelling units.

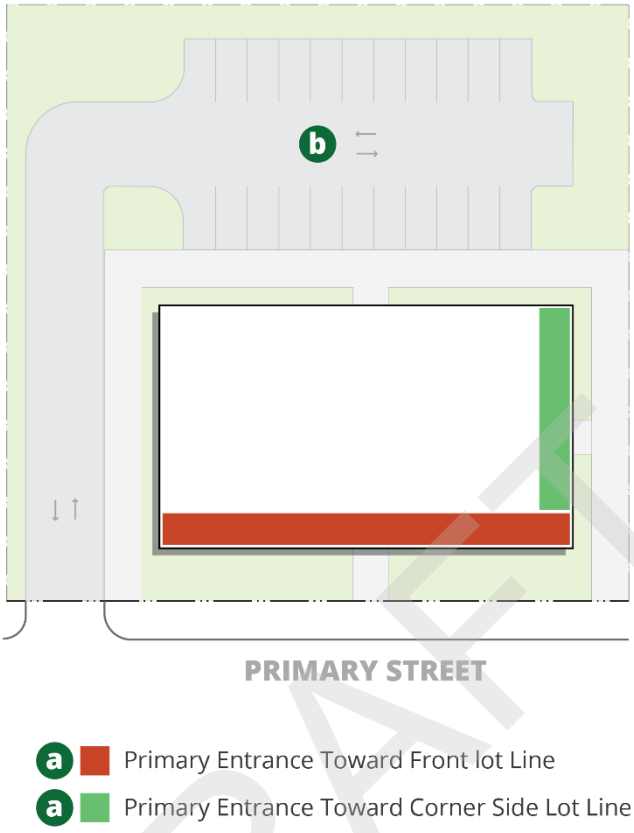

Figure 11 Multi-Unit Building

9. **Multi-Unit Building Complex.**

   a. **Access**. Multi-Unit Building Complexes shall meet the internal access drive standards established in Section 10-102-C.

10. **Senior Living Facility, Dependent and Independent.**

   a. **Federal and State Requirements**. Senior living facilities shall meet applicable federal and state requirements including, but not limited to licensing, health, safety and building code requirements.

   b. **Pick Up and Drop Off**. Adequate vehicular drop-off and pick-up zones, sidewalks, and exterior lighting for the safety of the residents and other pedestrians shall be provided.

   c. **Building Design**. The site and building characteristics shall complement the visual character of the surrounding neighborhood to the greatest extent possible. Features including roof pitch, window placement, and the location of parking shall be considered.

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11. **Day Care.**
    a. **Required Approvals.**
        i. No child day care service shall be established without the prior licensing, certification or other approval of every public agency charged with the regulation or supervision of any facet of the activity of the proposed service.
        ii. Every application for a Special Permit for a child day care service shall set forth each agency that must approve the establishment or operation of the service and shall be accompanied by a formal acknowledgment of approval from each such agency.
        iii. In the event any such approval has been delayed, the application shall set forth the status of each such application, and shall state any facts known to the applicant that might have contributed to the delay of any required approval that has not been obtained as of the time of the filing of the application for a special permit.
    b. **Supervision.** Every child day care service shall provide qualified supervisory personnel in sufficient numbers to assure the safety, well-being and appropriate behavior of all children enrolled in the service. The Special Permit may establish minimum supervision requirements.
    c. **Outdoor Play Area.**
        i. Every child day care service shall provide at least 75 square feet of open space per child, exclusive of any open space located in a required front yard,
        ii. Open Space shall be completely enclosed by a fence or other suitable barrier sufficient to prevent access by children to neighboring properties or to traffic or other hazards.
        iii. An existing fence or barrier on a neighboring property shall not be relied upon to satisfy this requirement.
    d. **Recreational Devices.** No recreational device shall be located within 20 feet of any abutting residential property, nor shall a recreational device be located closer to the public right of way than the front, or corner side façade of the principal structure on the same lot.
    e. **Landscape Buffer.** A Type C Landscape Buffer as specified in Section 10-106 shall be provided along property lines abutting a residential district.

12. **Public Utility/Electrical Substations.** In the MFRC and RLC Districts Public Utility/Electrical Substations shall comply with the following standards:
    a. **Structure Appearance and Screening.** All buildings and structures either shall have exteriors which give the appearance of a structure permitted in the district where located or shall provide screening as specified in Section 10-107-C along all interior side or rear property lines.
    b. **Safety Fencing.** All such uses shall be fenced where any hazard to the safety of human or animal life is present.

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c. **Service and Storage Prohibited.** No service or storage yard or building shall be permitted except as permitted for other uses in the district.

13. **Public Utility Facilities.** Lot area of at least 100,000 square feet shall be required.

14. **Short-Term Rentals.**

a. Only properties with a principal single-family detached residential use may be used or offered as short-term rentals. No exclusively commercial, office, industrial or institutional property or portion thereof may be used or offered as a short-term rental.

b. No single-family detached dwelling unit may be used or offered as a short-term rental as its principal use.

c. No dwelling unit may be used or offered as a short-term rental unless the owner or long-term tenant of the dwelling units resides on the premises for the entire duration of any short-term rental.

d. No short-term rental may be rented for a period shorter than two consecutive nights.

e. No more than two bedrooms within a dwelling unit may be used or offered as a short-term rental at any one time. Notwithstanding this limit, at no time may all bedrooms within a dwelling unit be offered as short-term rentals simultaneously.

f. No bedroom used or offered as a short-term rental may be rented and occupied by more than two adults simultaneously.

g. Accessory dwelling units on a lot may not be used or offered as short-term rentals.

h. All overnight parking for persons renting a short-term rental must be provided on the same lot as the short-term rental and must be located on an improved hard surface. Street parking may not be used by persons renting a short-term rental.

i. No dwelling unit may be used for a short-term rental unless the owner or long-term tenant of the dwelling unit has registered with the Village their intent to offer and use the dwelling unit as a short-term rental.

j. Prior to the first rental of a short-term rental in any calendar year, the owner or long-term tenant of the dwelling unit must deliver written notice by mail or personal delivery to the owners of all parcels that abut the property on which the short-term rental will be located of the owner's or long-term tenant's intent to offer their dwelling unit as a short-term rental. The written notice must include the rental registration number of the property, as provided by the Village Manager, and contact information for the owner or long-term tenant of the short-term rental.

k. All short-term rentals must incorporate and contain all fire protection equipment and systems required pursuant to Chapter 6 of the Northbrook Municipal Code in an operable manner.

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l. All garbage and refuse must be stored in compliance with the requirements of the Village Code. Refuse containers may not be placed outdoors, except on the designated day for garbage and refuse collection.

m. Advertising and Signage.

i. No sign advertising or otherwise promoting a short-term rental may be installed or erected on the premises.

ii. All online advertising regarding short-term rentals, including listings on short-term rental platforms, must:

a) List a valid short-term rental registration number issued by the Village Manager, and

b) Only advertise a short-term rental that complies with all of the short-term rental regulations and restrictions set forth in this Section.

n. **Penalty.** Any person who violates any of the provisions of this Section will be fined in the amount set forth in the Annual Fee Ordinance. Each day that a violation exists constitutes a separate offense.

15. **Wireless Telecommunications Equipment**.

a. **Purpose and Intent**. This subsection creates the framework for the siting of wireless telecommunication facilities in a manner which protects the public health, safety, and general welfare of the community, provides comprehensive service to the community, and implements the Village's policies for said facilities, as detailed below. The provisions of this subsection are in addition to, and do not replace, any obligations an applicant may have under any franchises, licenses, encroachments, or other permits issued by the Village. This section is intended to:

i. Facilitate the comprehensive provision of wireless telecommunication services to the residents and businesses of the Village of Northbrook.

ii. Maximize the use of existing and approved telecommunication towers, buildings, and structures for collocation to accommodate new wireless telecommunication antennas in order to minimize the number of telecommunication towers needed to comprehensively serve the community.

iii. Minimize the number, height, obtrusiveness, and the visual impacts of telecommunications equipment and associated structures.

iv. Direct and allow wireless telecommunication facilities to areas which are least disruptive to residential, park, open space, and greenway uses and to be as unobtrusive and invisible as reasonably possible.

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v. Ensure that the height of telecommunications towers has the least visual impact and is no greater than required to achieve service area requirements and potential co-location.

vi. Site telecommunications towers to minimize locations which are visually solitary or prominent when viewed from residential areas or any public way.

vii. Site telecommunications towers at locations which are obscured by vegetation, tree cover, topographic features, buildings or other structures to the maximum extent feasible.

viii. Protect views of and vistas from architecturally or historically significant structures and historically significant landscapes so that these architectural or historical resources are not impaired or diminished by the placement of telecommunications towers.

ix. Avoid potential damage to adjacent properties from telecommunication towers failure through structural design standards and setback requirements.

b. **General Applicability**. The provisions, of this subsection shall apply to the following:

i. Wireless telecommunication facilities (towers and associated equipment) that are or will be operated by a licensed wireless telecommunication service provider which consists of the equipment and structures involved in the receiving or transmitting of electromagnetic waves associated with wireless telecommunication services.

ii. Small wireless telecommunication towers that meet the following characteristics:

a) Each antenna is located inside an enclosure of no more than six cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than six cubic feet;

b) All other wireless equipment associated with the facility is cumulatively no more than 28 cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meter, concealment elements, telecommunications demarcation box, ground-based enclosures, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs for the connection of power and other services; and

c) An antenna array feature that is attached to a telecommunications tower or building to transmit or receive radio waves. For this subsection, this does not include antenna dishes or other antenna features on individual homes or businesses that are intended to receive radio or television broadcasts, or internet communication for said use.

c. **Amateur Radio Exemption**. These provisions neither apply to nor shall be construed to apply to Amateur Radio Operators who are licensed to operate a radio or transmitter by

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the Federal Communications Commission under Part 97 of the Federal Communications Commission's Rules.

d. **Interference with Public Safety Telecommunications**. No new or existing telecommunications service shall interfere with public safety telecommunications. Before the introduction of new service or changes in existing service, telecommunication providers shall notify the Village at least 10 calendar days in advance of such changes and allow the Village to monitor interference levels during the testing process.

e. **Compliance with Other Laws**. A telecommunications tower shall be erected and operated in compliance with the most current Federal Communication Commission and Federal Aviation Administration rules and regulations and other applicable federal and state standards. All telecommunications towers shall comply with all ordinances of the Village which are not in conflict with this subsection.

f. **Wireless Telecommunication Facilities Establishment and Siting Alternatives Analysis**.

i. **Co-location Preference**. The Village shall promote the co-location of wireless telecommunications equipment on existing towers, buildings, or utilities elements. New standalone wireless telecommunication facilities (towers) may only be allowed where co-location of said facilities on existing towers, buildings, or public infrastructure elements is deemed infeasible through a siting alternatives analysis.

ii. **Siting Alternatives Analysis**. For all new, standalone wireless telecommunication towers, the applicant shall provide a siting alternatives analysis to determine whether co-location on existing structures is feasible within the applicant's search ring, including information pertaining to the fair market value of similar contracts – this shall be provided as part of the permitting process and submittal requirements pursuant to Article 2. The siting alternatives analysis shall determine the feasibility of co-locating the new telecommunication facilities/equipment in the following situations. (i) Co-location on existing towers; (ii) Placement on Village-owned Structure or Building; (iii) Placement on Existing Structure or Building; and (iv) Construction of New Tower Structure or Substantial Modification of Existing Structure. The following describes the various co-location situations.

a) **Co-location Standards**. The co-location or placement of new telecommunications antennas upon existing telecommunications towers, light poles, and/or buildings.

b) **Village-owned Structure or Building**. The utilization of existing Village-owned structures and buildings for placement of antenna and associated equipment or buildings, including surface-mounted and roof-mounted applications of telecommunication antennas on existing buildings and structure-mounted applications of telecommunication antennas on water towers, electric line transmission towers, or other existing structures.

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c) **Existing Structure or Building Utilization**. The utilization of all other existing structures and buildings for placement of antenna and associated equipment or buildings, including surface mounted and roof-mounted applications of telecommunication antennas on existing buildings and structure-mounted applications of telecommunication antennas on existing structures.

iii. **Consulting Option**. As part of the review procedures, the Village Manager shall determine the sufficiency of the information. The Village may choose to hire an outside consultant to conduct a third-party review of the siting alternatives analysis in the following situations: (i) where there are disputes of the findings between the applicant and the Administrator and/or (ii) where expert consultation is deemed necessary to reach conclusions of the analysis. Where the Village utilizes a consultant in its application review, the fee for such services shall be fixed in advance as part of the application fee for a new telecommunications facility.

g. **Wireless Telecommunications Antennas Mounted on Existing Buildings or Structures**. The following design standards apply to antennas associated with wireless communication operations that are mounted on existing buildings and structures.

i. **Roof-Mount Elements**. Roof-mounted wireless telecommunications antennas are permitted on buildings and structures in multifamily and mixed-use districts (Section 4-102). Such features shall meet the height standards of the governing district and shall be no taller than the existing building. Said elements shall be subject to the following standards.

a) Whip telecommunication/antenna features (an antenna which transmits signals in 360 degrees) shall be no closer than 15 feet to the perimeter of the building.

b) The telecommunications antenna and associated equipment located on buildings shall be screened in elevation view with enclosures or façades having an appearance that blends with the building on which they are located; and be located so they are not overtly visible from an adjacent public right of way.

ii. **Surface-Mount Elements**. Surface mounted telecommunications antennas (an antenna attached to a building exterior wall) are permitted on buildings or structures in the MFRC and RLC districts and subject to approval by Special Permit.

a) Telecommunications/antenna features shall be mounted flush with the exterior of the building or structure so that it projects no more than 30 inches from the surface to which it is attached.

b) The telecommunications/ antenna appearance shall blend with the surrounding surface of the building or structure in terms of color and materials.

c) Surface-mount elements are subject to applicable design standards in National Register listed properties and historic districts, local historic districts, and locally designated historic landmarks.

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iii. **Elements Attached to Other Existing Structures**. Telecommunications antennas are permitted on existing utility, lighting, telecommunications towers, and other structures in the MFRC and RLC districts and subject to approval by Special Permit.

a) Existing utility, lighting, telecommunications towers, and other structures used to affix telecommunication/ antenna features shall not exceed 150 feet in height above grade.

b) The telecommunications antenna shall not exceed the height of the existing structure by more than 10 feet for a non-whip antenna or 15 feet for a whip antenna.

c) Existing structures may be rebuilt/ modified to support the load of the new telecommunications antenna, and subject to the Village's building permitting standards.

iv. Existing structure mounted elements are subject to applicable design standards in National Register listed properties and historic districts, local historic districts, and locally designated historic landmarks.

v. **Separation Standards**. Telecommunications antennas and associated features located on existing buildings or structures are not subject to the separation requirements stated above.

vi. **Photo Simulation Requirements**. As part of the application process, applicants shall provide photo simulations showing the site of the existing structure with a photo realistic representation of the proposed telecommunications antenna and the existing structure or any proposed reconstruction of the structure as it would appear viewed from the closest R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, RS, MFRC, RLC, or VGRC District and from adjacent public right of way. The applicant shall also submit photographs of the same views as in the photo simulations showing the current appearance of the site without the proposed telecommunications antenna.

h. **Abandonment and Removal of Telecommunications Towers, Antenna Arrays, and Associated Equipment**. The following standards apply to all telecommunication features and their associated elements – these standards ensure inoperable features are removed, whereas habitable buildings are exempt from these requirements.

i. **Abandonment**. Telecommunications towers, antenna arrays, and associated equipment which have not been used for a period of one (1) year shall be deemed abandoned and shall be removed from the site.

ii. **Notice Required**. The owner of the telecommunications tower and the last service provider to use a telecommunications tower shall notify the Village Manager within 30 days that use of a telecommunications tower has been discontinued.

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4-106. Dimensional Standards Encroachments, Exceptions, & Adjustments

A. **Allowed Encroachments into Required Yards**.

Table 4-106-A: Allowed Encroachments into Required Yard

Encroachment Type	Allowed Location	Limitations of Encroachment
Air Conditioning Units	rear and interior side yard	Shall be a minimum of three feet from any lot line.
Antennae	rear and interior side yard	Shall be a minimum of three feet from any lot line.
Accessibility Ramps and Fire Escapes required by the Illinois State Building Code	any required yard	Shall be a minimum of three feet from the property line unless otherwise approved by the Village Manager as an administrative adjustment per Section 2-104.
Basketball equipment	any required yard	A maximum of one per front yard shall be allowed. Shall be a minimum of five feet from side lot lines and ten feet from a front lot line.
Bay Windows and Balconies	front and corner side yard	Shall extend no more than five feet from the applicable elevation of the building and at least five feet from the property line. May not have any foundation or footing and may only project from a façade.
	interior side and rear yard	Shall be a minimum of three feet from the applicable building elevation. May not have any foundation or footing and may only project from a façade.
Clothesline	rear yard	Shall be a minimum of three (3) feet from any lot line.
Compost bin	rear yard	Shall be a minimum of three (3) feet from any lot line.

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Table 4-106-A: Allowed Encroachments into Required Yard		
Encroachment Type	**Allowed Location**	**Limitations of Encroachment**
Covered Porches, Covered Decks, Covered Patios, Pergolas, and Gazebos	front and corner side yard	• May encroach up to five (5) feet from the applicable elevation of the building and no closer than five (5) feet to the property line, whichever is greater. • May not exceed 30 inches in height above the average finished grade. • May not be screened-in or enclosed.
Cornices, Gutters, Eave Overhangs, and Similar Architectural Projections	any required yard	May encroach up to two (2) feet from the applicable elevation of the building or approved by the Village Manager or Village Engineer per Section 2-104.
Driveways	any required yard	• Shall comply with the standards of Section 10-102-C. • Shall be a minimum of two feet from the interior side property line.
Fences, Walls, and Berms	any required yard	Shall comply with the standards of Section 10-108.
Flagpoles	any required yard	Shall be a minimum of five feet from the property line.
Generators	rear and interior side yard	Shall be a minimum of three feet from any lot line.
Lighting: landscape, building façade, outdoor recreational, and pedestrian	front and corner side yard	Shall comply with the standards of Article 10.
Signs	any required yard	Shall comply with the standards of Article 11.
Parking	As allowed and in accordance with the standards of Section 10-102.	

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Table 4-106-A: Allowed Encroachments into Required Yard		
Encroachment Type	**Allowed Location**	**Limitations of Encroachment**
Uncovered and Unenclosed Steps and Stairs	front and corner side yard	May encroach up to six feet from the applicable elevation of the building and no closer than five feet to the property line, whichever is greater.
Uncovered Porches, Decks, Patios, and similar Features	rear and corner side yard	Shall be a minimum of five feet from the property line.
Permeable Path	Interior side yard	As approved by Village Engineer.

B. **Allowed Front and Corner Side Yard Adjustment.** For a lot in any district that is subject to a platted setback line, the front and/or corner side yard setback for the lot shall be either the platted setback line or the yard setback requirement for the governing district, whichever is greater.

C. **Allowed Height Exceptions.** Buildings built for Place of Worship uses may have a maximum height of 55 feet and may include spires and minarets with a maximum height of 70 feet.

4-107. Accessory Uses

A. **Accessory Uses Table**. The following shall be used in the interpretation of Table 4-107-A.

1. **Permitted Uses (P)**. Uses which are marked as "P" in the table shall be allowed accessory uses subject to all applicable regulations of this Zoning Code.

2. **Special Uses (S)**. Uses which are marked as "S" in the table shall require approval with a Special Permit as detailed in Section 2-113 prior to establishment.

3. **Prohibited Uses**. A blank space in the table indicates that a use is prohibited.

4. **Uses Not Listed**. A use not specifically listed is prohibited unless, through the Interpretation process established in Section 2-107 it is determined that the use is a part of a general use type as described in Section 4-104-C.

5. **Additional Regulation**. If a use has supplemental standards, they are referenced in the Additional Regulation column. Supplemental standards shall apply to the use, regardless of whether it is a permitted or Special Use.

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Table 4-107-A: Accessory Uses by Multi-Family Residential District								
Use	**Additional Regulation**	**R-6**	**R-7**	**R-8**	**RS**	**MFRC**	**RLC**	**VGRC**
Attached Accessory Dwelling Unit								
Accessory Structure	4-107-B-1	P	P	P	P	P	P	P
ATM								
Day Care Nursery		S	S	S	S			
Drive-Through Facility								
Electric Vehicle Charging Station – Commercial	4-107-B-2	P	P	P	P	P	P	P
Garden		P	P	P	P	P	P	P
Home Based Daycare		S	S	S	S			
Home Occupation	4-107-B-3	P	P	P	P	P	P	
Outdoor Display - Permanent	4-107-B-4					P	P	P
Sale of Merchandise – Permanent	4-107-B-4					P	P	P
Outdoor Seating for Eating and Drinking Uses						P	P	P
Outdoor Storage / Open Lot								
Pool		P	P	P	P	P	P	P
Solar Energy Collection System, Canopy Mounted	4-107-B-5	P	P	P	P	P	P	P
Solar Energy Collection System, Ground Mounted	4-107-B-6	P	P	P	P	P	P	P
Solar Energy Collection System, Roof Mounted	4-107-B-6	P	P	P	P	P	P	P

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B. **Accessory Use Supplemental Standards**.

1. **Accessory Structure.**

a. **Number.**

i. **All Accessory Structures**. The number of all accessory structures on a lot shall not exceed the maximum allowed lot coverage per district as established in Section 4-107-B-1(d).

ii. **Total Number of Accessory Structures.** The total number of all accessory structures shall not exceed one per 3,000 square feet of lot area.

b. **Compatibility.** The exterior of a large accessory structure shall be compatible with the principal building in terms of color, exterior building cladding materials, and roof style and materials.

c. **Standards For Specific Accessory Structures.**

i. **Pools.** No pool, or any equipment appurtenant thereto, shall be located:

a) In any required front yard;

b) In any required corner side yard; or

c) Less than six (6) feet from any property line if located in any required rear yard or required interior side yard. See also Chapter 6 of the Municipal Code for pool fence requirements.

ii. **Campers, Recreational Vehicles, Etc. Prohibited For Use:** Campers, travel trailers and recreational vehicles are not permitted for use as an accessory structure and shall not be connected to utilities or occupied. These vehicles shall not be located in front of a principal structure.

d. **Dimensional Standards.** Accessory structures shall meet the dimensional standards established in Table 4-107-B-1(d).

Table 4-107-B-1(d). Accessory Building/Structure Dimensional Standards	
Yard Setbacks	
Front, Minimum	Five feet behind front elevation of principal building or shall adhere to the front setback of the district, whichever is greater
Corner Side, Minimum	Five feet behind corner side elevation of principal building or shall adhere to the corner side setback of the district, whichever is greater
Interior Side, Minimum	5 feet
Rear, Minimum	5 feet
Building Standards	
Height, Maximum	15 feet
Building Area, Maximum	1,000 square feet or 20 percent of gross lot area, whichever is greater, however in no instance shall an accessory structure exceed the area of the principal building

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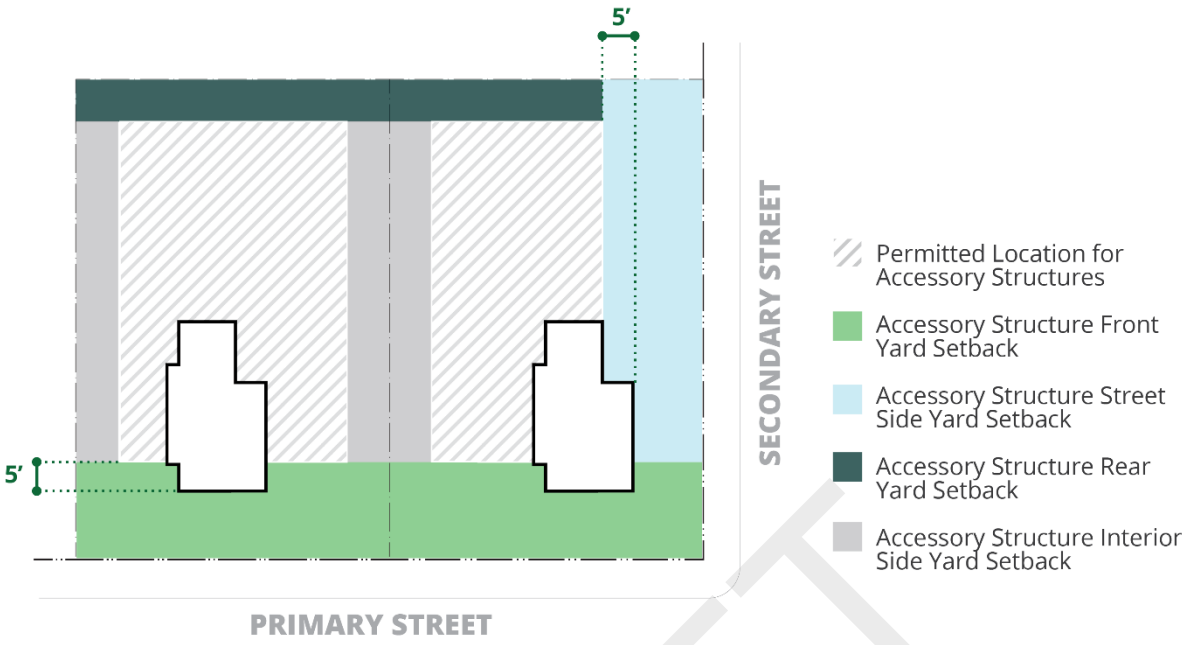

Figure 12 Accessory Structure

2. **Electric Vehicle Charging Station.**

   a. **Equipment**.

      i. Electric Vehicle Charging stations that are accessory to all mixed-use, multifamily, and non-residential uses shall be a minimum of a level 2 charging capacity.

      ii. Electric vehicle charging station equipment shall be protected by a wheel stop, curb, or bollards.

      iii. All connections of the charging station to electrical utility equipment shall be underground.

      iv. All electric vehicle charging station equipment shall comply with the National Fire Protection Association/National Electrical Code and be approved by the Underwriters Laboratory.

      v. All equipment shall be low-maintenance, durable materials and shall be vandal-proof to the extent possible.

      vi. All equipment shall provide a cord management system that minimizes tripping hazards for pedestrians. Charging cords may not cross sidewalks, walkways, or driveways.

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b. **Design Considerations**.

i. Electric vehicle charging station equipment shall be located in a manner that will not obstruct pedestrian walkways. A minimum of three feet of clear area shall be maintained.

ii. Electric vehicle charging stations shall provide a safe and clearly delineated area for maneuvering around the vehicle for connecting to the equipment.

iii. A sign indicating that the electric vehicle parking is for use while charging only shall be provided.

iv. All charging stations shall be illuminated. Lighting shall comply with the limitations in Section 10-109.

c. **Maintenance**. All electric vehicle charging station equipment shall be maintained to working condition. Equipment that is no longer functional must be decommissioned within 60 days.

3. **Home Occupation.**

a. **Use Accessory To**. Home occupations shall be allowed accessory to any single-unit residential use.

b. **Location**. A home occupation shall be located interior to the principal dwelling.

c. **Employees.** At least one resident of the residential unit of the property shall be employed by a home occupation.

d. **Outside Entrance.** A home occupation shall not have a separate entrance.

e. **On-Site Customers/Clients/Employees.** A home occupation may have no more than three employees, customers or clients on site at any one time.

f. **Signs.** No advertising sign, other than a name plate not exceeding one square foot in total area, shall be displayed in connection with a home occupation.

g. **Prohibited Home Occupations**. The following uses shall be prohibited as home occupations:

i. All public and institutional uses,

ii. All commercial uses with the exception of personal services and professional services,

iii. All industrial and automotive uses,

iv. All utilities and infrastructure uses, and

v. All agriculture and animal related uses.

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vi. All firearms dealers.

4. **Outdoor Display / Sale of Merchandise / Outdoor Seating for Eating and Drinking Uses.**

a. **Principal Use**. Outdoor seating/display shall be allowed accessory to a legally conforming principal use only.

b. **Location**. Accessory outdoor seating/display areas may be located:

i. On a public sidewalk directly in front of the principal use to which the outdoor seating is accessory so long as:

a) A clear pathway at least five feet wide is maintained to allow through public pedestrian traffic along the sidewalk and from the sidewalk into the entrance to the establishment. A greater width may be required by the Village Manager to ensure the safe and convenient flow of pedestrian traffic, and

b) A clear separation of at least five feet is maintained from any alley, crosswalk, fire hydrant, or similar public or emergency access feature in or near the sidewalk. A greater clear distance may be required by the Village Manager to ensure use of the public or emergency access features.

ii. In a parking lot so long as:

a) No more than 10 percent of the required parking spaces (per Section 10-102-D) are utilized,

b) The outdoor seating/display area is directly accessible from inside the principal use to which it is accessory, and

c) The outdoor seating/display area is surrounded by a barrier with a minimum height of three feet and maximum height of four feet.

iii. Within the buildable area of the lot, per Section 4-107-B-1(d).

c. **Noise**. No sound production or reproduction machine or device (including, but not limited to musical instruments, loud-speakers, and sound amplifiers) shall be used, operated, or played in an outdoor seating/display area within 50 feet of a residential use or residentially zoned property.

d. **Hours of Operation**. Hours of operation shall be the same as those for the principal use to which the outdoor seating/display area is accessory.

e. **Furnishings**.

i. Tables, chairs, umbrellas, and other furnishings associated with the outdoor seating/display area shall be of sufficient quality design, materials, and workmanship to ensure the safety and convenience of area occupants and compatibility with adjacent uses.

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ii. If located on a public sidewalk, no tables, chairs, umbrellas, or other furnishings or equipment associated with the outdoor seating area shall be attached, chained, or otherwise affixed to any curb, sidewalk, tree, post, sign, or other fixture within the outdoor seating/display area.

f. **License Required.** When located on public property a license agreement shall be obtained from the Village for proof of liability insurance and recorded with Cook County.

5. **Solar Energy Collection System, Canopy Mounted.**

a. Canopy solar energy collection systems are permitted over any principal or accessory parking lot.

b. The height of canopy solar energy collection systems shall not exceed the height of the principal building that the parking area serves or 20 feet, whichever is greater.

c. The minimum height of solar energy collection systems shall allow clearance for emergency and service vehicles.

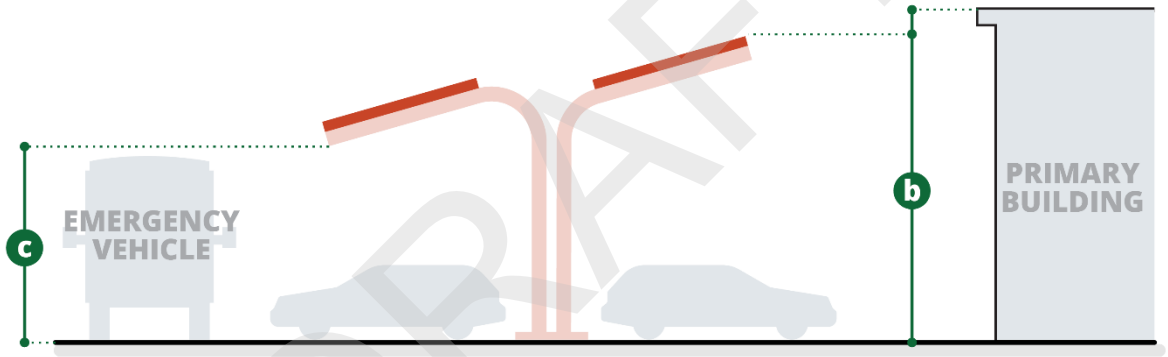

Figure 13 Solar Energy Collection System, Canopy Mounted

6. **Solar Energy Collection System, Ground Mounted.**

a. Ground-mounted solar energy collection systems shall be permitted in accordance with the principal structure setbacks on the front, street sides, and any applicable accessory structure setbacks.

b. The maximum height of ground-mounted solar energy collection systems shall be five feet, measured from the grade at the base of the pole to the highest edge of the system.

c. The minimum clearance between the lowest point of the system and the surface on which the system is mounted shall be 12 inches.

d. Ground-mounted solar energy collection systems shall be exempt from the impervious surface limits if the ground directly under the solar panel is planted with native plantings and groundcover other than turf grass.

e. All parts of the freestanding system shall be set back five feet from the side and rear lot lines and shall not be located in an easement.

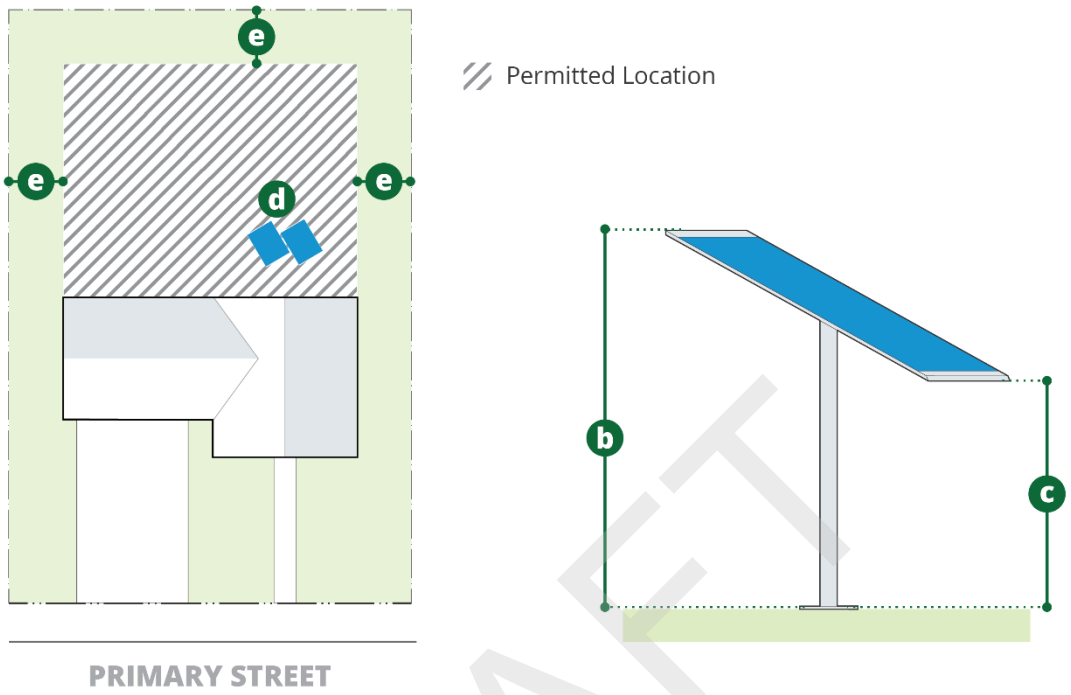

Figure 14 Solar Energy Collection System, Ground Mounted

7. **Solar Energy Collection System, Roof Mounted.**

a. Roof-mounted solar energy collection systems may be located on any roof face of principal or accessory buildings. Systems should be flush mounted when possible.

b. Systems on structures 35 feet or less in height shall not extend beyond 12 inches parallel to the roof surface.

c. Systems on structures greater than 35 feet in height shall not extend beyond 36 inches parallel to the roof surface.

d. Systems on all structures shall not extend above the highest peak of a pitched roof.

e. All materials used for racking, mounts, mounting clamps, and flashings shall be of a color consistent with the color of the roof surface to minimize visibility, or black.

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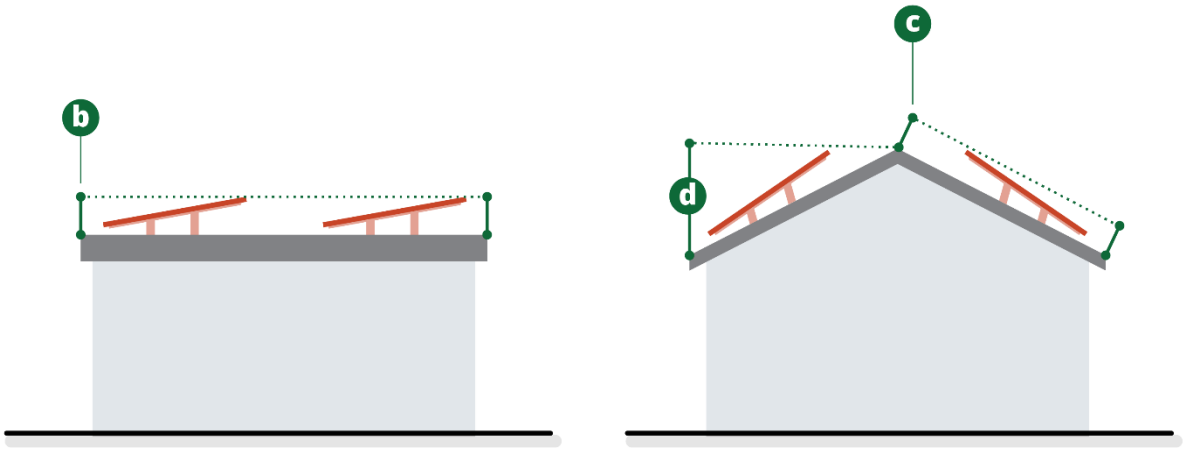

Figure 15 Solar Energy Collection System, Roof Mounted

4-108. Temporary Uses

A. **Temporary Uses Table**.

1. **Permitted Uses (P)**. Uses which are marked as "P" in the table shall be allowed temporary uses subject to all applicable regulations of this Zoning Code.
2. **Temporary Uses (T)**. Uses which are marked as "T" in the table shall be allowed temporary uses after the approval of a Temporary Use Permit, as detailed in Section 2-110.
3. **Special Uses (S)**. Uses which are marked as "S" in the table shall require approval with a Special Permit as detailed in Section 2-113 prior to establishment.
4. **Prohibited Uses**. A blank space in the table indicates that a use is prohibited.
5. **Uses Not Listed**. A use not specifically listed is prohibited unless, through the Interpretation process established in Section 2-107, it is determined that the use is a part of a general use type as described in Section 4-104-C.
6. **Additional Regulations**. If a use has supplemental standards, they are referenced in the Additional Regulations column. Supplemental standards shall apply to the use, regardless of whether it is a permitted or special use.

Table 4-108-A: Temporary Uses by Multi-Family Residential District

Use	Additional Regulation	R-6	R-7	R-8	RS	MFRC	RLC	VGRC
Civic Uses of Public Property								
Contractor Trailer / Temporary Real Estate Sales	4-108-B-1	T	T	T	T	T	T	T
Farmers Market								

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Table 4-108-A: Temporary Uses by Multi-Family Residential District								
Use	Additional Regulation	R-6	R-7	R-8	RS	MFRC	RLC	VGRC
Garage Sales	4-108-B-2	P	P	P	P		P	
Parking of Trailers, Boats, and Other Vehicles								
Portable Outdoor Storage Device	4-108-B-3	T	T	T	T	T	T	T
Seasonal Sales	4-108-B-4					T	T	T
Tents	4-108-B-5							

B. **Temporary Use Supplemental Standards**.

1. **Contractor Trailer / Temporary Real Estate Sales.**

   a. Contractors' trailers and temporary real estate sales model units are allowed when accessory to a construction project or a new development.

   b. Contractors' trailers and temporary real estate sales model units shall be limited to a period not to exceed the duration of the active construction phase of such project or the active selling and leasing of space in such development.

   c. Contractors' trailers and temporary real estate sales model units shall not contain any sleeping or cooking accommodations, except if located in a model unit.

   d. No such trailer, unit, or office shall be used as the general office or headquarters of any firm.

   e. Contractors' trailers and temporary real estate sales model units shall be located within the buildable setback of the lot where it is located.

2. **Garage Sales**. Shall comply with the following terms and conditions:

   a. **Permit Required.** It shall be unlawful for any person to conduct or allow a garage sale involving the sale of multiple new items of the same description without applying for and obtaining a permit therefor. Such permit shall be without charge and in a form acceptable to the Village Manager.

   b. **Certificate of Zoning Compliance.** No Certificate of Zoning Compliance shall be required for garage sales authorized pursuant to this Subsection.

   c. **Frequency.** Garage sales shall be limited to a period not to exceed three consecutive days. No more than four garage sales shall be conducted from the same dwelling unit in any calendar year, and no more than one such sale shall occur in any 30-day period.

   d. **Hours of Operation.** No garage sales shall operate before 7 am or after 9 pm.

   e. **Sign Limitations.** Notwithstanding the provisions of Section 11-103 of this Code, only off-site directional signs not to exceed four square feet in area shall be permitted for the

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purpose of advertising garage sales. Such signs shall not be erected in excess of 24 hours prior to the commencement of the garage sale and shall be removed within two (2) hours after the termination of the sale.

f. **Location of Sale.** No portion of any garage sale shall take place on any public or private landscaped area, on any public sidewalk, or on any public right-of-way.

3. **Portable Outdoor Storage Device.**

   a. Only one portable outdoor storage device may be located on a lot at a time.

   b. No portable outdoor storage devices shall block any public sidewalk or public/private street right of way or interfere with their use.

   c. The portable outdoor storage device shall not exceed:

      i. Eight feet in width,

      ii. 12 feet in length, and

      iii. Eight feet in height

   d. The portable outdoor storage device must be located on a hard paved surface approved by the Village Manager.

   e. Every portable outdoor storage device must be locked and secured when not being loaded or unloaded.

4. **Seasonal Sales.**

   a. Seasonal sales areas may use a maximum of 20 percent of the parking spaces required for the operation of the principal use or 2,000 square feet, whichever is less.

   b. Seasonal sales areas shall not block circulation and movement of emergency vehicles.

   c. Seasonal sales areas shall not block pedestrian walkways in a manner which reduces the width of that walkway to less than five feet.

   d. Seasonal sales hours of operations shall be limited to between 7 am and 10 pm.

5. **Tents.**

   a. No tent shall be allowed to remain for a period of more than four (4) days longer than the period during which the permitted, accessory, temporary or special use with which it is associated with is allowed to remain or, in the absence of any such period, ten (10) days.

   b. Unless waived in writing by the Village Manager, every tent shall comply with bulk, yard and space requirements applicable to accessory structures pursuant to Section 4-107-B-1(d).

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Article 5. Office District Standards

5-101. General Provisions

5-102. Establishment, Purpose, and Intent of Office Districts

5-103. Dimensional Standards

5-104. General Use Standards

5-105. Principal Uses

5-106. Dimensional Standards Encroachments, Exceptions, & Adjustments

5-107. Accessory Uses

5-108. Temporary Uses

5-101. General Provisions

A. **Purpose**. The purpose of this Article is to establish the Office zoning districts of the Village including their purpose, dimensional standards, and allowed encroachments, to:

1. Implement the intent of this Code and the Comprehensive Plan,
2. Allow for orderly development, and
3. Protect natural resources.

B. **Applicability**. The zoning districts established in this Article shall apply to all Office zoning district (Section 5-102) parcels within the Village of Northbrook as detailed on the Village of Northbrook Zoning Map.

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5-102. Establishment, Purpose, and Intent of Office Districts

Table 5-102: Establishment, Purpose, and Intent of Office Districts	
District Name	**District Purpose and Intent**
O-1 Campus Office District	The O-1 Campus Office District is established to accommodate the needs of regional, national, and international headquarters for administrative offices and related business uses in a spacious landscaped park-like setting having direct access to the metropolitan transportation system. Transitions in building height between development in the O-1 district and adjacent residential neighborhoods is required to ensure compatibility.
O-2 Limited Office District	The O-2 Limited Office District is designed to provide for the needs of business and professional offices and related business uses that require a limited amount of space and generate moderate levels of vehicular and truck traffic. The O-2 District bulk and height regulations encourages development that preserves the smaller site development pattern in which properties don't have direct access to the metropolitan transportation systems.
O-3 General Office District	The O-3 General Office District is established to accommodate the needs of business and professional offices and related business uses that require a wide range of office space and generate higher levels of vehicular and truck traffic. The O-3 District shall be limited to areas: • Between the Edens Expressway and the Chicago and Northwestern Railroad tracks, and • Within the Techny Overlay District.

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Table 5-102: Establishment, Purpose, and Intent of Office Districts	
District Name	**District Purpose and Intent**
O-4 Boulevard Office District	The O-4 Boulevard Office District is established to accommodate the needs of business and professional offices and related business uses along Skokie Boulevard that require a wide range of higher intensity office development and supporting commercial and multi-family residential development. The O-4 District shall be limited to areas: • Between the Edens Expressway and the Chicago and Northwestern Railroad tracks, and • Within the Techny Overlay District.

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5-103. Dimensional Standards

Table 5-103: Office District Dimensional Standards				
1= All Uses	O-1	O-2	O-3	O-4
	1			
Lot Standards				
Lot Area, Minimum (sq ft)	650,000	25,000	80,000	120,000
Lot Width, Minimum (ft)	500	100	200	300
Yard Setbacks				
Front, Minimum (ft)	150	30	80	80
Corner Side, Minimum (ft)	150	30	80	80
Interior Side, Minimum (ft) [1]	100	10	50	50
Rear, Minimum (ft) [1]	100	25	30	30
Building Standards				
Height, Maximum (ft)	65	35	70	110
Height, Maximum (stories)	4	2	5	10
[1] Standard shall depend on required buffer yards as detailed in in Section 10-106-B-4.				

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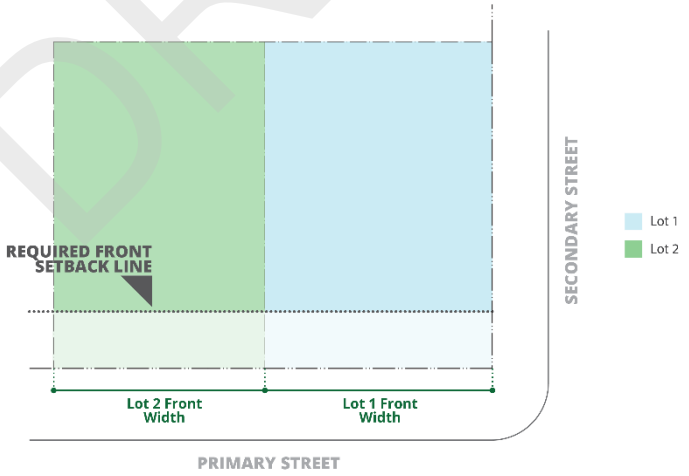

Figure 1 Lot Width

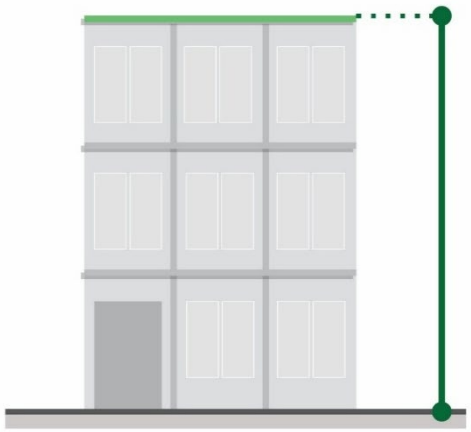

Figure 3 Building Height, Office

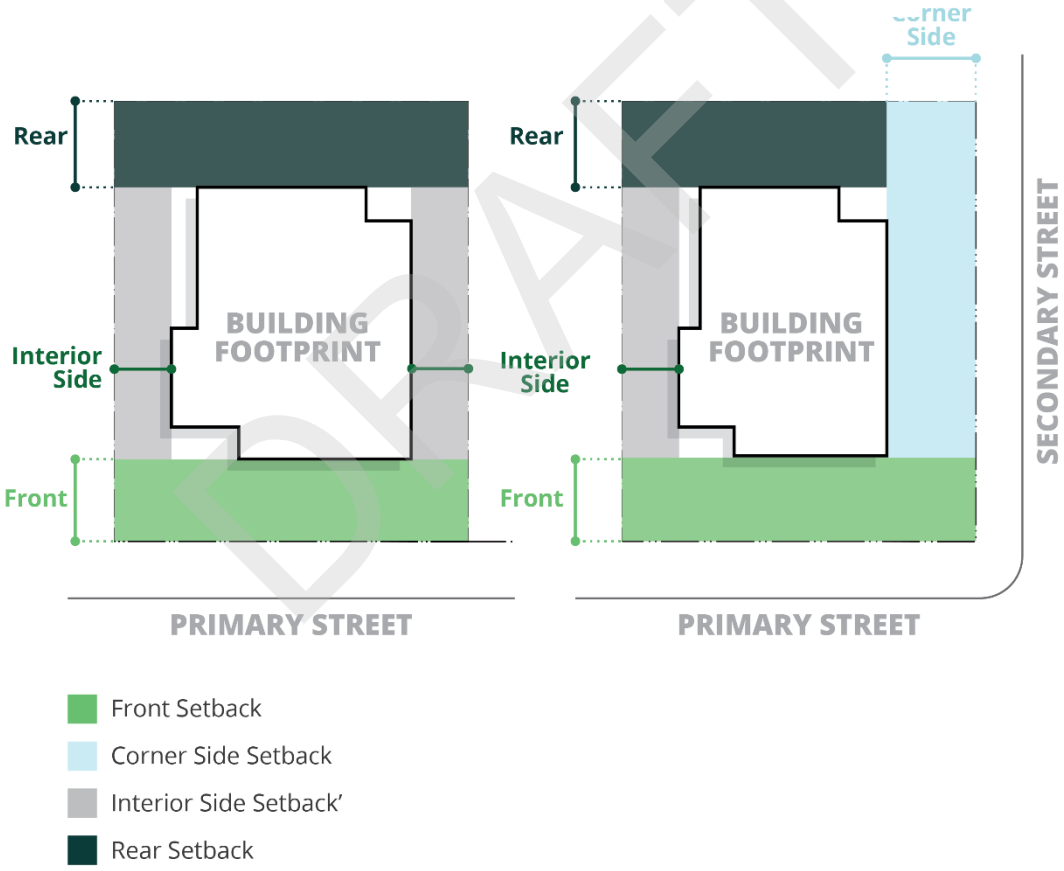

Figure 2 Building Setbacks

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5-104. General Use Standards

A. **Purpose**. The purpose of this Section is to establish the allowed uses in the Office Districts of the Village including how they are allowed (permitted, special use, etc.) and supplemental standards that must be met for use establishment.

B. **Applicability**. The uses and supplemental use standards established in this Article shall apply to parcels within Office Districts of the Village of Northbrook, as designated on the Village of Northbrook Zoning Map.

C. **General Use Types**. In order to regulate the use of land, general use types have been established. General use types provide a systematic basis for assigning land uses to appropriate categories with other similar uses. General use types classify land uses and activities based on common functional, product or physical characteristics.

1. Characteristics include the type and amount of activity, the hours of operation, the type of customers or residents, how goods or services are sold or delivered, likely impact on surrounding properties and site conditions.

2. Where a general use definition contains a list of example uses, the list is to be considered non-inclusive. Uses shall be categorized through the Interpretation process established in Section 2-107.

D. **Qualified Uses**.

1. **Floor Dependent**.

a. If a use includes “above ground floor only” in the title, it shall be allowed on the second story or higher of a building only.

b. If a use does not include “above ground floor only” in the title, it shall be allowed on all building stories.

2. **Square Footage Dependent**.

a. If a use includes a qualifying statement regarding square footage, such as “less than 2,500 sq ft” the total square footage of the building, or tenant space, in which the use may operate shall not exceed what is specified.

b. If a use does not include a qualifying statement regarding square footage, the total square footage of the building in which the use may operate is not restricted, unless otherwise stated in this Code.

3. **Public or Private Designation**.

a. If a use includes “public” in the title, it shall be owned and operated by a governmental entity, non-profit organization, or other non-taxing body.

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b. If a use includes "private" in the title, it shall be owned and operated by a for-profit organization or business.

E. **Principal Uses**.

1. **Allowance**.

a. Principal uses are allowed by district as established in Table 5-105-A Principal Uses.

b. A parcel may contain one or more principal uses or structures. The establishment of multiple principal uses or principal buildings on a parcel shall be permitted in all Office Districts, provided that the development complies with applicable bulk standards specified in Article 10 and parking requirements specified in Article 10.

c. A development with multiple principal uses shall include only those principal uses designated in Table 5-105-A Principal Uses as allowed in the applicable zoning district, and each principal use shall be subject to all applicable supplemental standards.

2. **Use Categories**.

a. **Residential**. Premises for long-term human habitation by means of ownership or rental, excluding short-term leasing or rental of less than one (1) month.

b. **Public and Institutional**. Premises for organizations dedicated to religion, government, arts and culture, recreation and sports, and other similar areas of public assembly in addition to uses and premises dedicated to education, social service, and health care.

c. **Commercial**. Premises for the commercial sale of merchandise, prepared foods, and food and drink consumption; the transaction of general business and the provision of services; and short-term human habitation, including daily and weekly rental.

d. **Industrial and Vehicle-Related**. Premises for the creation, assemblage, storage, and repair of items including their wholesale or retail sale in addition to uses and premises dedicated to the sale, maintenance, servicing or storage of automobiles or similar vehicles.

e. **Utilities and Infrastructure**. Uses and structures dedicated to transportation, communication, and utilities.

f. **Agriculture and Animal Related**. Premises for growing crops, raising animals, harvesting timber, and harvesting fish and other animals from a farm, ranch or their natural habitat and all related functions in addition to animal care facilities located in commercial settings.

F. **Accessory Uses**. Accessory uses are allowed by district, as established in Table 5-107-A Accessory Uses, but only incidental to a legally established, conforming principal use.

G. **Temporary Uses**. Temporary uses are allowed by district as established in Table 5-108-A Temporary Uses.

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5-105. Principal Uses

A. **Principal Uses Table**. The following shall be used in the interpretation of Table 5-105-A.

1. **Permitted Uses (P)**. Uses which are marked as "P" in the table shall be allowed principal uses subject to all applicable regulations of this Zoning Code.

2. **Special Uses (S)**. Uses which are marked as "S" in the table shall require approval with a Special Permit as detailed in Section 2-113 prior to establishment.

3. **Prohibited Uses**. A blank space in the table indicates that a use is prohibited.

4. **Uses Not Listed**. A use not specifically listed is prohibited unless, through the Interpretation process established in Section 2-107, it is determined that the use is a part of a general use type as described in Section 5-104-C.

5. **Additional Regulation**. If a use has supplemental standards, they are referenced in the Additional regulation column. Supplemental standards shall apply to the use, regardless of whether it is a permitted or special use.

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Table 5-105-A: Principal Uses by Office District					
Use	**Additional Regulation**	**O-1**	**O-2**	**O-3**	**O-4**
Residential Uses	Additional Regulation	O-1	O-2	O-3	O-4
Community Residence (up to 8 residents)					
Dwelling, Cottage Court					
Dwelling, Duplex					
Dwelling, Single-Family Detached					
Dwelling, Townhouse					
Dwelling, Triplex/Quadplex					
Live-Work Unit	5-105-B-1				P
Multi-Unit Building, 13+ Units					
Multi-Unit Building, 5-12 Units					
Multi-Unit Dwelling Complex					
Multi-Unit Dwelling, Above Ground Floor Only					P
Senior Living Facility, Dependent					
Senior Living Facility, Independent					
Transitional Service Facilities, up to 9 residents					
Transitional Service Facilities, up to 15 residents					
Public and Institutional Uses	*Additional Regulation*	O-1	O-2	O-3	O-4
Cemetery					
Day Care	5-105-B-2		S	S	S
College/University					
Hospital					
Membership Organizations, 2,500 sq ft or less			P	P	P
Membership Organizations, More than 2,500 sq ft			S	S	S
Park					
Place of Worship, 2,500 sq ft or less			P	P	P
Place of Worship, More than 2,500 sq ft			S	S	S
Public Cultural and Community Facilities					
Public Service/Safety Facility					

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Table 5-105-A: Principal Uses by Office District					
Use	**Additional Regulation**	**O-1**	**O-2**	**O-3**	**O-4**
School, Elementary			S	S	S
School, High			S	S	S
School, Middle			S	S	S
School Vocational/Technical			S	S	S
Vacant Land/Vacant Building		P	P	P	P
Commercial Uses	*Additional Regulation*	O-1	O-2	O-3	O-4
Adult Uses					
Alcohol/Liquor Sales					
Amusement and Recreation Services, 2,500 sq ft or less					
Amusement and Recreation Services, More than 2,500 sq ft					
Bank, Credit Union, Financial Services			P	P	P
Bar/Tavern					
Cannabis Dispensary, Adult Use					
Cannabis Dispensary, Medical Use	5-105-B-3				S
Coworking Space			P	P	P
Firearms Dealer					
Funeral Home					
General Office		P	P	P	P
General Retail					
Golf Course					
Hotel					P
Medical Clinic			P	P	P
Medical Spa			P	P	P
Meeting/Event Facility					
Microbrewery/Winery/Distillery With Tasting Room					
One-on-One Educational Services			P	P	P
One-on-One Personal Fitness Facilities			P	P	P
Personal Service			P	P	P
Physical Fitness Facilities, 2,500 sq ft or less			P	P	P
Physical Fitness Facilities, 2,500 sq ft or more			S	S	S
Restaurant			P	P	P

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Table 5-105-A: Principal Uses by Office District					
Use	**Additional Regulation**	**O-1**	**O-2**	**O-3**	**O-4**
Short-Term Rental					
Specialty Medical Care Facility			S		
Tobacco Retail Sale			P	P	P
Industrial and Vehicle Related Uses	*Additional Regulation*	O-1	O-2	O-3	O-4
Artisan Manufacturing					
Brewery/Winery/Distillery					
Car Wash	5-105-B-4			S	S
Cannabis Cultivation Center					
Cannabis Craft Grower					
Cannabis Infuser					
Cannabis Processor					
Commercial Kitchen					
Contractor Facility					
Crematorium					
Dry Cleaning Facility, Processing On-Site					
Building Material, Machinery, and Equipment Sales or Storage					
Fuel Sales	5-105-B-5			P	P
Industry, Heavy					
Industry, Light	5-105-B-6	P	P	P	P
Materials Salvage Yard/Recycling Operations					
Microbrewery/Winery/Distillery With or Without Tasting Room					
Motor Vehicle Sales/Rental, With Open Sales Lot					
Motor Vehicle Sales/Rental, Without Open Sales Lot					
Off-Street Parking					
Personal / Self Serve Storage			S		
Trucking Company					
Vehicle Services - Major Repair/Body Work					
Vehicle Services - Minor Maintenance/Repair					
Warehouse, Distribution/Storage					
Wholesale Trade					

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Table 5-105-A: Principal Uses by Office District					
Use	**Additional Regulation**	**O-1**	**O-2**	**O-3**	**O-4**
Utilities and Infrastructure	*Additional Regulation*	O-1	O-2	O-3	O-4
Electrical Substations	5-105-B-7	P	P	P	P
Public Utility Facilities	5-105-B-8			S	S
Required Detention Facilities		P	P	P	P
Transit Facilities					
Wireless Telecommunications Equipment	5-105-B-9	P	P	P	P
Wireless Telecommunications Tower	5-105-B-9	S	S	S	S
Agriculture and Animal Related	*Additional Regulation*	O-1	O-2	O-3	O-4
Animal Production					
Community Garden					
Crops and Horticulture		P	P	P	P
Indoor Agriculture		P	P	P	P
Nursery & Garden Center, With Open Sales Lot					
Nursery & Garden Center, Without Open Sales Lot					
Veterinary and Animal Care Services, indoor and outdoor					
Veterinary and Animal Care Services, indoor only					

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B. **Principal Use Supplemental Standards.**

1. **Live-Work Unit.**

   a. The operator of the nonresidential portion of a live-work unit shall be the same person or persons as the resident(s) of the residential component of a live-work unit.

   b. The residential component of a live-work unit may be located on the ground floor or upper floors.

   c. The nonresidential component of a live-work unit shall be located on the ground floor and shall be directly adjacent to windows on a street facing façade if applicable.

   d. Outdoor storage, operations, or activities are prohibited.

   e. Outdoor operations or activities may be approved with a temporary use permit.

2. **Day Care.**

   a. **Required Approvals.**

      i. No child day care service shall be established without the prior licensing, certification or other approval of every public agency charged with the regulation or supervision of any facet of the activity of the proposed service.

      ii. Every application for a Special Permit for a child day care service shall set forth each agency that must approve the establishment or operation of the service and shall be accompanied by a formal acknowledgment of approval from each such agency.

      iii. In the event any such approval has been delayed, the application shall set forth the status of each such application, and shall state any facts known to the applicant that might have contributed to the delay of any required approval that has not been obtained as of the time of the filing of the application for a Special Permit.

   b. **Supervision.** Every child day care service shall provide qualified supervisory personnel in sufficient numbers to assure the safety, well-being and appropriate behavior of all children enrolled in the service. The Special Permit may establish minimum supervision requirements.

   c. **Outdoor Play Area.**

      i. Every child day care service shall provide at least 75 square feet of open space per child, exclusive of any open space located in a required front yard,

      ii. Open Space shall be completely enclosed by a fence or other suitable barrier sufficient to prevent access by children to neighboring properties or to traffic or other hazards.

      iii. An existing fence or barrier on a neighboring property shall not be relied upon to satisfy this requirement.

   d. **Recreational Devices.** No recreational device shall be located within 20 feet of any abutting residential property, nor shall a recreational device be located closer to the public right of way than the front, or corner side façade of the principal structure on the same lot.

   e. **Landscape Buffer.** A Type C Landscape Buffer as specified in Section 10-106 shall be provided along property lines abutting a residential district.

3. **Cannabis Dispensary, Medical Use.**

   a. All Medical Cannabis Dispensaries must obtain and, at all times, maintain a valid professional license issued by the Illinois Department of Financial and Professional Regulation to operate a Cannabis Dispensary. Copies of all state licenses as well as all renewals shall be provided to the Village Manager no later than 30 days of issuance as well as copies of corresponding application materials, including all required certifications, declarations, and affidavit, for state licenses and corresponding license renewals.

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b. Medical Cannabis Dispensaries shall maintain all mandatory signage required by local, state or federal law.

c. **Additional Application Requirements**.

i. In addition to the minimum application requirements set forth in Article 2 of this Zoning Code, applicants for a Special Permit for a Medical Cannabis Dispensary o must submit their draft application for the Cannabis Dispensary that they plan to provide to the Illinois Department of Financial and Professional Regulation or, where applicable, to the Illinois Department of Agriculture, to receive the State license. These materials shall include, at minimum, the following elements:

a) The names and addresses of all principal officers of the dispensing organization that will operate the Cannabis Dispensary;

b) A description of the process of dispensing cannabis from the proposed Cannabis Dispensary;

c) A description of air treatment systems that will be installed to reduce odors; and

d) A plan for community engagement.

ii. Information, documents, and plans submitted pursuant to this section may be in draft format pending approval from the Illinois Department of Finance and Professional Regulation. The Village reserves the right to request and inspect any additional materials submitted by the proposed dispensing organization to the Illinois Department of Financial and Professional Regulation as part of the application review process.

d. **Drive-Through Windows and Facilities Prohibited**. Medical Cannabis Dispensaries shall not be permitted to have any accessory drive-through facilities or provide drive-through or "curbside" delivery service.

e. **Signage**. Notwithstanding any provision of this Zoning Code to the contrary, the following signage standards are applicable to Medical Cannabis Dispensaries :

i. Exterior signs on the building shall not completely cover the windows of the Medical Cannabis Dispensary.

ii. Electronic message boards are not permitted in connection with Medical Cannabis Dispensary establishment.

iii. Signage shall not contain cannabis imagery such as cannabis leaves, plants, smoke, paraphernalia, or cartoonish imagery oriented toward youth, or language referencing cannabis.

iv. The Special Permit ordinance authorizing the Medical Cannabis Dispensary o shall include a signage plan depicting the allowed exterior signs for the dispensary.

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f. **Security and Video Surveillance**. Each Medical Cannabis Dispensary must install and maintain in good working order security, video surveillance, and inventory protection and control systems: (a) as required by applicable state laws and regulations; and (b) in conformance with a security plan approved in advance by the Village Chief of Police.

g. **Lighting**. All interior, exterior and site lighting for Medical Cannabis Dispensaries must be installed and maintained in good working order and of sufficient wattage for security cameras and the safety of customers and employees.

h. **On-Site Conduct**.

i. Loitering is prohibited on any lot used as a Medical Cannabis Dispensary, including all accessory parking lots.

ii. It shall be prohibited to smoke, inhale or consume cannabis products within Medical Cannabis Dispensary , in any accessory parking lot, or anywhere on the lot of such dispensary.

i. No person under the age of 21 may be permitted within any Medical Cannabis Dispensary , except as authorized by state law.

j. Medical Cannabis Dispensaries may operate only between 7:00 a.m. and 10:00 p.m.

k. **Restricted Locations.** No Medical Cannabis Dispensary may be located on any lot that is:

i. Less than 1,500 feet from any other existing and operating Medical Cannabis Dispensary , including those located outside of the corporate limits of the Village of Northbrook.

ii. Less than 250 feet from any lot used for a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, or part day child care facility.

iii. Located within the Village Green Overlay District.

4. **Car Wash.**

a. Hours of operation shall be restricted to between 7 am and 9 pm only, when adjacent to a residential district.

b. All mechanical equipment, excluding self-service vacuum units, shall be fully enclosed within a building.

c. All facilities shall be designed and configured such that any outdoor spraying preparation or drying activities are directed away from any abutting residential properties.

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d. All car wash facilities and accessory equipment such as vacuums, dryers, accessory buildings, etc. shall be set back a minimum of 100 feet from any residential use or property in the R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, RS. MFRC, RLC, or VGRC Districts.

e. If self-service vacuum facilities are provided:

i. They shall be setback a minimum of 20 feet from all property lines, unless otherwise specified.

ii. A minimum of one parking space shall be provided for each vehicle capable of being serviced at any one time at such vacuum facility. Parking spaces for accessory vacuum facilities shall not interfere with circulation or entrance or exit drives.

f. All full-service or conveyor-based carwash facilities shall be equipped with, and maintain in operation, a water recycling system that shall recycle a minimum of 50 percent of the water being used by the facility.

5. **Fuel Sales.**

a. **Location.** Fuel pump canopies shall be located a minimum of 100 feet from any interior side or rear property line that adjoins residentially developed property.

b. **Height.** Fuel pump canopy height shall not exceed the height of the principal building or 15 feet, whichever is greater.

c. **Materials.** Fuel pump canopy roofs shall be steel construction. Plastic and similar materials are prohibited.

d. **Lighting.** Fuel pump canopy lighting shall be fully recessed.

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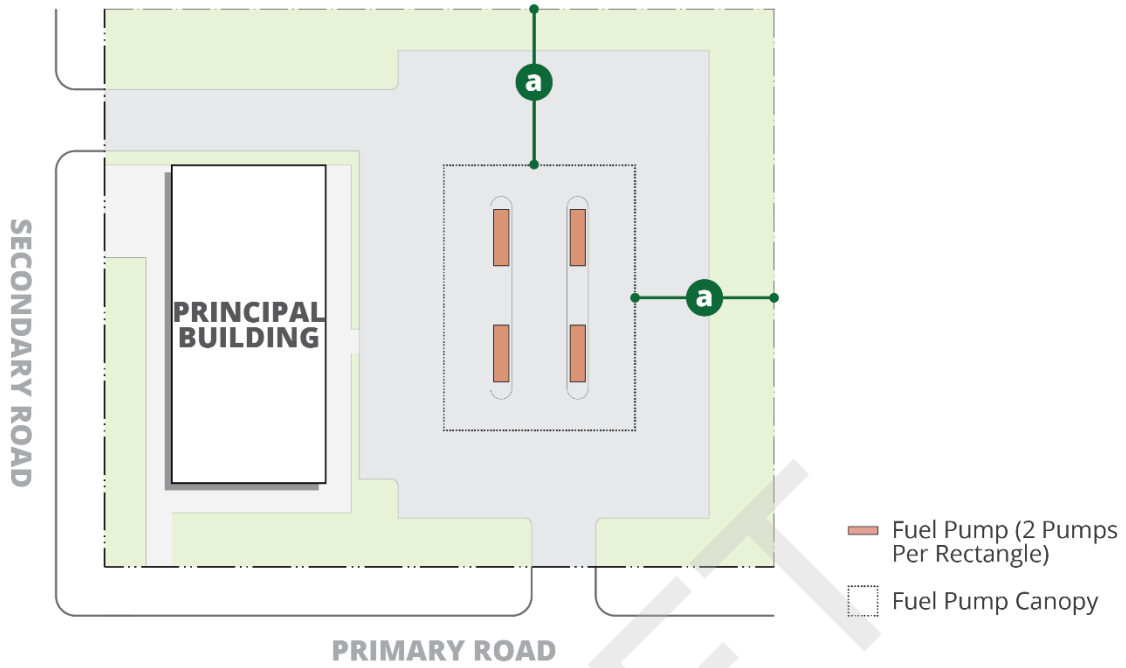

Figure 4 Fuel Sales

6. **Industry, Light.**

   a. **Off-Site Impacts/Public Nuisances.** No generation of dust, odors, noise, vibration or electrical interference or fluctuation shall be perceptible outside of the building.

   b. **Environmental Hazards.** All establishments shall be maintained so as not to create environmental hazards that pose a threat to ground or surface water quality, air quality, wildlife and/or humans.

   c. **Vehicular Access.** Vehicular access to the site shall be provided on a thoroughfare of suitable industrial capacity as determined by the Village Manager, Village Engineer, and/or any required Transportation Impact Analysis.

7. **Public Utility/Electrical Substations.** In the Office Districts Public Utility/Electrical Substations shall comply with the following standards.

   a. **Structure Appearance and Screening.** All buildings and structures either shall have exteriors which give the appearance of a structure permitted in the district where located or shall provide a screening as specified in Section 10-107-C along all interior side or rear property lines.

   b. **Safety Fencing.** All such uses shall be fenced where any hazard to the safety of human or animal life is present.

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c. **Service and Storage Prohibited.** No service or storage yard or building shall be permitted except as permitted for other uses in the district.

8. **Public Utility Facilities.** Lot area of at least 100,000 square feet shall be required.

9. **Wireless Telecommunications Equipment and Wireless Telecommunications Towers**.

a. **Purpose and Intent**. This subsection creates the framework for the siting of wireless telecommunication facilities in a manner which protects the public health, safety, and general welfare of the community, provides comprehensive service to the community, and implements the Village's policies for said facilities, as detailed below. The provisions of this subsection are in addition to, and do not replace, any obligations an applicant may have under any franchises, licenses, encroachments, or other permits issued by the Village. This section is intended to:

i. Facilitate the comprehensive provision of wireless telecommunication services to the residents and businesses of the Village of Northbrook.

ii. Maximize the use of existing and approved telecommunication towers, buildings, and structures for collocation to accommodate new wireless telecommunication antennas in order to minimize the number of telecommunication towers needed to comprehensively serve the community.

iii. Minimize the number, height, obtrusiveness, and the visual impacts of telecommunications towers, associated equipment, and buildings.

iv. Direct and allow wireless telecommunication facilities to areas which are least disruptive to residential, park, open space, and greenway uses and to be as unobtrusive and invisible as reasonably possible.

v. Ensure that the height of telecommunications towers has the least visual impact and is no greater than required to achieve service area requirements and potential co-location.

vi. Site telecommunications towers to minimize locations which are visually solitary or prominent when viewed from residential areas or any public way.

vii. Site telecommunications towers at locations which are obscured by vegetation, tree cover, topographic features, buildings or other structures to the maximum extent feasible.

viii. Protect views of and vistas from architecturally or historically significant structures and historically significant landscapes so that these architectural or historical resources are not impaired or diminished by the placement of telecommunications towers.

ix. Avoid potential damage to adjacent properties from telecommunication towers failure through structural design standards and setback requirements.

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b. **General Applicability**. The provisions of this subsection shall apply to the following:

i. Wireless telecommunication facilities (towers and associated equipment) that are or will be operated by a licensed wireless telecommunication service provider which consists of the equipment and structures involved in the receiving or transmitting of electromagnetic waves associated with wireless telecommunication services.

ii. Small wireless telecommunication towers that meet the following characteristics:

a) Each antenna is located inside an enclosure of no more than six cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than six cubic feet;

b) All other wireless equipment associated with the facility is cumulatively no more than 28 cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meter, concealment elements, telecommunications demarcation box, ground-based enclosures, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs for the connection of power and other services; and

c) An antenna array feature that is attached to a telecommunications tower or building to transmit or receive radio waves. For this subsection, this does not include antenna dishes or other antenna features on individual homes or businesses that are intended to receive radio or television broadcasts, or internet communication for said use.

c. **Amateur Radio Exemption**. These provisions neither apply to nor shall be construed to apply to Amateur Radio Operators who are licensed to operate a radio or transmitter by the Federal Communications Commission under Part 97 of the Federal Communications Commission's Rules.

d. **Interference with Public Safety Telecommunications**. No new or existing telecommunications service shall interfere with public safety telecommunications. Before the introduction of new service or changes in existing service, telecommunication providers shall notify the Village at least 10 calendar days in advance of such changes and allow the Village to monitor interference levels during the testing process.

e. **Compliance with Other Laws**. A telecommunications tower shall be erected and operated in compliance with the most current Federal Communication Commission and Federal Aviation Administration rules and regulations and other applicable federal and state standards. All telecommunications towers shall comply with all ordinances of the Village which are not in conflict with this subsection.

f. **Wireless Telecommunication Facilities Establishment and Siting Alternatives Analysis**.

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i. **Co-location Preference**. The Village shall promote the co-location of wireless telecommunications equipment on existing towers, buildings, or utilities elements. New standalone wireless telecommunication facilities (towers) may only be allowed where co-located of said facilities on existing towers, buildings, or public infrastructure elements is deemed infeasible through a siting alternatives analysis.

ii. **Siting Alternatives Analysis**. For all new, standalone wireless telecommunication towers, the applicant shall provide a siting alternatives analysis to determine whether co-location on existing structures is feasible within the applicant's search ring, including information pertaining to the fair market value of similar contracts – this shall be provided as part of the permitting process and submittal requirements pursuant to Article 2. The siting alternatives analysis shall determine the feasibility of co-locating the new telecommunication facilities/equipment in the following situations. (i) Co-location on existing towers; (ii) Placement on Village-owned Structure or Building; (iii) Placement on Existing Structure or Building; and (iv) Construction of New Tower Structure or Substantial Modification of Existing Structure. The following describes the various co-location situations.

a) **Co-location Standards**. The co-location or placement of new telecommunications antennas upon existing telecommunications towers, light poles, and/or buildings.

b) **Village-owned Structure or Building**. The utilization of existing Village-owned structures and buildings for placement of antenna and associated equipment or buildings, including surface-mounted and roof-mounted applications of telecommunication antennas on existing buildings and structure-mounted applications of telecommunication antennas on water towers, electric line transmission towers, or other existing structures.

c) **Existing Structure or Building Utilization**. The utilization of all other existing structures and buildings for placement of antenna and associated equipment or buildings, including surface mounted and roof-mounted applications of telecommunication antennas on existing buildings and structure-mounted applications of telecommunication antennas on existing structures.

iii. **Consulting Option**. As part of the review procedures, the Village Manager shall determine the sufficiency of the information. The Village may choose to hire an outside consultant to conduct a third-party review of the siting alternatives analysis in the following situations: (i) where there are disputes of the findings between the applicant and the Village Manager and/or (ii) where expert consultation is deemed necessary to reach conclusions of the analysis. Where the Village utilizes a consultant in its application review, the fee for such services shall be fixed in advance as part of the application fee for a new telecommunications facility.

g. **Telecommunication Tower and Antenna Array Design Standards**. The following design standards apply to new telecommunication towers and associated antenna array

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facilities. These standards do not apply to co-location activities on existing towers, buildings, or public infrastructure elements.

i. **Height**. The maximum height of a telecommunications tower, including antenna array, shall be less than 125 feet above grade; whereas, Small Wireless Telecommunications towers shall be limited to 50 feet above grade.

ii. **Location**. Telecommunication towers and antenna arrays shall not be located within 300 feet of an existing or future thoroughfare, as identified in the regional Transportation Improvements Plan as adopted.

iii. **Setbacks Required**. Telecommunication towers, including antenna array shall be setback at least 125 percent the height of the tower from any lot line or a distance equal to their engineered fall zone at a minimum, whichever is greater.

iv. **Guys and Guy Anchors**. All guys and guy anchors shall be located within the buildable area of the lot and shall not be located within any required setback, required landscape area, wetland feature, and watercourse riparian buffer.

v. **Security Fencing**. Securing fencing shall surround the telecommunications tower base, all guy anchors, and equipment. The compound area and all guy anchors shall be secured with a fence of not less than six feet in height nor more than 10 feet in height. A security wire (barbed, razor, etc.) may be located on the telecommunications tower-side of the fence but shall not extend above the top of the fence. The type of fence selected shall, in the determination of the Village Manager, be compatible with development in the surrounding area. A chain link fence, if used, shall be black vinyl coated.

vi. **Structural Design**. A telecommunications tower shall be designed and built so as to:

a) Be capable of use by at least two wireless communications providers for a telecommunications tower less than 80 feet in height;

b) Be capable of use by three or more wireless communications providers for a telecommunications tower of 80 feet in height or greater;

c) Accommodate antenna arrays consisting of 9 to 12 antennas for each array, provided, however, this regulation shall not apply to slick antenna applications;

d) Locate such antenna arrays within 15 vertical feet of each other;

e) Have no more than 3 degrees of twist and sway at the top elevation;

f) Provide internal cable routing for all tapering monopole telecommunication towers; and

g) Meet or exceed associated State and Federal structural standards relating to telecommunication standards (e.g., EIA-222)

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vii. **Signs Prohibition**. No lettering, symbols, images, trademarks, signs, or advertising shall be placed on or affixed to any part of a telecommunications tower, antenna array or antenna, other than as required by Federal Communications Commission regulations regarding tower registration or other applicable law.

viii. **Lights**. No signals, lights or other illumination shall be permitted on telecommunications towers unless required by the Federal Communications Commission, the Federal Aviation Administration, or the Village.

ix. **Engineering Compliance for Modifications**. If any additions, changes or modifications are to be made to a telecommunications tower, the Village Manager may require proof, through the submission of engineering and structural data, that the addition, change or modification conforms to structural wind load and all other requirements of the Village's Building Code.

h. **Separation and Location.**

i. **New Wireless Telecommunication Towers**. New telecommunication towers are subject to the following minimum separation radius from another telecommunications tower - in determining the required separation between telecommunication towers of different heights, the required separation for the taller tower shall apply.

a) Quarter mile radius for proposed telecommunications towers less than 80 feet in height;

b) Half mile radius for proposed telecommunications towers of 80 feet in height or greater but less than 120 feet in height; or

c) One-mile radius for proposed telecommunications towers 120 feet in height or greater.

i. **Wireless Telecommunications Antennas Mounted on Existing Buildings or Structures**. The following design standards apply to antennas associated with wireless communication operations that are mounted on existing buildings and structures.

i. **Roof-Mount Elements**. Roof-mounted wireless telecommunications antennas are permitted on buildings and structures in all districts. Such features shall meet the height standards of the governing district and shall be no taller than the existing building. Said elements shall be subject to the following standards.

a) Whip telecommunication/antenna features (an antenna which transmits signals in 360 degrees) shall be no closer than 15 feet to the perimeter of the building.

b) The telecommunications antenna and associated equipment located on buildings shall be screened in elevation view with enclosures or façades having an appearance that blends with the building on which they are located; and be located so they are not overtly visible from an adjacent public right of way.

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ii. **Surface-Mount Elements**. Surface mounted telecommunications antennas (an antenna attached to a building exterior wall) are permitted on buildings or structures in all Office Districts and subject to the following standards.

a) Telecommunications/antenna features shall be mounted flush with the exterior of the building or structure so that it projects no more than 30 inches from the surface to which it is attached.

b) The telecommunications/ antenna appearance shall blend with the surrounding surface of the building or structure in terms of color and materials.

c) Surface-mount elements are subject to applicable design standards in National Register listed properties and historic districts, Local historic districts, and locally designated historic landmarks.

iii. **Elements Attached to Other Existing Structures**. Telecommunications antennas are permitted on existing utility, lighting, telecommunications towers, and other structures in all Office Districts (Section 5-105) and subject to the following standards.

a) Existing utility, lighting, telecommunications towers, and other structures used to affix telecommunication/ antenna features shall not exceed 150 feet in height above grade.

b) The telecommunications antenna shall not exceed the height of the existing structure by more than 10 feet for a non-whip antenna or 15 feet for a whip antenna.

c) Existing structures may be rebuilt/ modified to support the load of the new telecommunications antenna, subject to the Village's building permitting standards.

iv. Existing structure mounted elements are subject to applicable design standards in National Register listed properties and historic districts, local historic districts, and locally designated historic landmarks.

v. **Separation Standards**. Telecommunications antennas and associated features located on existing buildings or structures are not subject to the separation requirements stated above.

vi. **Photo Simulation Requirements**. As part of the application process, applicants shall provide photo simulations showing the site of the existing structure with a photo realistic representation of the proposed telecommunications antenna and the existing structure or any proposed reconstruction of the structure as it would appear viewed from the closest R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, RS, MFRC, RLC, or VGRC District and from adjacent public right of way. The applicant shall also submit

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photographs of the same views as in the photo simulations showing the current appearance of the site without the proposed telecommunications antenna.

j. **Abandonment and Removal of Telecommunications Towers, Antenna Arrays, and Associated Equipment**. The following standards apply to all telecommunication features and their associated elements – these standards ensure inoperable features are removed, whereas habitable buildings are exempt from these requirements.

i. **Abandonment**. Telecommunications towers, antenna arrays, and associated equipment which have not been used for a period of one year shall be deemed abandoned and shall be removed from the site.

ii. **Notice Required**. The owner of the telecommunications tower and the last service provider to use a telecommunications tower shall notify the Village Manager within 30 days that use of a telecommunications tower has been discontinued.

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5-106. Dimensional Standards Encroachments, Exceptions, & Adjustments

A. **Allowed Encroachments into Required Yards**.

Table 5-106-A: Allowed Encroachments into Required Yard

Encroachment Type	Allowed Location	Limitations of Encroachment
Air Conditioning Units	rear and interior side yard	Shall be a minimum of three feet from any lot line.
Antennae	rear and interior side yard	Shall be a minimum of three feet from any lot line.
Accessibility Ramps and Fire Escapes required by the Illinois State Building Code	any required yard	Shall be a minimum of three feet from the property line unless otherwise approved by the Village Manager as an Administrative Adjustment per Section 2-104.
Basketball equipment	any required yard	A maximum of one per front yard shall be allowed. Shall be a minimum of five (5) feet from side lot lines and 10 feet from a front lot line.
Bay Windows and Balconies	front and corner side yard	Shall extend no more than five (5) feet from the applicable elevation of the building and at least five (5) feet from the property line. May not have any foundation or footing and may only project from a façade.
	interior side and rear yard	Shall be a minimum of three (3) feet from the applicable building elevation. May not have any foundation or footing and may only project from a façade.
Clothesline	rear yard	Shall be a minimum of three (3) feet from any lot line.
Compost bin	rear yard	Shall be a minimum of three (3) feet from any lot line.

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Table 5-106-A: Allowed Encroachments into Required Yard		
Encroachment Type	**Allowed Location**	**Limitations of Encroachment**
Covered Porches, Covered Decks, Covered Patios, Pergolas, and Gazebos	front and corner side yard	• May encroach up to five (5) feet from the applicable elevation of the building and no closer than five (5) feet to the property line, whichever is greater. • May not exceed 30 inches in height above the average finished grade. • May not be screened-in or enclosed.
Cornices, Gutters, Eave Overhangs, and Similar Architectural Projections	any required yard	May encroach up to two (2) feet from the applicable elevation of the building or approved by the Village Manager or Village Engineer per Section 2-104
Driveways	any required yard	• Shall comply with the standards of Section 10-102-C. • Shall be a minimum of two (2) feet from the interior side property line.
Fences, Walls, and Berms	any required yard	Shall comply with the standards of Section 10-108
Flagpoles	any required yard	Shall be a minimum of five (5) feet from the property line.
Generators	rear and interior side yard	Shall be a minimum of three (3) feet from any lot line.
Lighting: landscape, building façade, outdoor recreational, and pedestrian	front and corner side yard	Shall comply with the standards of Article 10.
Signs	any required yard	Shall comply with the standards of Article 11.
Parking	As allowed and in accordance with the standards of Section 10-102.	

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Table 5-106-A: Allowed Encroachments into Required Yard		
Encroachment Type	**Allowed Location**	**Limitations of Encroachment**
Uncovered and Unenclosed Steps and Stairs	front and corner side yard	May encroach up to six (6) feet from the applicable elevation of the building and no closer than five feet to the property line, whichever is greater.
Uncovered Porches, Decks, Patios, and similar Features	rear and corner side yard	Shall be a minimum of five (5) feet from the property line.
Permeable Path	Interior side yard	As approved by Village Engineer.

B. **Allowed Height Exceptions.** Buildings built for Place of Worship uses may have a maximum height of 55 feet and may include spires and minarets with a maximum height of 70 feet.

5-107. Accessory Uses

A. **Accessory Uses Table**. The following shall be used in the interpretation of Table 5-107-A.

1. **Permitted Uses (P)**. Uses which are marked as "P" in the table shall be allowed accessory uses subject to all applicable regulations of this Zoning Code.
2. **Special Uses (S)**. Uses which are marked as "S" in the table shall require approval with a Special Permit as detailed in Section 2-113 prior to establishment.
3. **Prohibited Uses**. A blank space in the table indicates that a use is prohibited.
4. **Uses Not Listed**. A use not specifically listed is prohibited unless, through the Interpretation process established in Section 2-107, it is determined that the use is a part of a general use type as described in Section 5-104-C.
5. **Additional Regulation**. If a use has supplemental standards, they are referenced in the Additional Regulation column. Supplemental standards shall apply to the use, regardless of whether it is a permitted or Special Use.

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Table 5-107-A: Accessory Uses by Office District					
Use	**Additional Regulation**	**O-1**	**O-2**	**O-3**	**O-4**
Attached Accessory Dwelling Unit					
Accessory Structure	5-107-B-1	P	P	P	P
ATM		P	P	P	P
Day Care Nursery		P			
Drive-Through Facility	5-107-B-2		P	P	P
Electric Vehicle Charging Station – Commercial	5-107-B-3	P	P	P	P
Garden		P	P	P	P
Home Based Daycare					
Home Occupation					
Outdoor Display - Permanent					
Sale of Merchandise – Permanent					
Outdoor Seating for Eating and Drinking Uses	5-107-B-4		P	P	P
Outdoor Storage / Open Lot					
Pool					
Solar Energy Collection System, Canopy Mounted	5-107-B-5	P	P	P	P
Solar Energy Collection System, Ground Mounted	5-107-B-6	P	P	P	P
Solar Energy Collection System, Roof Mounted	5-107-B-7	P	P	P	P

B. **Accessory Use Supplemental Standards.**

1. **Accessory Structure.**

a. **Number.**

i. **All Accessory Structures**. The number of all accessory structures on a lot shall not exceed the maximum allowed lot coverage per district as established in Section 5-107-B-1(d).

ii. **Total Number of Accessory Structures.** The total number of all accessory structures shall not exceed one per 3,000 square feet of lot area.

b. **Compatibility.** The exterior of a large accessory structure shall be compatible with the principal building in terms of color, exterior building cladding materials, and roof style and materials.

c. **Campers, Recreational Vehicles, Etc. Prohibited For Accessory Use:** Campers, travel trailers and recreational vehicles are not permitted for use as an accessory structure and shall not be connected to utilities or occupied. These vehicles shall not be located in

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front of a principal structure, nor shall they be stored in any Office zoning districts, except when being serviced, repaired, or stored at an approved facility for such purposes.

d. **Dimensional Standards.** Accessory structures shall meet the dimensional standards established in Table 5-107-B-1(d).

Table 5-107-B-1(d). Accessory Building/Structure Dimensional Standards	
Yard Setbacks	
Front, Minimum	Five feet behind front elevation of principal building or shall adhere to the front setback of the district, whichever is greater
Corner Side, Minimum	Five feet behind corner side elevation of principal building or shall adhere to the corner side setback of the district, whichever is greater
Interior Side, Minimum	5 feet
Rear, Minimum	5 feet
Building Standards	
Height, Maximum	15 feet
Building Area, Maximum	1,000 square feet or 20 percent of gross lot area, whichever is greater, however in no instance shall an accessory structure exceed the area of the principal building

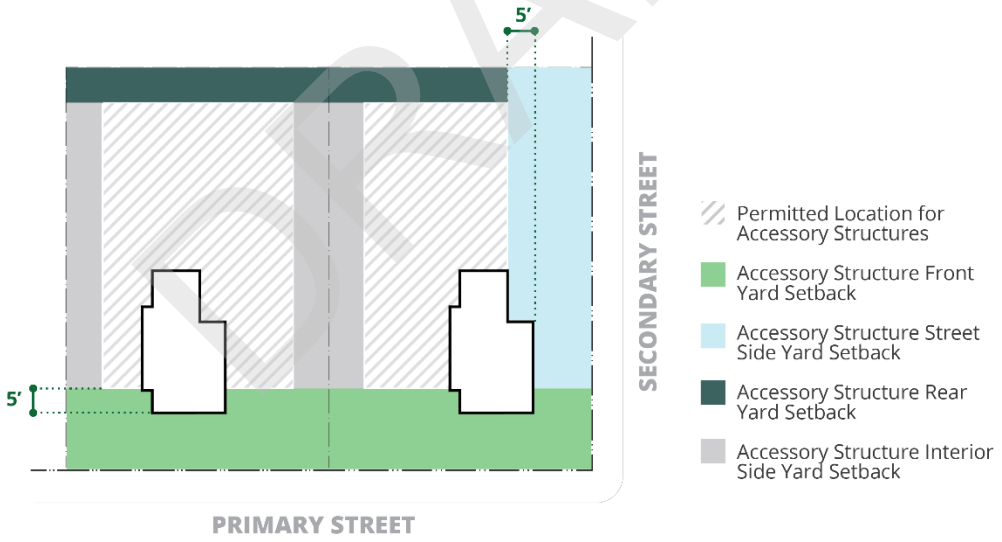

Figure 5 Accessory Structure

2. **Drive-Through Facilities.**

a. **Location**. Drive-through facilities, including but not limited to order boxes, menu boards, stacking spaces and lanes shall be located within the buildable area of the lot on which the drive through facility is accessory.

b. **Stacking**.

i. **Stacking Lanes**. Stacking lanes shall have a minimum depth of 20 feet per stacking space and the following minimum lane widths:

a) One lane: 12 feet,

b) Two or more lanes: ten feet per lane.

ii. **Stacking Spaces**.

a) Drive through facilities shall have the minimum number of stacking spaces established per principal use as detailed in Table 5-107-B-2(b).

Table 5-107-B-2(b): Drive Thru Stacking Requirements

Use	Minimum Stack	Measure From
Automated Teller Machine	2 per machine	teller machine
Bank Teller Lane	2 per lane	teller or window
Restaurant	6 per order box	order box
Carwash Stall, Automatic, less than 100 feet long	5 per bay	bay entrance
Carwash Stall, Automatic, 100 feet long or more	15 per bay	bay entrance
Carwash Stall, Manual	2 per stall	bay entrance
Oil Change Shop	2 per service bay	service bay entrance
Pharmacy	4 per lane	machine or window
Other Use	As determined by the Village Manager	

b) Drive through stacking spaces whether required or not shall not block any public sidewalk or public/private street right of way or interfere with their use.

c. **Menu Boards.**

i. A drive-through facility shall be permitted a maximum of two menu boards per stacking lane.

ii. The combined maximum area of the menu boards shall be 80 square feet.

iii. Each menu board shall not exceed:

a) Forty (40) square feet in area and

b) Eight (8) feet in height.

d. Menu boards may utilize digital display boards for 100 percent of the permitted menu board area.

e. **Overhead Canopy.** Should an overhead canopy be utilized, it shall meet the standards of vehicle fueling station canopies, per Section 5-105-B-5.

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f. **Screening.** If located adjacent to a property with a residential use or in a residential district, a Type A buffer shall be utilized to minimize the impact of menu boards, headlights, and other off-site impacts of drive-through facilities.

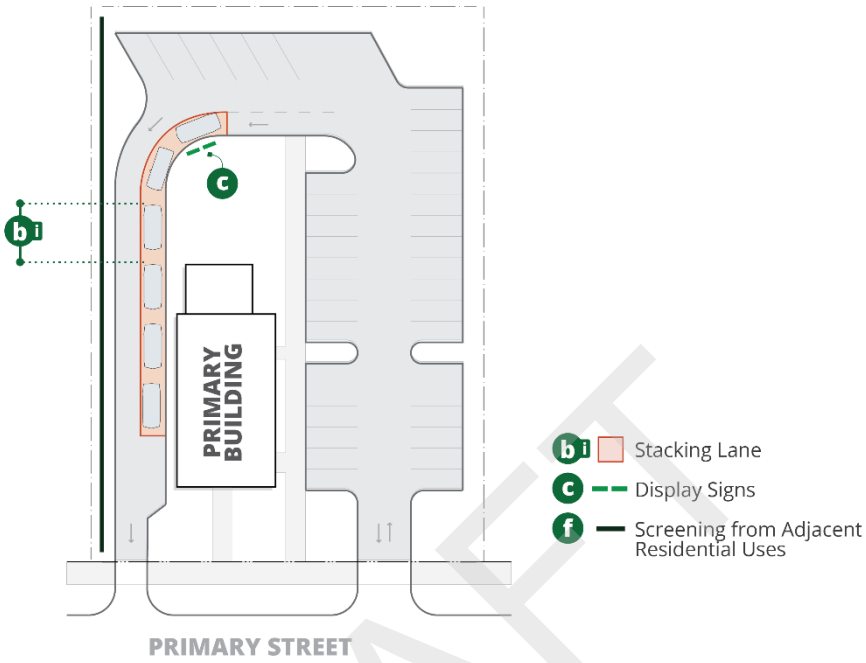

Figure 6 Drive Through Facilities

3. **Electric Vehicle Charging Station.**

a. **Equipment**.

i. Electric Vehicle Charging stations that are accessory to all mixed-use, multifamily, and nonresidential uses shall be a minimum of a level 2 charging capacity.

ii. Electric vehicle charging station equipment shall be protected by a wheel stop, curb, or bollards.

iii. All connections of the charging station to electrical utility equipment shall be underground.

iv. All electric vehicle charging station equipment shall comply with the National Fire Protection Association/National Electrical Code and be approved by the Underwriters Laboratory.

v. All equipment shall be low-maintenance, durable materials and shall be vandal-proof to the extent possible.

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vi. All equipment shall provide a cord management system that minimizes tripping hazards for pedestrians. Charging cords may not cross sidewalks, walkways, or driveways.

b. **Design Considerations**.

i. Electric vehicle charging station equipment shall be located in a manner that will not obstruct pedestrian walkways. A minimum of three feet of clear area shall be maintained.

ii. Electric vehicle charging stations shall provide a safe and clearly delineated area for maneuvering around the vehicle for connecting to the equipment.

iii. A sign indicating that the electric vehicle parking is for use while charging only shall be provided.

iv. All charging stations shall be illuminated. Lighting shall comply with the limitations in Section 10-109.

c. **Maintenance**. All electric vehicle charging station equipment shall be maintained to working condition. Equipment that is no longer functional must be decommissioned within 60 days.

4. **Outdoor Display / Sale of Merchandise / Outdoor Seating for Eating and Drinking Uses.**

a. **Principal Use**. Outdoor seating/display shall be allowed accessory to a legally conforming principal use only.

b. **Location**. Accessory outdoor seating/display areas may be located:

i. On a public sidewalk directly in front of the principal use to which the outdoor seating is accessory so long as:

a) A clear pathway at least five feet wide is maintained to allow through public pedestrian traffic along the sidewalk and from the sidewalk into the entrance to the establishment. A greater width may be required by the Village Manager to ensure the safe and convenient flow of pedestrian traffic, and

b) A clear separation of at least five feet is maintained from any alley, crosswalk, fire hydrant, or similar public or emergency access feature in or near the sidewalk. A greater clear distance may be required by the Village Manager to ensure use of the public or emergency access features.

ii. In a parking lot so long as:

a) No more than 10 percent of the required parking spaces (per Section 10-102-D) are utilized,

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b) The outdoor seating/display area is directly accessible from inside the principal use to which it is accessory, and

c) The outdoor seating/display area is surrounded by a barrier with a minimum height of three feet and maximum height of four feet.

iii. Within the buildable area of the lot, per Section 5-107-B-1(d).

c. **Noise**. No sound production or reproduction machine or device (including, but not limited to musical instruments, loud-speakers, and sound amplifiers) shall be used, operated, or played in an outdoor seating/display area within 50 feet of a residential use or residentially zoned property.

d. **Hours of Operation**. Hours of operation shall be the same as those for the principal use to which the outdoor seating/display area is accessory.

e. **Furnishings**.

i. Tables, chairs, umbrellas, and other furnishings associated with the outdoor seating/display area shall be of sufficient quality design, materials, and workmanship to ensure the safety and convenience of area occupants and compatibility with adjacent uses.

ii. If located on a public sidewalk, no tables, chairs, umbrellas, or other furnishings or equipment associated with the outdoor seating area shall be attached, chained, or otherwise affixed to any curb, sidewalk, tree, post, sign, or other fixture within the outdoor seating/display area.

f. **License Required.** When located on public property a license agreement shall be obtained from the Village for proof of liability insurance and recorded with Cook County.

5. **Solar Energy Collection System, Canopy Mounted.**

a. Canopy solar energy collection systems are permitted over any principal or accessory parking lot.

b. The height of canopy solar energy collection systems shall not exceed the height of the principal building that the parking area serves or 20 feet, whichever is greater.

c. The minimum height of solar energy collection systems shall allow clearance for emergency and service vehicles.

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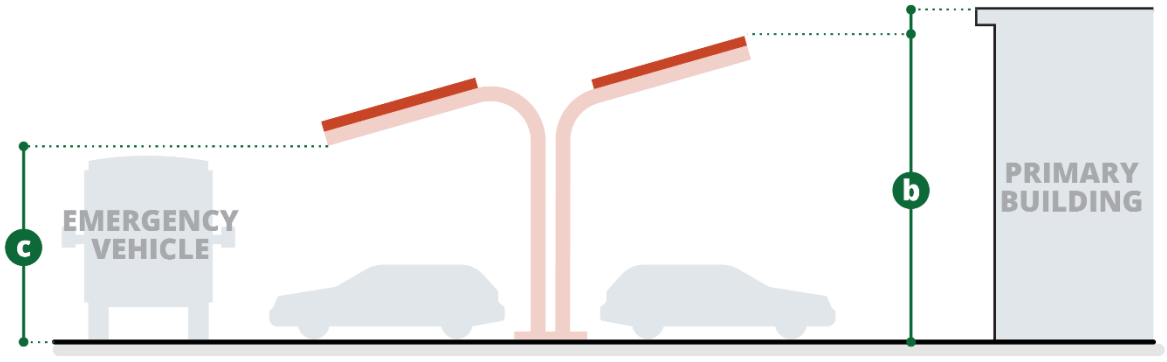

Figure 7 Solar Energy Collection System, Canopy Mounted

6. **Solar Energy Collection System, Ground Mounted.**

   a. Ground-mounted solar energy collection systems shall be permitted in accordance with the principal structure setbacks on the front, street sides, and any applicable accessory structure setbacks.

   b. The maximum height of ground-mounted solar energy collection systems shall be five feet, measured from the grade at the base of the pole to the highest edge of the system.

   c. The minimum clearance between the lowest point of the system and the surface on which the system is mounted shall be 12 inches.

   d. Ground-mounted solar energy collection systems shall be exempt from the impervious surface limits if the ground directly under the solar panel is planted with native plantings and groundcover other than turf grass.

   e. All parts of the freestanding system shall be set back five feet from the side and rear lot lines and shall not be located in an easement.

   f. **Sites 1-5 Acres in Area**. In addition to meeting the standards in a-e above, ground mounted solar energy collection systems occupying 1-5 acres in area shall also meet the following requirements:

      i. **Decommissioning Required**. Any solar energy use that is not actively in use for 12 consecutive months shall be decommissioned by the operator. The operator shall have six (6) months to fully decommission the use, including all panels, structures, accessories, and appurtenances, shall be entirely removed from the lot.

      ii. **Decommissioning Plan**. Prior to receiving approval, the applicant for any solar energy use shall submit a decommissioning plan to ensure that the project is properly decommissioned, which shall include:

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a) Procedures for the removal of structures, debris, and cabling, including those below the soil surface,

b) Provisions for the restoration of the natural soil and vegetation, and

c) A provision that the terms of the decommissioning plan shall be binding upon the owner or operator and any of their successors, assigns, or heirs.

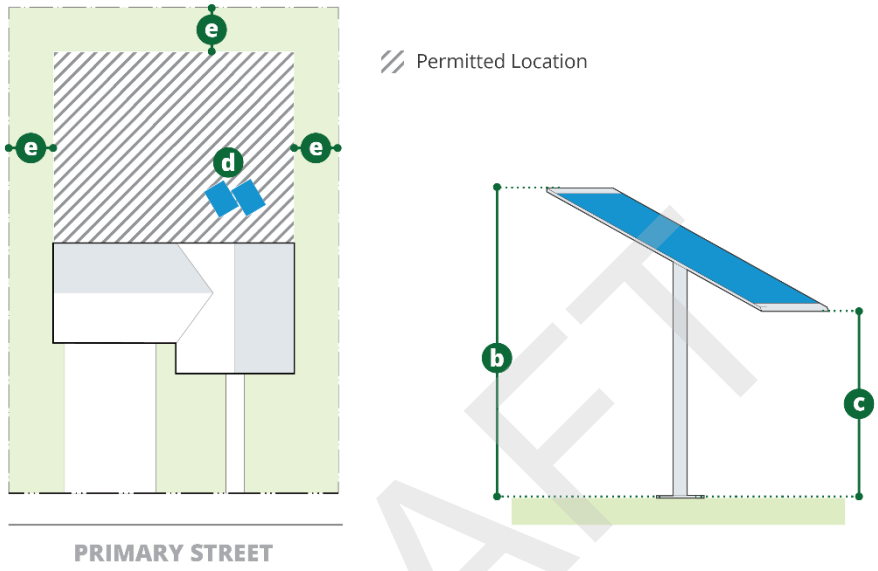

Figure 8 Solar Energy Collection System, Ground Mounted

7. **Solar Energy Collection System, Roof Mounted.**

a. Roof-mounted solar energy collection systems may be located on any roof face of principal or accessory buildings. Systems should be flush mounted when possible.

b. Systems on structures 35 feet or less in height shall not extend beyond 12 inches parallel to the roof surface.

c. Systems on structures greater than 35 feet in height shall not extend beyond 36 inches parallel to the roof surface.

d. Systems on all structures shall not extend above the highest peak of a pitched roof.

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e. All materials used for racking, mounts, mounting clamps, and flashings shall be of a color consistent with the color of the roof surface to minimize visibility, or black.

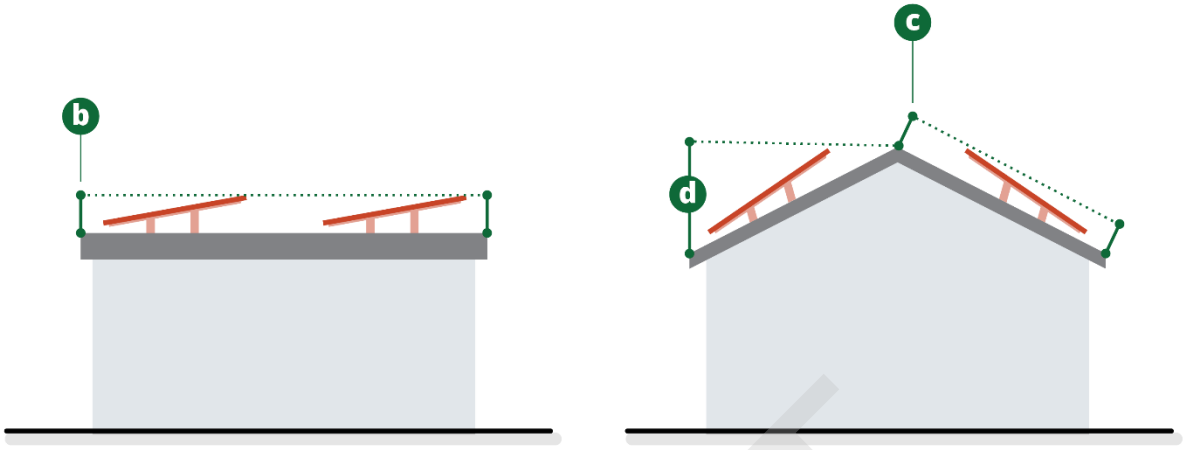

Figure 9 Solar Energy Collection System, Roof Mounted

5-108. Temporary Uses

A. **Temporary Uses Table**.

1. **Permitted Uses (P)**. Uses which are marked as "P" in the table shall be allowed temporary uses subject to all applicable regulations of this Zoning Code.
2. **Temporary Uses (T)**. Uses which are marked as "T" in the table shall be allowed temporary uses after the approval of a Temporary Use Permit, as detailed in Section 2-110.
3. **Special Uses (S)**. Uses which are marked as "S" in the table shall require approval with a Special Permit as detailed in Section 2-113 prior to establishment.
4. **Prohibited Uses**. A blank space in the table indicates that a use is prohibited.
5. **Uses Not Listed**. A use not specifically listed is prohibited unless, through the Interpretation process established in Section 2-107, it is determined that the use is a part of a general use type as described in Section 5-104-C.
6. **Additional Regulation**. If a use has supplemental standards, they are referenced in the Additional Regulation column. Supplemental standards shall apply to the use, regardless of whether it is a permitted or special use.

Table 5-108-A: Temporary Uses by Office District

Use	Additional Regulation	O-1	O-2	O-3	O-4
Civic Uses of Public Property					
Contractor Trailer / Temporary Real Estate Sales	5-108-B-1	T	T	T	T
Farmers Market					

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Table 5-108-A: Temporary Uses by Office District					
Use	**Additional Regulation**	**O-1**	**O-2**	**O-3**	**O-4**
Garage Sales					
Parking of Trailers, Boats, and Other Vehicles					
Portable Outdoor Storage Device	5-108-B-2	T	T	T	T
Seasonal Sales	5-108-B-3	T	T	T	T
Tents	5-108-B-4	T	T	T	T

B. **Temporary Use Supplementals Standards.**

1. **Contractor Trailer / Temporary Real Estate Sales.**

   a. Contractors' trailers and temporary real estate sales model units are allowed when accessory to a construction project or a new development.

   b. Contractors' trailers and temporary real estate sales model units shall be limited to a period not to exceed the duration of the active construction phase of such project or the active selling and leasing of space in such development.

   c. Contractors' trailers and temporary real estate sales model units shall not contain any sleeping or cooking accommodations, except if located in a model unit.

   d. No such trailer, unit, or office shall be used as the general office or headquarters of any firm.

   e. Contractors' trailers and temporary real estate sales model units shall be located within the buildable setback of the lot where it is located.

2. **Portable Outdoor Storage Device.**

   a. Only one portable outdoor storage device may be located on a lot at a time.

   b. No portable outdoor storage devices shall block any public sidewalk or public/private street or right of way or interfere with their use.

   c. The portable outdoor storage device shall not exceed:

      i. Eight feet (8) in width,

      ii. Twelve (12) feet in length, and

      iii. Eight feet (8) in height.

   d. The portable outdoor storage device must be located on a hard paved surface approved by the Village Manager.

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e. Every portable outdoor storage device must be locked and secured when not being loaded or unloaded.

3. **Seasonal Sales.**

a. Seasonal sales areas may use a maximum of 20 percent of the parking spaces required for the operation of the principal use or 2,000 square feet, whichever is less.

b. Seasonal sales areas shall not block circulation and movement of emergency vehicles.

c. Seasonal sales areas shall not block pedestrian walkways in a manner which reduces the width of that walkway to less than five feet.

d. Seasonal sales hours of operations shall be limited to between 7 am and 10 pm.

e. No more than four seasonal sales shall be conducted in one calendar year.

4. **Tents.**

a. No tent shall be allowed to remain for a period of more than four (4) days longer than the period during which the principal or accessory use with which it is associated with is allowed to remain or, in the absence of any such period, ten (10) days.

b. Unless waived in writing by the Village Manager, every tent shall comply with bulk, yard and space requirements applicable to accessory structures pursuant to Section 5-107-B-1(d).

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Article 6. Commercial District Standards

6-101. General Provisions

6-102. Establishment, Purpose, and Intent of Commercial Districts

6-103. Dimensional Standards

6-104. General Use Standards

6-105. Principal Uses

6-106. Dimensional Standards Encroachments, Exceptions, and Adjustments

6-107. Accessory Uses

6-108. Temporary Uses

6-109. C-1 Specialty Commercial Legacy District

6-110. C-4 District Planned Development

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6-101. General Provisions

A. **Purpose**. The purpose of this Article is to establish the Commercial zoning districts of the Village including their purpose, dimensional standards, and allowed encroachments, to:

1. Implement the intent of this Code and the Comprehensive Plan,
2. Allow for orderly development, and
3. Protect natural resources.

B. **Applicability**. The zoning districts established in this Article shall apply to all Commercial zoning district (Section 6-102) parcels within the Village of Northbrook as detailed on the Village of Northbrook Zoning Map.

6-102. Establishment, Purpose, and Intent of Commercial Districts

Table 6-102 Establishment, Purpose, and Intent of Commercial Districts	
District Name	**District Purpose and Intent**
C-1 Specialty Commercial Legacy District	The C-1 Specialty Commercial District is intended to provide for small shops, stores and boutiques in the older areas of the Village adjacent to the central business areas where it is possible to retain the residential character and appearance of the Village and at the same time promote business activity. The regulations are designed to encourage the retention and renovation of sound existing structures and to ensure that the business uses remain compatible with the residential uses while permitting the area to maintain a distinctive character. The C-1 District is a legacy zoning district and is not intended to be applied to additional areas of the Village beyond those designated at the time of this Code's adoption. All dimensional and bulk standards, use regulations, and related provisions for the C-1 legacy District are located in Section 6-109 below.
C-2 Neighborhood Commercial District	The C-2 Neighborhood Commercial District is established to provide land area to accommodate commercial uses which serve the day-to-day shopping and consumer service needs of the low- to moderately dense residential neighborhoods in the Village. Development in the district is primarily pedestrian oriented and includes buildings or low intensity shopping centers that complement the scale and character of surrounding neighborhoods.
C-3 Central Business District	The C-3 Central Business District is established to regulate development in downtown Northbrook. Development in the district is pedestrian oriented and primarily includes vertical mixed use buildings with commercial uses on ground floors and residential or office uses on upper floors. Ground level storefronts should be complemented by public gathering spaces and outdoor dining to foster a walkable and vibrant environment.

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Table 6-102 Establishment, Purpose, and Intent of Commercial Districts	
District Name	**District Purpose and Intent**
C-4 Regional Shopping District	The C-4 Regional Shopping District is intended to provide a location for mixed-use planned development anchored by a major retail center complemented with dense residential housing to be made available to persons living in the metropolitan area surrounding the Village of Northbrook. The regulations are designed to encourage the development and inclusion of a broad range of types of residential, entertainment, recreation, fashionable retail, and compatible service uses. The C-4 District shall be mapped on the Zoning Map only on property lying North of the I-294 Tollway Spur, South of Lake Cook Road, and West of Lee Road.
C-5 Boulevard Commercial District	The C-5 Boulevard Commercial District is established to provide a location for horizontal mixed-use development with a wide variety of commercial uses, including entertainment, dining, service, and retail businesses. The C-5 district is limited to areas along Skokie Boulevard which are surrounded by major road systems and isolated from residential uses. This district is intended to be compatible with the office districts along Skokie Boulevard.

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6-103. Dimensional Standards

Table 6-103: Commercial District Dimensional Standards				
1 = All Uses	C-2	C-3	C-4	C-5
	1			
Lot Standards				
Lot Area, Minimum (sq ft)	6,250	6,250	1,000,000	40,000
Lot Width, Minimum (ft)	50	50	500	100
Lot Depth, Minimum (ft)	125	125	500	125
Yard Setbacks				
Front, Minimum (ft)	25	0	30	80
Corner Side, Minimum (ft)	25	0	30	80
Interior Side, Minimum (ft) [1]	5	0	30	5
Rear, Minimum (ft) [1]	25	25	30	5
Building Standards				
Floor Area Ratio	--	--	4	--
Height, Maximum (ft)	35 [2]	35 [2]	55 [3]	45
Height, Maximum (stories)	2 [2]	2 [2]	4	3
Notes				
[1] Standard shall depend on required buffer yards as detailed in Section 10-106.				
[2] For properties located within the Village Green Overlay (VG-O), the maximum height limit shall be as specified in Section 9-104-A(1).				
[3] A maximum height of 135 feet/12 stories may be approved subject to a Special Permit as specified in Section 2-112.				

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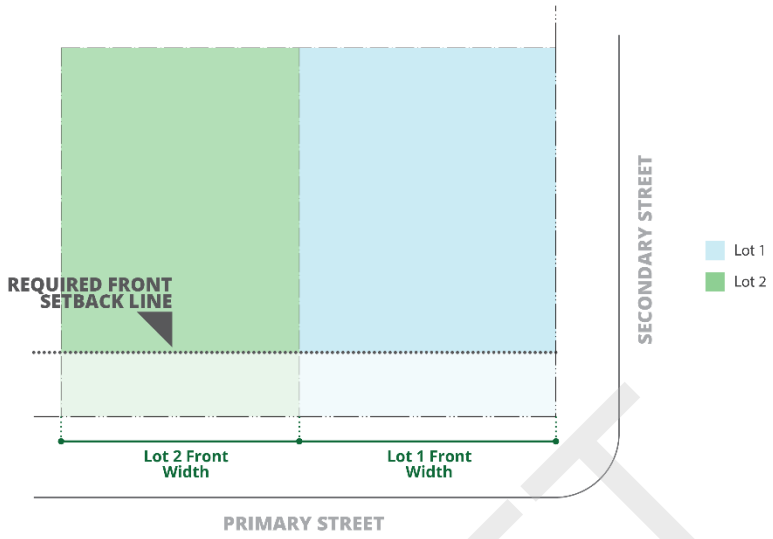

Figure 1 Lot Width

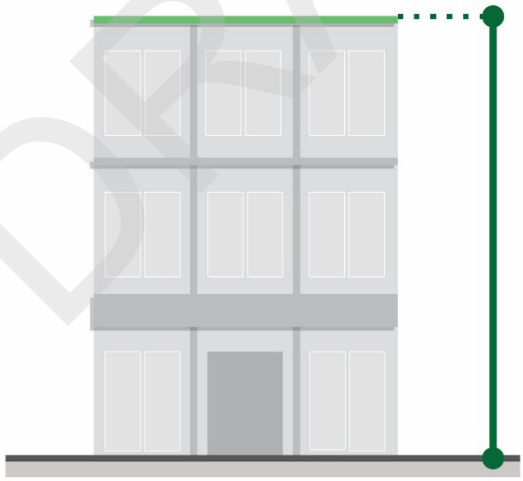

Figure 2 Building Height

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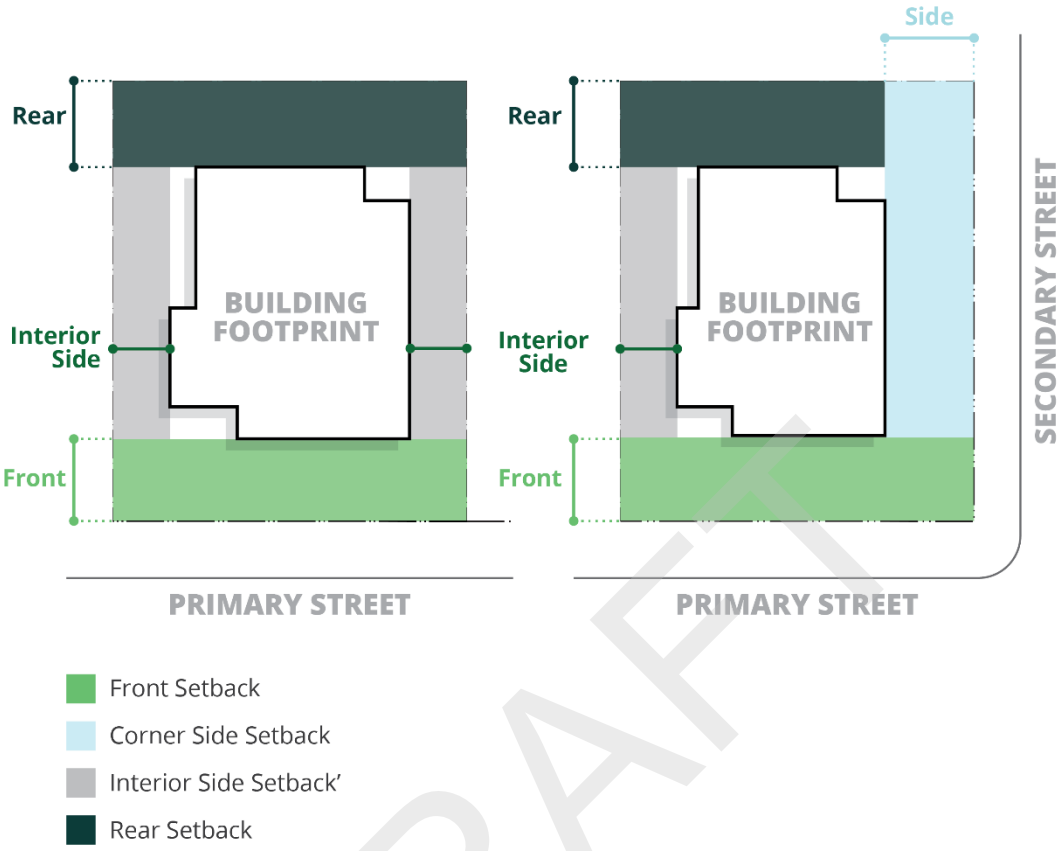

Figure 3 Building Setbacks

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6-104. General Use Standards

A. **Purpose**. The purpose of this Section is to establish the allowed uses in the Commercial Districts of the Village including how they are allowed (permitted, special use, etc.) and supplemental standards that must be met for use establishment.

B. **Applicability**. The uses and supplemental use standards established in this Article shall apply to parcels within Commercial Districts of the Village of Northbrook, as designated on the Village of Northbrook Zoning Map.

C. **General Use Types**. In order to regulate the use of land, general use types have been established. General use types provide a systematic basis for assigning land uses to appropriate categories with other similar uses. General use types classify land uses and activities based on common functional, product or physical characteristics.

1. Characteristics include the type and amount of activity, the hours of operation, the type of customers or residents, how goods or services are sold or delivered, likely impact on surrounding properties and site conditions.

2. Where a general use definition contains a list of example uses, the list is to be considered non-inclusive. Uses shall be categorized through the Interpretation process established in Section 2-107.

D. **Qualified Uses**.

1. **Floor Dependent**.

a. If a use includes “above ground floor only” in the title, it shall be allowed on the second story or higher of a building only.

b. If a use does not include “above ground floor only” in the title, it shall be allowed on all building stories.

2. **Square Footage Dependent**.

a. If a use includes a qualifying statement regarding square footage, such as “less than 2,500 sq ft” the total square footage of the building, or tenant space, in which the use may operate shall not exceed what is specified.

b. If a use does not include a qualifying statement regarding square footage, the total square footage of the building in which the use may operate is not restricted, unless otherwise stated in this Code.

3. **Public or Private Designation**.

a. If a use includes “public” in the title, it shall be owned and operated by a governmental entity, non-profit organization, or other non-taxing body.

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b. If a use includes "private" in the title, it shall be owned and operated by a for-profit organization or business.

E. **Principal Uses**.

1. **Allowance**.

a. Principal uses are allowed by district as established in Table 6-105-A Principal Uses.

b. A parcel may contain one or more principal uses or structures. The establishment of multiple principal uses or principal buildings on a parcel shall be permitted in all Commercial Districts, provided that the development complies with applicable bulk standards specified in Article 10 and parking requirements specified in Article 10.

c. A development with multiple principal uses shall include only those principal uses designated in Table 6-105-A Principal Uses as allowed in the applicable zoning district, and each principal use shall be subject to all applicable supplemental standards.

2. **Use Categories**.

a. **Residential**. Premises for long-term human habitation by means of ownership or rental, excluding short-term leasing or rental of less than one (1) month.

b. **Public and Institutional**. Premises for organizations dedicated to religion, government, arts and culture, recreation and sports, and other similar areas of public assembly in addition to uses and premises dedicated to education, social service, and health care.

c. **Commercial**. Premises for the commercial sale of merchandise, prepared foods, and food and drink consumption; the transaction of general business and the provision of services; and short-term human habitation, including daily and weekly rental.

d. **Industrial and Vehicle-Related**. Premises for the creation, assemblage, storage, and repair of items including their wholesale or retail sale in addition to uses and premises dedicated to the sale, maintenance, servicing or storage of automobiles or similar vehicles.

e. **Utilities and Infrastructure**. Uses and structures dedicated to transportation, communication, and utilities.

f. **Agriculture and Animal Related**. Premises for growing crops, raising animals, harvesting timber, or harvesting fish and other animals from a farm, ranch or their natural habitat and all related functions in addition to animal care facilities located in commercial settings.

F. **Accessory Uses**. Accessory uses are allowed by district, as established in Table 6-107-A Accessory Uses, but only incidental to a legally established, conforming principal use.

G. **Temporary Uses**. Temporary uses are allowed by district as established in Table 6-108-A Temporary Uses.

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6-105. Principal Uses

A. **Principal Uses Table**. The following shall be used in the interpretation of Table 6-105-A.

1. **Permitted Uses (P)**. Uses which are marked as "P" in the table shall be allowed principal uses subject to all applicable regulations of this Zoning Code.

2. **Special Uses (S)**. Uses which are marked as "S" in the table shall require approval with a Special Permit as detailed in Section 2-113 prior to establishment.

3. **Prohibited Uses**. A blank space in the table indicates that a use is prohibited.

4. **Uses Not Listed**. A use not specifically listed is prohibited unless, through the Interpretation process established in Section 2-107, it is determined that the use is a part of a general use type as described in Section 3-104-C.

5. **Additional Regulation**. If a use has supplemental standards, they are referenced in the Additional Regulation column. Supplemental standards shall apply to the use, regardless of whether it is a permitted or special use.

Table 6-105-A: Principal by Commercial District

Use	Additional Regulation	C-2	C-3	C-4	C-5
Residential Uses	Additional Regulation	C-2	C-3	C-4	C-5
Community Residence					
Dwelling, Cottage Court					
Dwelling, Duplex				S	
Dwelling, Single-Family Detached					
Dwelling, Townhouse				S	
Dwelling, Triplex/Quadplex				S	
Live-Work Unit					
Multi-Unit Building, 13+ Units				S	
Multi-Unit Building, 5-12 Units				S	
Multi-Unit Dwelling Complex				S	
Multi-Unit Dwelling, Above Ground Floor Only		P	P	S	
Senior Living Facility, Dependent				S	
Senior Living Facility, Independent				S	
Transitional Service Facilities with up to 9 residents					
Transitional Service Facilities with up to 15 residents					

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Table 6-105-A: Principal by Commercial District					
Use	**Additional Regulation**	**C-2**	**C-3**	**C-4**	**C-5**
Public and Institutional Uses	*Additional Regulation*	C-2	C-3	C-4	C-5
Cemetery					
Day Care	6-105-B-1	S	S	S	S
College/University					
Hospital					
Membership Organizations, 2,500 sq ft or less		P	P	P	P
Membership Organizations, More than 2,500 sq ft		S	S	S	S
Park					
Place of Worship, 2,500 sq ft or less		P	P	P	P
Place of Worship, More than 2,500 sq ft		S	S	S	S
Public Cultural and Community Facilities		S	S	S	S
Public Service/Safety Facility					
School, Elementary					
School, High					
School, Middle					
School Vocational/Technical		S	S	S	S
Vacant Land/Vacant Building		P	P	P	P
Commercial Uses	*Additional Regulation*	C-2	C-3	C-4	C-5
Adult Uses					
Alcohol/Liquor Sales		P	P	P	P
Amusement and Recreation Services, 2,500 sq ft or less		P	P	P	P
Amusement and Recreation Services, More than 2,500 sq ft		S	S	S	S
Bank, Credit Union, Financial Services		P	P	P	P
Bar/Tavern	6-105-B-2	P	P	P	P
Cannabis Dispensary, Adult Use	6-105-B-3	S	S	S	S
Cannabis Dispensary, Medical Use	6-105-B-3	S	S	S	S
Coworking Space		P	P	P	P
Firearms Dealer					
Funeral Home		S			

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Table 6-105-A: Principal by Commercial District					
Use	**Additional Regulation**	**C-2**	**C-3**	**C-4**	**C-5**
General Office		P	P	P	P
General Retail		P	P	P	P
Golf Course					
Hotel				S	S
Medical Clinic		P	P	P	P
Medical Spa		P	P	P	P
Meeting/Event Facility		P	P	P	P
Microbrewery/Winery/Distillery With Tasting Room		P	P	P	P
One-on-One Educational Services		P	P	P	P
One-on-One Personal Fitness Facilities		P	P	P	P
Personal Service		P	P	P	P
Physical Fitness Facilities, 2,500 sq ft or less		P	P	P	P
Physical Fitness Facilities, 2,500 sq ft or more		S	S	S	S
Restaurant		P	P	P	P
Short-Term Rental					
Tobacco Retail Sale		S	S	S	S
Industrial and Vehicle Related Uses	*Additional Regulation*	C-2	C-3	C-4	C-5
Artisan Manufacturing	6-105-B-4	P	P		
Brewery/Winery/Distillery					
Car Wash	6-105-B-5	S			S
Cannabis Cultivation Center					
Cannabis Craft Grower					
Cannabis Infuser					
Cannabis Processor					
Commercial Kitchen		P	P	P	P
Contractor Facility		S			
Crematorium					
Dry Cleaning Facility, Processing On-Site		P	P		P
Building Material, Machinery, and Equipment Sales or Storage					
Fuel Sales		S	S		S

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Table 6-105-A: Principal by Commercial District					
Use	**Additional Regulation**	**C-2**	**C-3**	**C-4**	**C-5**
Industry, Heavy					
Industry, Light					
Materials Salvage Yard/Recycling Operations					
Microbrewery/Winery/Distillery With or Without Tasting Room		P	P	P	P
Motor Vehicle Sales/Rental, With Open Sales Lot	6-105-B-6				S
Motor Vehicle Sales/Rental, Without Open Sales Lot	6-105-B-6			P	P
Off-Street Parking					
Personal / Self Serve Storage					
Trucking Company					
Vehicle Services - Major Repair/Body Work					
Vehicle Services - Minor Maintenance/Repair	6-105-B-7	S	S		S
Warehouse, Distribution/Storage					
Wholesale Trade					
Utilities and Infrastructure	*Additional Regulation*	C-2	C-3	C-4	C-5
Electrical Substations		P	P	P	P
Public Utility Facilities		S	S	S	S
Required Detention Facilities		P	P	P	P
Transit Facilities		S	S	S	S
Wireless Telecommunications Equipment	6-105-B-9	P	P	P	P
Wireless Telecommunications Tower	6-105-B-9			S	S
Agriculture and Animal Related	*Additional Regulation*	C-2	C-3	C-4	C-5
Animal Production					
Community Garden					
Crops and Horticulture		P	P	P	P
Indoor Agriculture		P	P	P	P
Nursery & Garden Center, With Open Sales Lot		S	S	S	S
Nursery & Garden Center, Without Open Sales Lot		P	P	P	P
Veterinary and Animal Care Services, indoor and outdoor	6-105-B-8				P

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Table 6-105-A: Principal by Commercial District					
Use	Additional Regulation	C-2	C-3	C-4	C-5
Veterinary and Animal Care Services, indoor only	6-105-B-8	P			P

B. **Principal Use Supplemental Standards.**

1. **Day Care.**

a. **Required Approvals.**

i. No child day care service shall be established without the prior licensing, certification or other approval of every public agency charged with the regulation or supervision of any facet of the activity of the proposed service.

ii. Every application for a Special Permit for a child day care service shall set forth each agency that must approve the establishment or operation of the service and shall be accompanied by a formal acknowledgment of approval from each such agency.

iii. In the event any such approval has been delayed, the application shall set forth the status of each such application, and shall state any facts known to the applicant that might have contributed to the delay of any required approval that has not been obtained as of the time of the filing of the application for a Special Permit.

b. **Supervision.** Every child day care service shall provide qualified supervisory personnel in sufficient numbers to assure the safety, well-being and appropriate behavior of all children enrolled in the service. The Special Permit may establish minimum supervision requirements.

c. **Outdoor Play Area.**

i. Every child day care service shall provide at least 75 square feet of open space per child, exclusive of any open space located in a required front yard,

ii. Open Space shall be completely enclosed by a fence or other suitable barrier sufficient to prevent access by children to neighboring properties or to traffic or other hazards.

iii. An existing fence or barrier on a neighboring property shall not be relied upon to satisfy this requirement.

d. **Recreational Devices.** No recreational device shall be located within 20 feet of any abutting residential property, nor shall a recreational device be located closer to the public right of way than the front, or corner side façade of the principal structure on the same lot.

e. **Landscape Buffer.** A Type C Landscape Buffer as specified in Section 10-106 shall be provided along property lines abutting a residential district.

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2. **Bar/Tavern.**

   a. Outdoor seating and/or dining shall operate only between the hours of 1:00 pm and 10:00 pm.

   b. Any bar/tavern next to a residential use shall be screened with a Type A Buffer as specified in Section 10-106.

3. **Cannabis Dispensary, Adult Use and Medical Use.**

   a. All Medical Cannabis Dispensaries and Adult Use Cannabis Dispensaries must obtain and, at all times, maintain a valid professional license issued by the Illinois Department of Financial and Professional Regulation to operate a Cannabis Dispensary. Copies of all state licenses as well as all renewals shall be provided to the Village Manager no later than 30 days of issuance as well as copies of corresponding application materials, including all required certifications, declarations, and affidavit, forstate licenses and corresponding license renewals.

   b. Medical Cannabis Dispensaries and Adult Use Cannabis Dispensaries shall maintain all mandatory signage required by local, state or federal law.

   c. **Additional Application Requirements**.

      i. In addition to the minimum application requirements set forth in Article V of this Zoning Code, applicants for a Special Permit for a Medical Cannabis Dispensary or Adult Use Cannabis Dispensary must submit their draft application for the Cannabis Dispensary that they plan to provide to the Illinois Department of Financial and Professional Regulation or, where applicable, to the Illinois Department of Agriculture, to receive the State license. These materials shall include, at minimum, the following elements:

         a) The names and addresses of all principal officers of the dispensing organization that will operate the Cannabis Dispensary;

         b) A description of the process of dispensing cannabis from the proposed Cannabis Dispensary;

         c) A description of air treatment systems that will be installed to reduce odors; and

         d) A plan for community engagement.

      ii. Information, documents, and plans submitted pursuant to this section may be in draft format pending approval from the Illinois Department of Finance and Professional Regulation. The Village reserves the right to request and inspect any additional materials submitted by the proposed dispensing organization to the Illinois Department of Financial and Professional Regulation as part of the application review process.

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d. **Drive-Through Windows and Facilities Prohibited**. Medical Cannabis Dispensaries and Adult Use Cannabis Dispensaries shall not be permitted to have any accessory drive-through facilities or provide drive-through or "curbside" delivery service.

e. **Signage**. Notwithstanding any provision of this Zoning Code to the contrary, the following signage standards are applicable to Medical Cannabis Dispensaries and Adult Use Cannabis Dispensaries:

   i. Exterior signs on the building shall not completely cover the windows of the Medical Cannabis Dispensary or Adult Use Cannabis Dispensary.

   ii. Electronic message boards are not permitted in connection with a Medical Cannabis Dispensary or Adult Use Cannabis Dispensary.

   iii. Signage shall not contain cannabis imagery such as cannabis leaves, plants, smoke, paraphernalia, or cartoonish imagery oriented toward youth, or language referencing cannabis.

   iv. The Special Permit Code authorizing the Medical Cannabis Dispensary or Adult Use Cannabis Dispensary shall include a signage plan depicting the allowed exterior signs for the dispensary.

f. **Security and Video Surveillance**. Each Medical Cannabis Dispensary and Adult Use Cannabis Dispensary must install and maintain in good working order security, video surveillance, and inventory protection and control systems: (a) as required by applicable state laws and regulations; and (b) in conformance with a security plan approved in advance by the Village Chief of Police.

g. **Lighting**. All interior, exterior and site lighting for Medical Cannabis Dispensaries and Adult Use Cannabis Dispensaries must be installed and maintained in good working order and of sufficient wattage for security cameras and the safety of customers and employees.

h. **On-Site Conduct**.

   i. Loitering is prohibited on any lot used as a Medical Cannabis Dispensary or Adult Use Cannabis Dispensary, including all accessory parking lots.

   ii. It shall be prohibited to smoke, inhale or consume cannabis products within Medical Cannabis Dispensary or Adult Use Cannabis Dispensary, in any accessory parking lot, or anywhere on the lot of such dispensary.

i. No person under the age of 21 may be permitted within any Medical Cannabis Dispensary or Adult Use Cannabis Dispensary, except as authorized by state law.

j. Medical Cannabis Dispensaries and Adult Use Cannabis Dispensaries may operate only between 7:00 a.m. and 10:00 p.m.

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k. **Restricted Locations.** No Medical Cannabis Dispensary or Adult Use Cannabis Dispensary may be located on any lot that is:

i. Less than 1,500 feet from any other existing and operating Medical Cannabis Dispensary or Adult Use Cannabis Dispensary, including those located outside of the corporate limits of the Village of Northbrook.

ii. Less than 250 feet from any lot used for a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, or part day child care facility.

iii. Located within the Village Green Overlay District.

4. **Artisan Manufacturing.**

a. Outdoor storage shall be prohibited.

b. Artisan manufacturing shall not create or cause any perceptible noise, odor, smoke, electrical interference, or vibrations that constitute a public or private nuisance to neighboring properties.

c. Retail sales of goods manufactured on-site shall be permitted and shall comprise a minimum of 25 percent of the total area of the building. Retail sales areas shall be located on the ground floor and shall be directly adjacent to storefront windows.

d. Manufacturing areas are encouraged to be visible from retail areas.

5. **Car Wash.**

a. Hours of operation shall be restricted to between 7 am and 9 pm only, when adjacent to a residential district.

b. All mechanical equipment, excluding self-service vacuum units, shall be fully enclosed within a building.

c. All facilities shall be designed and configured such that any outdoor spraying preparation or drying activities are directed away from any abutting residential properties.

d. All car wash facilities and accessory equipment such as vacuums, dryers, accessory buildings, etc. shall be set back a minimum of 100 feet from any residential use or property in the R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, RS. MFRC, RLC, or VGRC Districts.

e. If self-service vacuum facilities are provided:

i. They shall be setback a minimum of 20 feet from all property lines, unless otherwise specified.

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ii. A minimum of one parking space shall be provided for each vehicle capable of being serviced at any one time at such vacuum facility. Parking spaces for accessory vacuum facilities shall not interfere with circulation or entrance or exit drives.

f. All full-service or conveyor-based carwash facilities shall be equipped with, and maintain in operation, a water recycling system that shall recycle a minimum of 50 percent of the water being used by the facility.

6. **Motor Vehicle Sales/Rental, with and without Open Lot.**

a. **Buffer**. A Type A buffer, as detailed in Section 10-106, shall be required along lot lines adjacent to any parcel in a residential district.

b. **Screening**. Vehicle service bays shall be screened with a Type A buffer from any residential property or the street right of way.

c. **Separation**. Accessory uses and structures, such as car wash facilities and their incidental functions (vacuums and air compressors) shall be set back at least 100 feet from public rights-of-way or a residential use or district.

d. **Nonconforming Building Prohibition**. No existing buildings shall be occupied or re-used for vehicle sales, rental, and service unless all requirements of this Zoning Code are met.

7. **Vehicle Services, Minor Maintenance/Repair.**

a. Vehicle service bays shall be screened with a Type A buffer from any residential property or the street right of way.

b. Hours of operation shall be restricted to between 7:00am and 9:00pm only.

c. Drainage from outdoor storage and/or activity areas shall be directed to gravel, grassed, or other planted areas in a manner that prevents direct discharge to storm drain inlets and surface waters.

8. **Veterinary and Animal Care Services.**

a. No livestock or large animals shall be boarded, treated, or kept on the premises.

b. Unless otherwise allowed, the use shall be conducted primarily within a fully enclosed building and mitigate any negative impact to surrounding properties (such as noise, odor, dust, litter, etc.)

c. If outdoor areas are allowed they shall meet the following standards:

i. Outdoor areas shall be set back as far as possible from all residential properties, with a minimum setback of 150 feet. However, the Board of Trustees may consider smaller setbacks in areas with high levels of noise, such as those impacted by

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railroad tracks, highways, or near airport runways, provided that the operator can demonstrate how they will mitigate noise impacts in the outdoor area.

ii. Solid waste will be removed from the outdoor area after each use of the area.

iii. All outdoor areas shall be screened by an opaque fence or wall at least six feet in height. Chain link fences, including chain link fences with slats or mesh cover, are not allowed.

iv. Use of outdoor areas shall be allowed between the hours of 7am and 10pm only.

d. The boarding area must be air-conditioned and heated so that windows, doors, or other openings can be closed at any time.

e. All litter and waste shall be contained and controlled on site by having appropriate flushing drains and other physical elements to properly dispose of cleaning waste from the boarding area.

9. **Wireless Telecommunications Equipment and Wireless Telecommunications Towers**.

a. **Purpose and Intent**. This subsection creates the framework for the siting of wireless telecommunication facilities in a manner which protects the public health, safety, and general welfare of the community, provides comprehensive service to the community, and implements the Village's policies for said facilities, as detailed below. The provisions of this subsection are in addition to, and do not replace, any obligations an applicant may have under any franchises, licenses, encroachments, or other permits issued by the Village. This section is intended to:

i. Facilitate the comprehensive provision of wireless telecommunication services to the residents and businesses of the Village of Northbrook.

ii. Maximize the use of existing and approved telecommunication towers, buildings, and structures for collocation to accommodate new wireless telecommunication antennas in order to minimize the number of telecommunication towers needed to comprehensively serve the community.

iii. Minimize the number, height, obtrusiveness, and the visual impacts of telecommunications towers, associated equipment, and buildings.

iv. Direct and allow wireless telecommunication facilities to areas which are least disruptive to residential, park, open space, and greenway uses and to be as unobtrusive and invisible as reasonably possible.

v. Ensure that the height of telecommunications towers has the least visual impact and is no greater than required to achieve service area requirements and potential co-location.

vi. Site telecommunications towers to minimize locations which are visually solitary or prominent when viewed from residential areas or any public way.

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vii. Site telecommunications towers at locations which are obscured by vegetation, tree cover, topographic features, buildings or other structures to the maximum extent feasible.

viii. Protect views of and vistas from architecturally or historically significant structures and historically significant landscapes so that these architectural or historical resources are not impaired or diminished by the placement of telecommunications towers.

ix. Avoid potential damage to adjacent properties from telecommunication towers failure through structural design standards and setback requirements.

b. **General Applicability**. The provisions of this subsection shall apply to the following:

i. Wireless telecommunication facilities (towers and associated equipment) that are or will be operated by a licensed wireless telecommunication service provider which consists of the equipment and structures involved in the receiving or transmitting of electromagnetic waves associated with wireless telecommunication services.

ii. Small wireless telecommunication towers that meet the following characteristics:

a) Each antenna is located inside an enclosure of no more than six cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than six cubic feet;

b) All other wireless equipment associated with the facility is cumulatively no more than 28 cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meter, concealment elements, telecommunications demarcation box, ground-based enclosures, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs for the connection of power and other services; and

c) An antenna array feature that is attached to a telecommunications tower or building to transmit or receive radio waves. For this subsection, this does not include antenna dishes or other antenna features on individual homes or businesses that are intended to receive radio or television broadcasts, or internet communication for said use.

c. **Amateur Radio Exemption**. These provisions neither apply to nor shall be construed to apply to Amateur Radio Operators who are licensed to operate a radio or transmitter by the Federal Communications Commission under Part 97 of the Federal Communications Commission's Rules.

d. **Interference with Public Safety Telecommunications**. No new or existing telecommunications service shall interfere with public safety telecommunications. Before the introduction of new service or changes in existing service, telecommunication

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providers shall notify the Village at least 10 calendar days in advance of such changes and allow the Village to monitor interference levels during the testing process.

e. **Compliance with Other Laws**. A telecommunications tower shall be erected and operated in compliance with the most current Federal Communication Commission and Federal Aviation Administration rules and regulations and other applicable federal and state standards. All telecommunications towers shall comply with all Codes of the Village which are not in conflict with this subsection.

f. **Wireless Telecommunication Facilities Establishment and Siting Alternatives Analysis**.

i. **Co-location Preference**. The Village shall promote the co-location of wireless telecommunications equipment on existing towers, buildings, or utilities elements. New standalone wireless telecommunication facilities (towers) may only be allowed where co-located of said facilities on existing towers, buildings, or public infrastructure elements is deemed infeasible through a siting alternatives analysis.

ii. **Siting Alternatives Analysis**. For all new, standalone wireless telecommunication towers, the applicant shall provide a siting alternatives analysis to determine whether co-location on existing structures is feasible within the applicant's search ring, including information pertaining to the fair market value of similar contracts – this shall be provided as part of the permitting process and submittal requirements pursuant to Article 2. The siting alternatives analysis shall determine the feasibility of co-locating the new telecommunication facilities/equipment in the following situations. (i) Co-location on existing towers; (ii) Placement on Village-owned Structure or Building; (iii) Placement on Existing Structure or Building; and (iv) Construction of New Tower Structure or Substantial Modification of Existing Structure. The following describes the various co-location situations.

a) **Co-location Standards**. The co-location or placement of new telecommunications antennas upon existing telecommunications towers, light poles, and/or buildings.

b) **Village-owned Structure or Building**. The utilization of existing Village-owned structures and buildings for placement of antenna and associated equipment or buildings, including surface-mounted and roof-mounted applications of telecommunication antennas on existing buildings and structure-mounted applications of telecommunication antennas on water towers, electric line transmission towers, or other existing structures.

c) **Existing Structure or Building Utilization**. The utilization of all other existing structures and buildings for placement of antenna and associated equipment or buildings, including surface mounted and roof-mounted applications of telecommunication antennas on existing buildings and structure-mounted applications of telecommunication antennas on existing structures.

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iii. **Consulting Option**. As part of the review procedures, the Village Manager shall determine the sufficiency of the information. The Village may choose to hire an outside consultant to conduct a third-party review of the siting alternatives analysis in the following situations: (i) where there are disputes of the findings between the applicant and the Village Manager and/or (ii) where expert consultation is deemed necessary to reach conclusions of the analysis. Where the Village utilizes a consultant in its application review, the fee for such services shall be fixed in advance as part of the application fee for a new telecommunications facility.

g. **Telecommunication Tower and Antenna Array Design Standards**. The following design standards apply to new telecommunication towers and associated antenna array facilities. These standards do not apply to co-location activities on existing towers, buildings, or public infrastructure elements.

i. **Height**. The maximum height of a telecommunications tower, including antenna array, shall be less than 125 feet above grade; whereas, Small Wireless Telecommunications towers shall be limited to 50 feet above grade.

ii. **Location**. Telecommunication towers and antenna arrays shall not be located within 300 feet of an existing or future thoroughfare, as identified in the regional Transportation Improvements Plan as adopted.

iii. **Setbacks Required**. Telecommunication towers, including antenna array shall be setback at least one-hundred twenty-five (125) percent the height of the tower from any lot line or a distance equal to their engineered fall zone at a minimum, whichever is greater.

iv. **Guys and Guy Anchors**. All guys and guy anchors shall be located within the buildable area of the lot and shall not be located within any required setback, required landscape area, wetland feature, and watercourse riparian buffer.

v. **Security Fencing**. Securing fencing shall surround the telecommunications tower base, all guy anchors, and equipment. The compound area and all guy anchors shall be secured with a fence of not less than six (6) feet in height nor more than ten (10) feet in height. A security wire (barbed, razor, etc.) may be located on the telecommunications tower-side of the fence but shall not extend above the top of the fence. The type of fence selected shall, in the determination of the Village Manager, be compatible with development in the surrounding area. A chain link fence, if used, shall be black vinyl coated.

vi. **Structural Design**. A telecommunications tower shall be designed and built so as to:

a) Be capable of use by at least two wireless communications providers for a telecommunications tower less than 80 feet in height;

b) Be capable of use by three or more wireless communications providers for a telecommunications tower of 80 feet in height or greater;

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c) Accommodate antenna arrays consisting of 9 to 12 antennas for each array, provided, however, this regulation shall not apply to slick antenna applications;

d) Locate such antenna arrays within 15 vertical feet of each other;

e) Have no more than 3 degrees of twist and sway at the top elevation;

f) Provide internal cable routing for all tapering monopole telecommunication towers; and

g) Meet or exceed associated State and Federal structural standards relating to telecommunication standards (e.g., EIA-222)

vii. **Signs Prohibition**. No lettering, symbols, images, trademarks, signs, or advertising shall be placed on or affixed to any part of a telecommunications tower, antenna array or antenna, other than as required by Federal Communications Commission regulations regarding tower registration or other applicable law.

viii. **Lights**. No signals, lights or other illumination shall be permitted on telecommunications towers unless required by the Federal Communications Commission, the Federal Aviation Administration, or the Village.

ix. **Engineering Compliance for Modifications**. If any additions, changes or modifications are to be made to a telecommunications tower, the Village Manager may require proof, through the submission of engineering and structural data, that the addition, change or modification conforms to structural wind load and all other requirements of the Village's Building Code.

h. **Separation and Location.**

i. **New Wireless Telecommunication Towers**. New telecommunication towers are subject to the following minimum separation radius from another telecommunications tower - in determining the required separation between telecommunication towers of different heights, the required separation for the taller tower shall apply.

a) Quarter mile radius for proposed telecommunications towers less than 80 feet in height;

b) Half mile radius for proposed telecommunications towers of 80 feet in height or greater but less than 120 feet in height; or

c) One-mile radius for proposed telecommunications towers 120 feet in height or greater.

i. **Wireless Telecommunications Antennas Mounted on Existing Buildings or Structures**. The following design standards apply to antennas associated with wireless communication operations that are mounted on existing buildings and structures.

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i. **Roof-Mount Elements**. Roof-mounted wireless telecommunications antennas are permitted on buildings and structures in all districts. Such features shall meet the height standards of the governing district and shall be no taller than the existing building. Said elements shall be subject to the following standards.

   a) Whip telecommunication/antenna features (an antenna which transmits signals in 360 degrees) shall be no closer than 15 feet to the perimeter of the building.

   b) The telecommunications antenna and associated equipment located on buildings shall be screened in elevation view with enclosures or façades having an appearance that blends with the building on which they are located; and be located so they are not overtly visible from an adjacent public right of way.

ii. **Surface-Mount Elements**. Surface mounted telecommunications antennas (an antenna attached to a building exterior wall) are permitted on buildings or structures in all Commercial Districts and subject to the following standards.

   a) Telecommunications/antenna features shall be mounted flush with the exterior of the building or structure so that it projects no more than 30 inches from the surface to which it is attached.

   b) The telecommunications/ antenna appearance shall blend with the surrounding surface of the building or structure in terms of color and materials.

   c) Surface-mount elements are subject to applicable design standards in National Register listed properties and historic districts, Local historic districts, and locally designated historic landmarks.

iii. **Elements Attached to Other Existing Structures**. Telecommunications antennas are permitted on existing utility, lighting, telecommunications towers, and other structures in all Commercial Districts and subject to the following standards.

   a) Existing utility, lighting, telecommunications towers, and other structures used to affix telecommunication/ antenna features shall not exceed 150 feet in height above grade.

   b) The telecommunications antenna shall not exceed the height of the existing structure by more than 10 feet for a non-whip antenna or 15 feet for a whip antenna.

   c) Existing structures may be rebuilt/ modified to support the load of the new telecommunications antenna, subject to the Village's building permitting standards.

iv. Existing structure mounted elements are subject to applicable design standards in National Register listed properties and historic districts, local historic districts, and locally designated historic landmarks.

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v. **Separation Standards**. Telecommunications antennas and associated features located on existing buildings or structures are not subject to the separation requirements stated above.

vi. **Photo Simulation Requirements**. As part of the application process, applicants shall provide photo simulations showing the site of the existing structure with a photo realistic representation of the proposed telecommunications antenna and the existing structure or any proposed reconstruction of the structure as it would appear viewed from the closest R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, RS, MFRC, RLC, or VGRC District and from adjacent public right of way. The applicant shall also submit photographs of the same views as in the photo simulations showing the current appearance of the site without the proposed telecommunications antenna.

j. **Abandonment and Removal of Telecommunications Towers, Antenna Arrays, and Associated Equipment**. The following standards apply to all telecommunication features and their associated elements – these standards ensure inoperable features are removed, whereas habitable buildings are exempt from these requirements.

i. **Abandonment**. Telecommunications towers, antenna arrays, and associated equipment which have not been used for a period of one (1) year shall be deemed abandoned and shall be removed from the site.

ii. **Notice Required**. The owner of the telecommunications tower and the last service provider to use a telecommunications tower shall notify the Village Manager within 30 days that use of a telecommunications tower has been discontinued.

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6-106. Dimensional Standards Encroachments, Exceptions, and Adjustments

A. **Allowed Encroachments into Required Yards**.

Table 6-106-A. Allowed Encroachments into Required Yard

Encroachment Type	Allowed Location	Limitations of Encroachment
Air Conditioning Units	rear and interior side yard	Shall be a minimum of three feet from any lot line.
Antennae	rear and interior side yard	Shall be a minimum of three feet from any lot line.
Accessibility Ramps and Fire Escapes required by the Illinois State Building Code	any required yard	Shall be a minimum of three feet from the property line unless otherwise approved by the Village Manager as a Administrative Adjustments per Section 2-104.
Basketball equipment	any required yard	A maximum of one per front yard shall be allowed. Shall be a minimum of five feet from side lot lines and ten feet from a front lot line.
Bay Windows and Balconies	front and corner side yard	Shall extend no more than five feet from the applicable elevation of the building and at least five feet from the property line. May not have any foundation or footing and may only project from a façade.
	interior side and rear yard	Shall be a minimum of three feet from the applicable building elevation. May not have any foundation or footing and may only project from a façade.
Clothesline	rear yard	Shall be a minimum of three feet from any lot line.
Compost bin	rear yard	Shall be a minimum of three feet from any lot line.

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Table 6-106-A. Allowed Encroachments into Required Yard		
Encroachment Type	**Allowed Location**	**Limitations of Encroachment**
Covered Porches, Covered Decks, Covered Patios, Pergolas, and Gazebos	front and corner side yard	• May encroach up to five feet from the applicable elevation of the building and no closer than five feet to the property line, whichever is greater. • May not exceed 30 inches in height above the average finished grade. • May not be screened-in or enclosed.
Cornices, Gutters, Eave Overhangs, and Similar Architectural Projections	any required yard	May encroach up to two feet from the applicable elevation of the building or approved by the Village Manager or Village Engineer per Section 2-104
Driveways	any required yard	• Shall comply with the standards of Section 10-104. • Shall be a minimum of two feet from the interior side property line.
Fences, Walls, and Berms	any required yard	Shall comply with the standards of Section 10-108.
Flagpoles	any required yard	Shall be a minimum of five feet from the property line.
Generators	rear and interior side yard	Shall be a minimum of three feet from any lot line.
Lighting: landscape, building façade, outdoor recreational, and pedestrian	front and corner side yard	Shall comply with the standards of Article 10.
Signs	any required yard	Shall comply with the standards of Article 11.
Statuary and garden feature	any required yard	Shall comply with the standards of Section 10-106.
Parking	As allowed and in accordance with the standards of Section 10-102.	

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Table 6-106-A. Allowed Encroachments into Required Yard		
Encroachment Type	**Allowed Location**	**Limitations of Encroachment**
Uncovered and Unenclosed Steps and Stairs	front and corner side yard	May encroach up to six feet from the applicable elevation of the building and no closer than five feet to the property line, whichever is greater.
Uncovered Porches, Decks, Patios, and similar Features	rear and corner side yard	Shall be a minimum of five feet from the property line.
Permeable Path	Interior side yard	As approved by Village Engineer.

B. **Allowed Height Exceptions.** Buildings built for Place of Worship uses may have a maximum height of 55 feet and may include spires and minarets with a maximum height of 70 feet.

6-107. Accessory Uses

A. **Accessory Uses Table**. The following shall be used in the interpretation of Table 6-107-A.

1. **Permitted Uses (P)**. Uses which are marked as "P" in the table shall be allowed accessory uses subject to all applicable regulations of this Zoning Code.
2. **Special Uses (S)**. Uses which are marked as "S" in the table shall require approval with a Special Permit as detailed in Section 2-113 prior to establishment.
3. **Prohibited Uses**. A blank space in the table indicates that a use is prohibited.
4. **Uses Not Listed**. A use not specifically listed is prohibited unless, through the Interpretation process established in Section 2-107, it is determined that the use is a part of a general use type as described in Section 6-104.
5. **Additional Regulation**. If a use has supplemental standards, they are referenced in the Additional Regulation column. Supplemental standards shall apply to the use, regardless of whether it is a permitted or Special Use.

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Table 6-107-A: Accessory Uses by Commercial District					
Use	**Additional Regulation**	**C-2**	**C-3**	**C-4**	**C-5**
Attached Accessory Dwelling Unit					
Accessory Structure	6-107-B-1	P	P	P	P
ATM		P	P	P	P
Day Care Nursery					
Drive-Through Facility	6-107-B-2	P	P	P	P
Electric Vehicle Charging Station – Commercial	6-107-B-3	P	P	P	P
Garden		P	P	P	P
Home Based Daycare					
Home Occupation					
Outdoor Display - Permanent	6-107-B-4	P	P	P	P
Sale of Merchandise – Permanent	6-107-B-4	P	P	P	P
Outdoor Seating for Eating and Drinking Uses	6-107-B-4	P	P	P	P
Outdoor Storage / Open Lot					
Solar Energy Collection System, Canopy Mounted	6-107-B-5	P	P	P	P
Solar Energy Collection System, Ground Mounted	6-107-B-6	P	P	P	P
Solar Energy Collection System, Roof Mounted	6-107-B-7	P	P	P	P

B. **Accessory Use Supplemental Standards.**

1. **Accessory Structure.**

a. **Number.**

i. **All Accessory Structures**. The number of all accessory structures on a lot shall not exceed the maximum allowed lot coverage per district as established in Section 6-107-B-1(e).

ii. **Total Number of Accessory Structures.** The total number of all accessory structures shall not exceed one per 3,000 square feet of lot area.

b. **Compatibility.** The exterior of an accessory structure shall be compatible with the principal building in terms of color, exterior building cladding materials, and roof style and materials.

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c. **Standards For Specific Accessory Structures.**

i. **Campers, Recreational Vehicles, Etc. Prohibited For Accessory Use:** Campers, travel trailers and recreational vehicles are not permitted for use as an accessory structure and shall not be connected to utilities or occupied. These vehicles shall not be located in front of a principal structure, nor shall they be stored in any Commercial zoning districts, except when being serviced, repaired, or stored at an approved facility for such purposes.

d. **Dimensional Standards.** Accessory structures shall meet the dimensional standards established in Table 6-107-B-1(e).

Table 6-107-B-1(d). Accessory Building/Structure Dimensional Standards	
Yard Setbacks	
Front, Minimum	Five feet behind front elevation of principal building or shall adhere to the front setback of the district, whichever is greater
Corner Side, Minimum	Five feet behind corner side elevation of principal building or shall adhere to the corner side setback of the districts, whichever is greater
Interior Side, Minimum	5 feet
Rear, Minimum	5 feet
Building Standards	
Height, Maximum	15 feet
Building Area, Maximum	1,000 square feet or 20 percent of gross lot area, whichever is greater, however in no instance shall an accessory structure exceed the area of the principal building

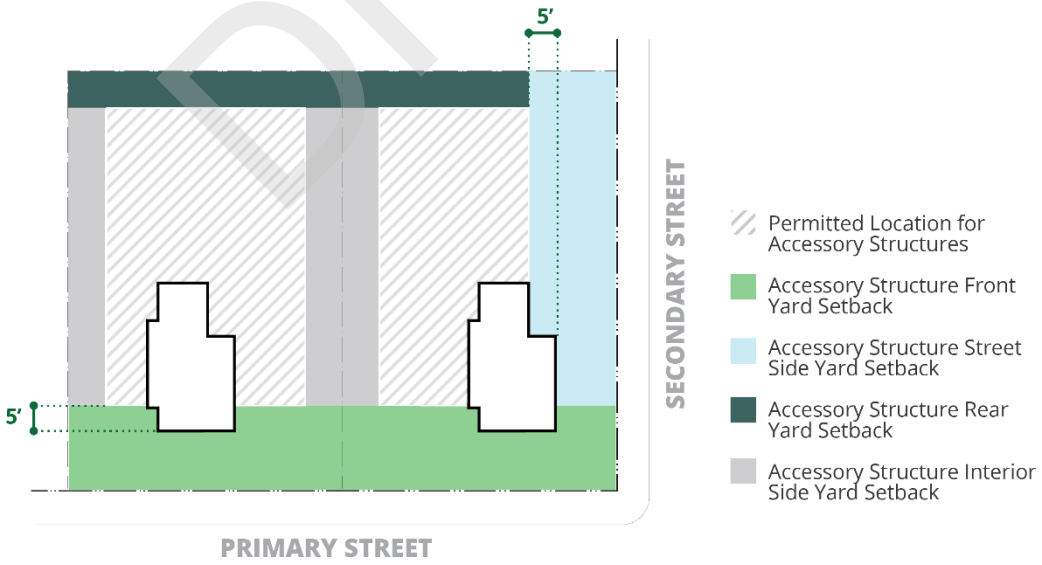

Figure 4 Accessory Structure

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2. **Drive-Through Facilities.**

a. **Location**. Drive-through facilities, including but not limited to order boxes, menu boards, stacking spaces and lanes shall be located within the buildable area of the lot on which the drive through facility is accessory.

b. **Stacking**.

i. **Stacking Lanes**. Stacking lanes shall have a minimum depth of 20 feet per stacking space and the following minimum lane widths:

a) One lane: 12 feet,

b) Two or more lanes: ten feet per lane.

ii. **Stacking Spaces**.

a) Drive through facilities shall have the minimum number of stacking spaces established per principal use as detailed in Table 6-107-B-2(b).

Table 6-107-B-2(b): Drive Thru Stacking Requirements

Use	Minimum Stack	Measure From
Automated Teller Machine	2 per machine	teller machine
Bank Teller Lane	2 per lane	teller or window
Restaurant	6 per order box	order box
Carwash Stall, Automatic, less than 100 feet long	5 per bay	bay entrance
Carwash Stall, Automatic, 100 feet long or more	15 per bay	bay entrance
Carwash Stall, Manual	2 per stall	bay entrance
Oil Change Shop	2 per service bay	service bay entrance
Pharmacy	4 per lane	machine or window
Other Use	As determined by the Village Manager	

b) Drive through stacking spaces whether required or not shall not block any public sidewalk or public/private street or right of way or interfere with their use.

c. **Menu Boards.**

i. A drive-through facility shall be permitted a maximum of two menu boards per stacking lane.

ii. The combined maximum area of the menu boards shall be 80 square feet.

iii. Each menu board shall not exceed:

a) 40 square feet in area and

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b) 8 feet in height.

d. Menu boards may utilize digital display boards for 100 percent of the permitted menu board area.

e. **Overhead Canopy.** Should an overhead canopy be utilized, it shall meet the standards of vehicle fueling station canopies, per Section 5-105-B-5.

f. **Screening.** If located adjacent to a property with a residential use or in a residential district, a Type A buffer shall be utilized to minimize the impact of menu boards, headlights, and other off site impacts of drive-through facilities.

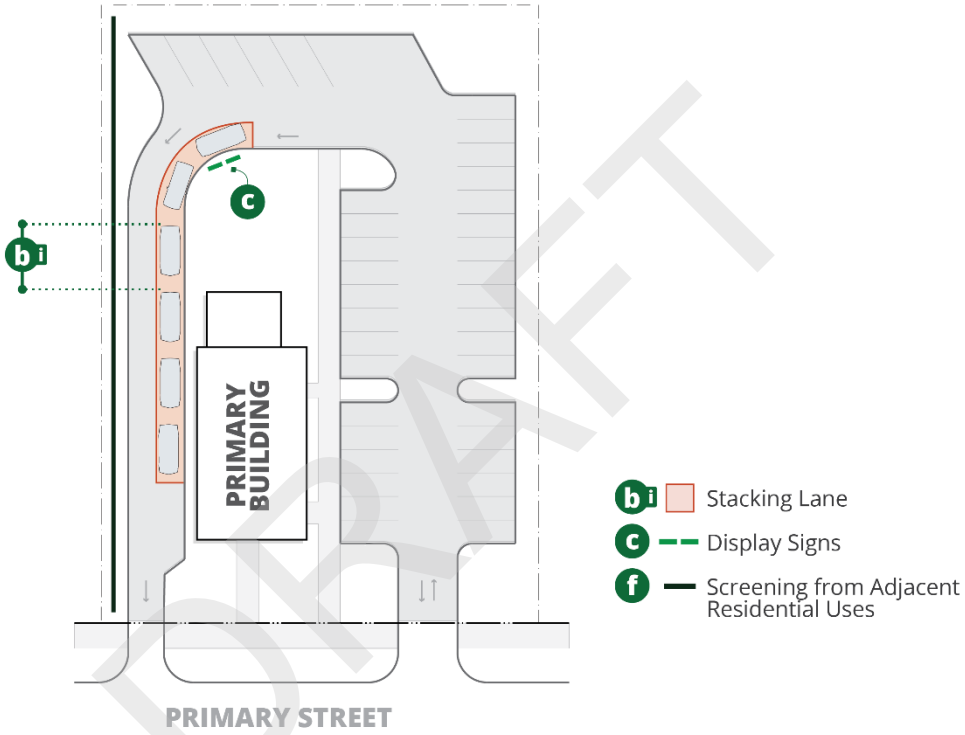

Figure 5 Drive Through Facilities

3. **Electric Vehicle Charging Station.**

a. **Equipment**.

i. Electric Vehicle Charging stations that are accessory to all mixed-use, multifamily, and nonresidential uses shall be a minimum of a level 2 charging capacity.

ii. Electric vehicle charging station equipment shall be protected by a wheel stop, curb, or bollards.

iii. All connections of the charging station to electrical utility equipment shall be underground.

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iv. All electric vehicle charging station equipment shall comply with the National Fire Protection Association/National Electrical Code and be approved by the Underwriters Laboratory.

v. All equipment shall be low-maintenance, durable materials and shall be vandal-proof to the extent possible.

vi. All equipment shall provide a cord management system that minimizes tripping hazards for pedestrians. Charging cords may not cross sidewalks, walkways, or driveways.

b. **Design Considerations**.

i. Electric vehicle charging station equipment shall be located in a manner that will not obstruct pedestrian walkways. A minimum of three feet of clear area shall be maintained.

ii. Electric vehicle charging stations shall provide a safe and clearly delineated area for maneuvering around the vehicle for connecting to the equipment.

iii. A sign indicating that the electric vehicle parking is for use while charging only shall be provided.

iv. All charging stations shall be illuminated. Lighting shall comply with the limitations in Section 10-109.

c. **Maintenance**. All electric vehicle charging station equipment shall be maintained in working condition. Equipment that is no longer functional must be decommissioned within 60 days.

4. **Outdoor Display / Sale of Merchandise / Outdoor Seating for Eating and Drinking Uses.**

a. **Principal Use**. Outdoor seating/display shall be allowed accessory to a legally conforming principal use only.

b. **Location**. Accessory outdoor seating/display areas may be located:

i. On a public sidewalk directly in front of the principal use to which the outdoor seating is accessory so long as:

a) A clear pathway at least five feet wide is maintained to allow public pedestrian traffic along the sidewalk and from the sidewalk into the entrance to the establishment. A greater width may be required by the Village Manager to ensure the safe and convenient flow of pedestrian traffic, and

b) A clear separation of at least five feet is maintained from any alley, crosswalk, fire hydrant, or similar public or emergency access feature in or near the sidewalk. A greater clear distance may be required by the Village Manager to ensure use of the public or emergency access features.

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ii. In a parking lot so long as:

a) No more than 10 percent of the required parking spaces (per Section 10-102-D) are utilized,

b) The outdoor seating/display area is directly accessible from inside the principal use to which it is accessory, and

c) The outdoor seating/display area is surrounded by a barrier with a minimum height of three feet and maximum height of four feet.

iii. Within the buildable area of the lot, per Section 6-107-B-1(e).

c. **Noise**. No sound production or reproduction machine or device (including, but not limited to musical instruments, loud-speakers, and sound amplifiers) shall be used, operated, or played in an outdoor seating/display area within 50 feet of a residential use or residentially zoned property.

d. **Hours of Operation**. Hours of operation shall be the same as those for the principal use to which the outdoor seating/display area is accessory.

e. **Furnishings**.

i. Tables, chairs, umbrellas, and other furnishings associated with the outdoor seating/display area shall be of sufficient quality design, materials, and workmanship to ensure the safety and convenience of area occupants and compatibility with adjacent uses.

ii. If located on a public sidewalk, no tables, chairs, umbrellas, or other furnishings or equipment associated with the outdoor seating area shall be attached, chained, or otherwise affixed to any curb, sidewalk, tree, post, sign, or other fixture within the outdoor seating/display area.

f. **License Required.** When located on public property a license agreement shall be obtained from the Village for proof of liability insurance and recorded with Cook County.

5. **Solar Energy Collection System, Canopy Mounted.**

a. Canopy solar energy collection systems are permitted over any principal or accessory parking lot.

b. The height of canopy solar energy collection systems shall not exceed the height of the principal building that the parking area serves or 20 feet, whichever is greater.

c. The minimum height of solar energy collection systems shall allow clearance for emergency and service vehicles.

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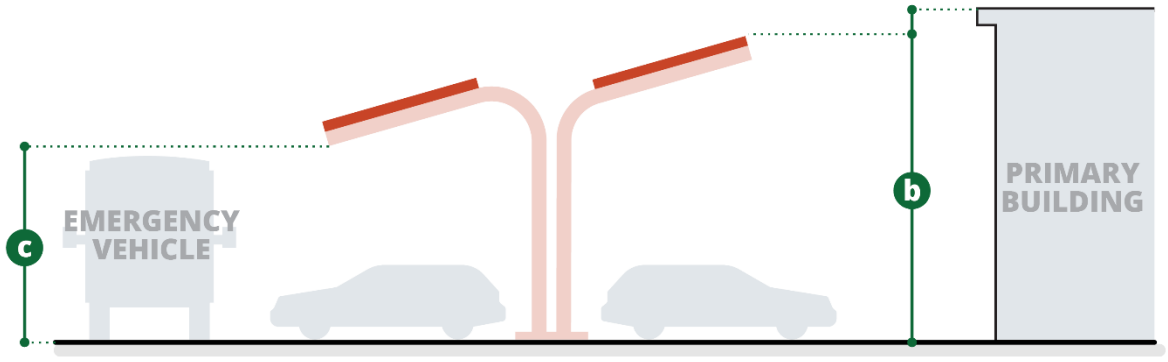

Figure 6 Solar Energy Collection System, Canopy Mounted

6. **Solar Energy Collection System, Ground Mounted.**

   a. Ground-mounted solar energy collection systems shall be permitted in accordance with the principal structure setbacks on the front, street sides, and any applicable accessory structure setbacks.

   b. The maximum height of ground-mounted solar energy collection systems shall be five feet, measured from the grade at the base of the pole to the highest edge of the system.

   c. The minimum clearance between the lowest point of the system and the surface on which the system is mounted shall be 12 inches.

   d. Ground-mounted solar energy collection systems shall be exempt from the impervious surface limits if the ground directly under the solar panel is planted with native plantings and groundcover other than turf grass.

   e. All parts of the freestanding system shall be set back five feet from the side and rear lot lines and shall not be located in an easement.

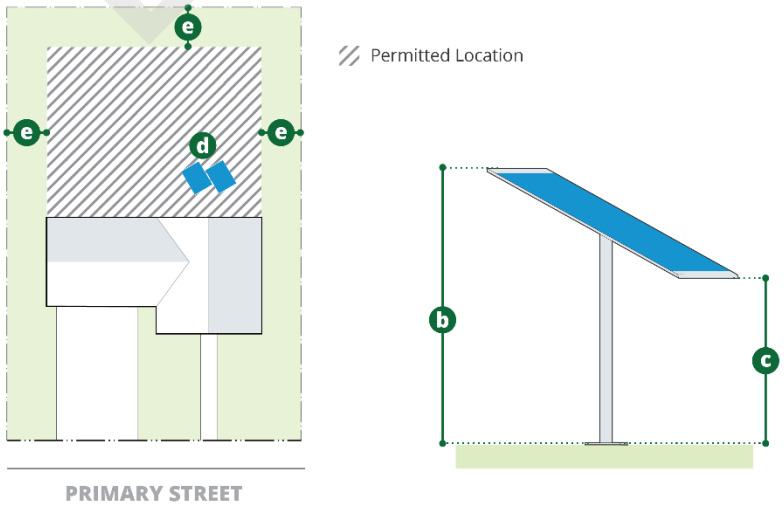

Figure 7 Solar Energy Collection System, Ground Mounted

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7. **Solar Energy Collection System, Roof Mounted.**

   a. Roof-mounted solar energy collection systems may be located on any roof face of principal or accessory buildings. Systems should be flush mounted when possible.

   b. Systems on structures 35 feet or less in height shall not extend beyond 12 inches parallel to the roof surface.

   c. Systems on structures greater than 35 feet in height shall not extend beyond 36 inches parallel to the roof surface.

   d. Systems on all structures shall not extend above the highest peak of a pitched roof.

   e. All materials used for racking, mounts, mounting clamps, and flashings shall be of a color consistent with the color of the roof surface to minimize visibility, or black.

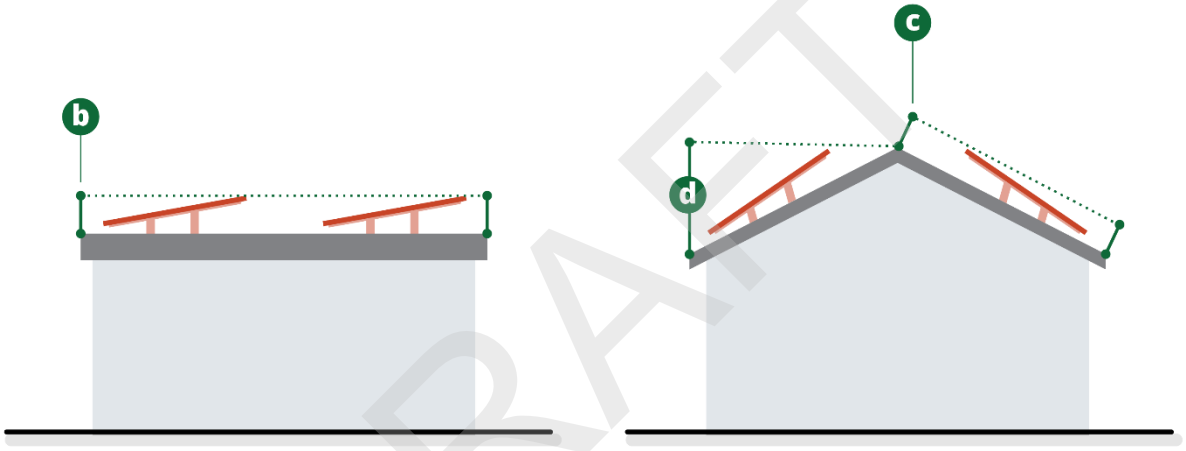

Figure 8 Solar Energy Collection System, Roof Mounted

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6-108. Temporary Uses

A. **Temporary Uses Table**.

1. **Permitted Uses (P)**. Uses which are marked as "P" in the table shall be allowed temporary uses subject to all applicable regulations of this Zoning Code.

2. **Temporary Uses (T)**. Uses which are marked as "T" in the table shall be allowed temporary uses after the approval of a Temporary Use Permit, as detailed in Section 2-110.

3. **Special Uses (S)**. Uses which are marked as "S" in the table shall require approval with a Special Permit as detailed in Section 2-113 prior to establishment.

4. **Prohibited Uses**. A blank space in the table indicates that a use is prohibited.

5. **Uses Not Listed**. A use not specifically listed is prohibited unless, through the Interpretation process established in Section 2-107, it is determined that the use is a part of a general use type as described in Section 6-104.

6. **Additional Regulation**. If a use has supplemental standards, they are referenced in the Additional Regulation column. Supplemental standards shall apply to the use, regardless of whether it is a permitted or special permit.

Table 6-108-A: Temporary Uses by Commercial District

Use	Additional Regulation	C-2	C-3	C-4	C-5
Civic Uses of Public Property					
Contractor Trailer / Temporary Real Estate Sales	6-108-B-1	T	T	T	T
Farmers Market		P	P		
Garage Sales					
Parking of Trailers, Boats, and Other Vehicles					
Portable Outdoor Storage Device	6-108-B-2	T	T	T	T
Seasonal Sales	6-108-B-3	T	T	T	T
Tents	6-108-B-4	T	T	T	T

B. **Temporary Use Supplemental Standards.**

1. **Contractor Trailer / Temporary Real Estate Sales.**

   a. Contractors' trailers and temporary real estate sales model units are allowed when accessory to a construction project or a new development.

   b. Contractors' trailers and temporary real estate sales model units shall be limited to a period not to exceed the duration of the active construction phase of such project or the active selling and leasing of space in such development.

   c. Contractors' trailers and temporary real estate sales model units shall not contain any sleeping or cooking accommodations, except if located in a model unit.

   d. No such trailer, unit, or office shall be used as the general office or headquarters of any firm.

   e. Contractors' trailers and temporary real estate sales model units shall be located within the buildable setback of the lot where it is located.

2. **Portable Outdoor Storage Device.**

   a. Only one portable outdoor storage device may be located on a lot at a time.

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b. No portable outdoor storage devices shall block any public sidewalk or public/private street or right of way or interfere with their use.

c. The portable outdoor storage device shall not exceed:

i. Eight feet in width,

ii. 12 feet in length, and

iii. Eight feet in height.

d. The portable outdoor storage device must be located on a hard paved surface approved by the Village Manager.

e. Every portable outdoor storage device must be locked and secured when not being loaded or unloaded.

3. **Seasonal Sales.**

a. Seasonal sales areas may use a maximum of 20 percent of the parking spaces required for the operation of the principal use or 2,000 square feet, whichever is less.

b. Seasonal sales areas shall not block circulation and movement of emergency vehicles.

c. Seasonal sales areas shall not block pedestrian walkways in a manner which reduces the width of that walkway to less than five feet.

d. Seasonal sales hours of operations shall be limited to between 7 am and 10 pm.

4. **Tents.**

a. No tent shall be allowed to remain for a period of more than four (4) days longer than the period during which the principal or accessory use with which it is associated with is allowed to remain or, in the absence of any such period, ten (10) days.

b. Unless waived in writing by the Village Manager, every tent shall comply with bulk, yard and space requirements applicable to accessory structures pursuant to Section 6-107-B-1(e).

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6-109. C-1 Specialty Commercial Legacy District

A. **Purpose**. The purpose of this Section is to preserve the existing dimensional, use, and development standards applicable to the C-1 Specialty Commercial District, as established prior to the adoption of this Code. These standards are maintained to support the continued use and character of properties within the legacy C-1 District, as referenced in Section 6-102 above.

B. **Applicability.** The provisions of this Section apply to all parcels designated as part of the C-1 Specialty Commercial Legacy District.

C. **Dimensional standards.**

Table 6-109-B: C-1 Specialty Commercial Legacy District Dimensional Standards	
Lot Standards	
Lot Area, Minimum (sq ft)	8,500
Lot Width, Minimum (ft)	60
Lot Depth, Minimum (ft)	125
Yard Setbacks	
Front, Minimum (ft)	25
Corner Side, Minimum (ft)	25
Interior Side, Minimum (ft) [1]	5
Rear, Minimum (ft) [1]	50
Building Standards	
Floor Area Ratio	0.25
Height, Maximum (ft)	35
Height, Maximum (stories)	2

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D. **General Use Standards.** The principal, conditional, and special uses listed herein apply to all parcels within the C-1 Specialty Commercial Legacy District as designated on the Village Zoning Map. These use standards reflect the existing uses permitted in the district at the time of this Code's adoption and shall continue to govern land use within the legacy C-1 boundaries.

1. **Principal Uses.**

a. Vacant Property.

i. Vacant Land; and

ii. Vacant Unit/Building.

b. Agricultural Services.

i. Agricultural Production-Crops.

c. Transportation and Public Utilities.

i. Arrangement Of Passenger Transportation; and

ii. Electrical Substations.

d. Retail Trade.

i. Security And Commodity Brokers, Dealers, Exchanges & Services;

ii. Insurance Agents, Brokers & Services;

iii. Real Estate Agents And Managers; and

iv. Holding And Other Investment Offices.

e. Services.

i. One-on-One Personal Fitness Training Facilities; and

ii. One-on-One Schools and Educational Services, Not Elsewhere Classified.

f. Miscellaneous.

i. Business And Professional Offices Not Elsewhere Classified; and

ii. Required Retention/Detention Facilities.

2. **Conditional and Special Uses.**

a. Retail Trade.

i. Paint, Glass And Wallpaper Stores;

ii. Hardware Stores;

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iii. Retail Nurseries, Lawn & Garden Supply Stores Excluding Open Yards;

iv. General Merchandise Stores;

v. Food Stores;

vi. Apparel And Accessory Stores;

vii. Home Furniture & Equipment Stores;

viii. Drug Stores And Proprietary Stores;

ix. Liquor Stores;

x. Used Merchandise Stores;

xi. Miscellaneous Shopping Goods Stores;

xii. Florists;

xiii. Optical Goods Stores; and

xiv. Miscellaneous Retail Stores Not Elsewhere Classified.

b. Services.

i. Laundry and Garment Services, Not Elsewhere Classified;

ii. Tailor Shops;

iii. Photographic Studios, Portrait;

iv. Beauty Shops;

v. Barber Shops;

vi. Shoe Repair Shops And Shoeshine Parlors;

vii. Physical Fitness Facilities;

viii. Health Services;

ix. Legal Services;

x. Correspondence Schools;

xi. Individual And Family Social Services;

xii. Membership Organizations;

xiii. Religious Organizations;

xiv. Religious Organizations with an associated Elementary or Secondary School;

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xv. Engineering, Accounting, Research, Mgmt. & Related Services; and

xvi. Services, Not Elsewhere Classified.

6-110. C-4 District Planned Development

A. Planned Development Required.

1. Except as provided in Section 6-110-A(2) of this Code, after October 30, 2023, no land shall be improved or developed in the C-4 District unless it is approved as a planned development in accordance with the special permit and planned development procedural process set forth in Article #### of this Code.

2. Any use or structure existing in the C-4 District as of October 30, 2023, that is not part of a planned development approved on or after October 30, 2023, shall be deemed to be a legal nonconformity subject to the provisions of Article 12 of this Code.

3. **Site Plan Review within Approved Planned Developments.** Once a planned development is approved pursuant to Section 6-110-A (1) of this Code, all development within that planned development shall be governed by a final plan approved as part of the planned development. Notwithstanding any provision of this Code to the contrary, the review and approval of site plans for individual parcels, buildings, and structures within the planned development shall be conducted by the Village Manager in accordance with Section 2-118 of this Code, and no site plan review by the Plan Commission or Architectural Control Commission shall be required.

4. **Amendments to Planned Development Ordinances.** Any subsequent amendment to a planned development special permit ordinance approved pursuant to Section 6-110-A (1) of this Code will require approval in accordance with the applicable provisions of this Code governing amendments to planned development special permit ordinances; provided however, that property owners necessary to apply for, or consent to, any such amendment shall be limited to those property owners that are directly impacted by the proposed amendment.

B. **Planned Development for the Northbrook Court Property.** Upon adoption by the Village Board of Trustees on October 30, 2023 of an ordinance approving a special permit for a C-4 District mixed-use planned development known as the Northbrook Court Planned Development (the "Northbrook Court PD Ordinance"), the property that is described in and controlled by that ordinance shall be subject to, and comply with, the use and bulk regulations of the C-4 Regional Shopping District and the regulations as set forth in the Northbrook Court PD Ordinance. In the event of a conflict between the two, the Northbrook Court PD Ordinance shall control. The Northbrook Court PD Ordinance may be amended from time-to-time as provided in Section 6-110-A (4) of this Code, and such amendment shall, automatically, be deemed to be part of the Northbrook Court PD Ordinance as defined in this Section.

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C. **Effect of Legacy C-4 District Planned Development Ordinances.** The 2023 Northbrook Court PD Ordinance will repeal and replace the regulations previously defined as the "Northbrook Court Master Site Plan and Operations Ordinance – Ordinance No. 2019-46. As will be provided in the 2023 Northbrook Court PD Ordinance, the Northbrook Court Master Site Plan and Operations Ordinance, and all previously adopted site-specific ordinances referenced or incorporated in the 2019 Ordinance, shall have no force or effect as of October 30, 2023.

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Article 7. Industrial District Standards

7-101. General Provisions

7-102. Establishment, Purpose, and Intent of Industrial Districts

7-103. Dimensional Standards

7-104. General Use Standards

7-105. Principal Uses

7-106. Dimensional Standards Encroachments, Exceptions, and Adjustments

7-107. Accessory Uses

7-108. Temporary Uses

7-101. General Provisions

A. **Purpose**. The purpose of this Article is to establish the Industrial zoning districts of the Village including their purpose, dimensional standards, and allowed encroachments, to:

1. Implement the intent of this Code and the Comprehensive Plan,
2. Allow for orderly development, and
3. Protect natural resources.

B. **Applicability**. The zoning districts established in this Article shall apply to all Industrial zoning district (Section 7-102) parcels within the Village of Northbrook as detailed on the Village of Northbrook Zoning Map.

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7-102. Establishment, Purpose, and Intent of Industrial Districts

Table 7-102 Establishment, Purpose, and Intent of Industrial Districts	
District Name	**District Purpose and Intent**
ICS Industrial and Commercial Services District	The ICS Industrial and Commercial Services district is established to accommodate heavier commercial service uses in concert with a variety of industrial, warehouse, "flex" space, and building contractor facilities, as well as indoor sports and entertainment activities. The ICS District may be mapped only in areas designated for industrial and commercial services in the Comprehensive Plan.
I-1 Restricted Industrial District	The I-1 Restricted Industrial district is established to provide space for nuisance-free manufacturing, transportation, warehousing and wholesaling uses that are conducted fully indoors and are compatible with a variety of office and service uses. No use within the I-1 District shall have any direct or indirect adverse aesthetic, environmental or economic impact on any other use either within the Village.
I-2 Light Industrial District	The I-2 Light Industrial district is established to provide for more generalized industrial operations in proximity to the collector transportation system. Development in the district is more intensive than is allowed in the I-1 District and can only be accommodated if located and regulated as to avoid adverse impacts on the residential uses and less intense nonresidential uses that define the essential character of the Village. The I-2 District shall be limited to areas: • Lying south of a line running east and west at a distance of 250 feet south of Raymond Drive east of Shermer Road, west of the Chicago and Northwestern Railroad right-of-way and north of Willow Road; and • Lying south of Willow Road and east of the Chicago and Northwestern Railroad right-of-way.

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7-103. Dimensional Standards

Table 7-103: Industrial District Dimensional Standards			
1 = All Uses	ICS	I-1	I-2
	1		
Lot Standards			
Lot Area, Minimum (sq ft)	40,000	40,000	40,000
Lot Width, Minimum (ft)	100	100	100
Lot Depth, Minimum (ft)	125	125	125
Yard Setbacks			
Front, Minimum (ft)	30	30	30
Corner Side, Minimum (ft)	30	30	30
Interior Side, Minimum (ft) [1]	10	10	10
Rear, Minimum (ft) [1]	15	15	15
Building Standards			
Height, Maximum (ft)	45	55	55
Height, Maximum (stories)	3	3	3
Notes			
[1] Standard shall depend on required buffer yards as detailed in Section 10-106.			

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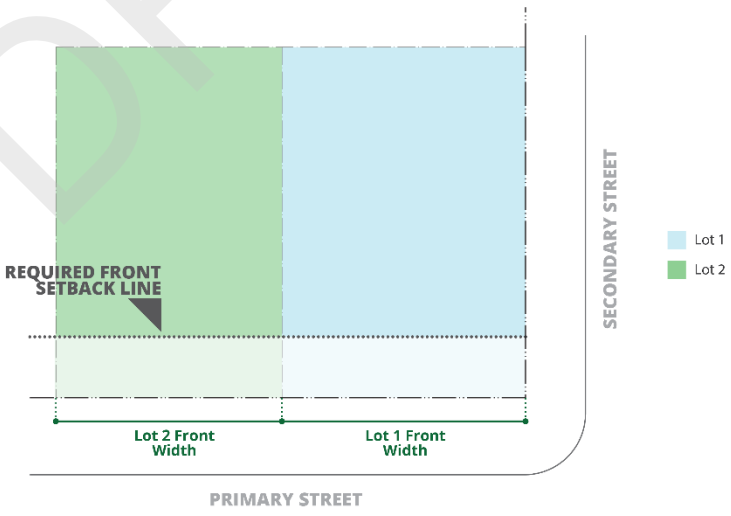

Figure 1 Lot Width

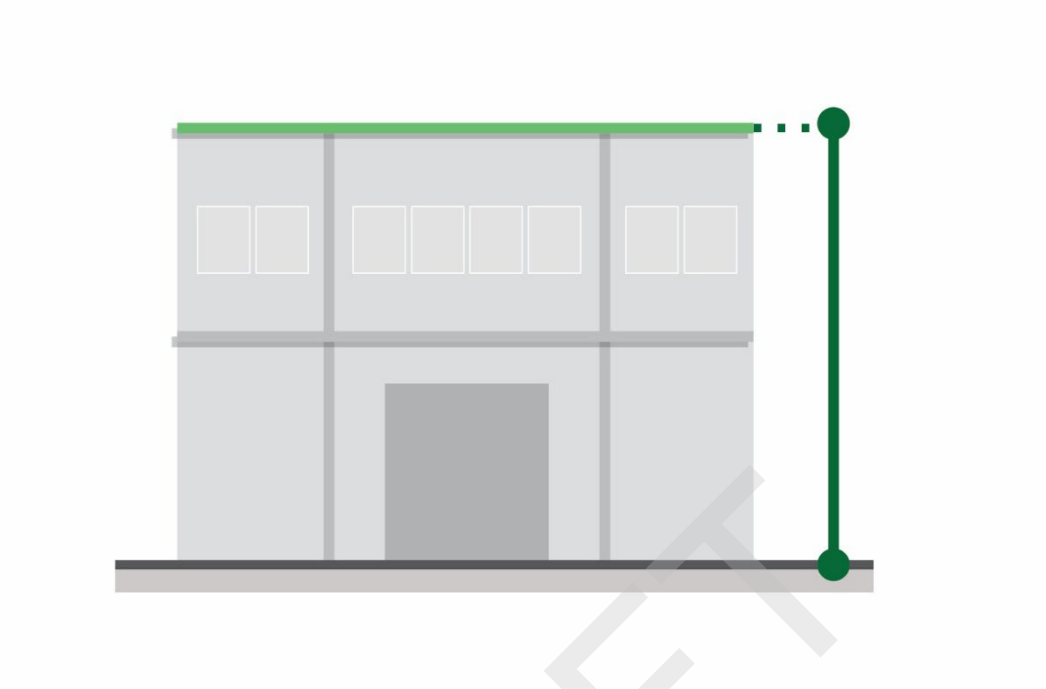

Figure 3 Building Height, Industrial

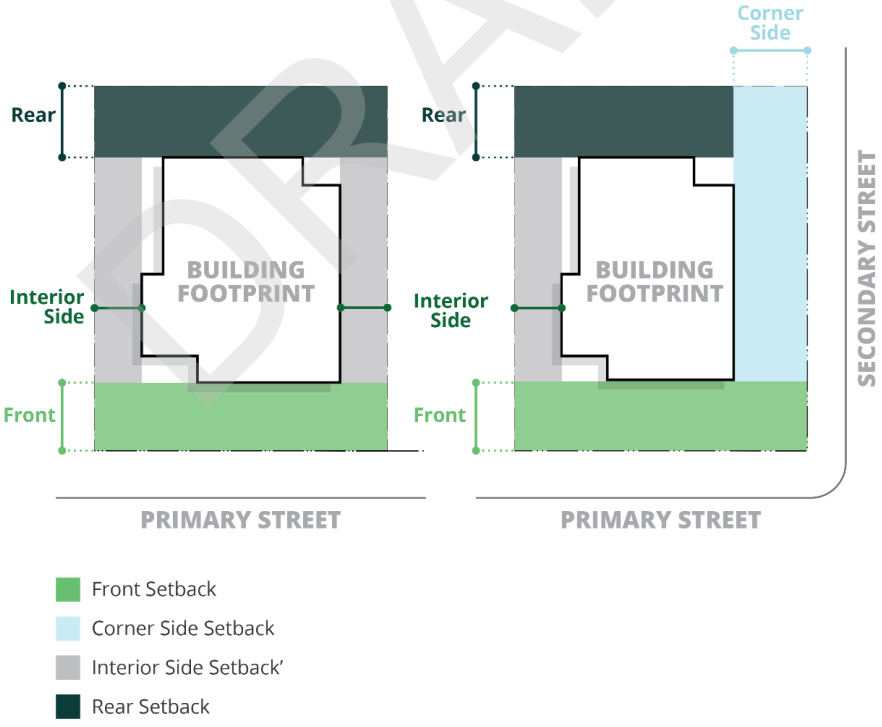

Figure 2 Building Setbacks

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7-104. General Use Standards

A. **Purpose**. The purpose of this Section is to establish the allowed uses in the industrial districts of the Village including how they are allowed (permitted, special use, etc.) and supplemental standards that must be met for use establishment.

B. **Applicability**. The uses and supplemental use standards established in this Article shall apply to parcels within industrial districts in the Village of Northbrook, as designated on the Village of Northbrook Zoning Map.

C. **General Use Types**. In order to regulate the use of land, general use types have been established. General use types provide a systematic basis for assigning land uses to appropriate categories with other similar uses. General use types classify land uses and activities based on common functional, product or physical characteristics.

1. Characteristics include the type and amount of activity, the hours of operation, the type of customers or residents, how goods or services are sold or delivered, likely impact on surrounding properties and site conditions.

2. Where a general use definition contains a list of example uses, the list is to be considered non-inclusive. Uses shall be categorized through the Interpretation process established in Section 2-107.

D. **Qualified Uses**.

1. **Floor Dependent**.

a. If a use includes “above ground floor only” in the title, it shall be allowed on the second story or higher of a building only.

b. If a use does not include “above ground floor only” in the title, it shall be allowed on all building stories.

2. **Square Footage Dependent**.

a. If a use includes a qualifying statement regarding square footage, such as “less than 2,500 sq ft” the total square footage of the building, or tenant space, in which the use may operate shall not exceed what is specified.

b. If a use does not include a qualifying statement regarding square footage, the total square footage of the building in which the use may operate is not restricted, unless otherwise stated in this Code.

3. **Public or Private Designation**.

a. If a use includes “public” in the title, it shall be owned and operated by a governmental entity, non-profit organization, or other non-taxing body.

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b. If a use includes "private" in the title, it shall be owned and operated by a for-profit organization or business.

E. **Principal Uses**.

1. **Allowance**.

a. Principal uses are allowed by district as established in Table 7-105-A Principal Uses.

b. A parcel may contain one or more principal uses. The establishment of multiple principal uses or principal buildings on a parcel shall be permitted in all Industrial Districts, provided that the development complies with applicable bulk standards specified in Article 10 and parking requirements specified in Article 10,

c. A development with multiple principal uses shall include only those principal uses designated in Table 7-105-A Principal Uses as allowed in the applicable zoning district, and each principal use shall be subject to all applicable supplemental standards.

2. **Use Categories**.

a. **Residential**. Premises for long-term human habitation by means of ownership or rental, excluding short-term leasing or rental of less than one (1) month.

b. **Public and Institutional**. Premises for organizations dedicated to religion, government, arts and culture, recreation and sports, and other similar areas of public assembly in addition to uses and premises dedicated to education, social service, and health care.

c. **Commercial**. Premises for the commercial sale of merchandise, prepared foods, and food and drink consumption; the transaction of general business and the provision of services; and short-term human habitation, including daily and weekly rental.

d. **Industrial and Vehicle-Related**. Premises for the creation, assemblage, storage, and repair of items including their wholesale or retail sale in addition to uses and premises dedicated to the sale, maintenance, servicing or storage of automobiles or similar vehicles.

e. **Utilities and Infrastructure**. Uses and structures dedicated to transportation, communication, and utilities.

f. **Agriculture and Animal Related**. Premises for growing crops, raising animals, harvesting timber, or harvesting fish and other animals from a farm, ranch or their natural habitat and all related functions in addition to animal care facilities located in commercial settings.

F. **Accessory Uses**. Accessory uses are allowed by district, as established in Table 7-107-A Accessory Uses, but only incidental to a legally established, conforming principal use.

G. **Temporary Uses**. Temporary uses are allowed by district as established in Table 7-108-A Temporary Uses.

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7-105. Principal Uses

A. **Principal Uses Table**. The following shall be used in the interpretation of Table 7-105-A.

1. **Permitted Uses (P)**. Uses which are marked as "P" in the table shall be allowed principal uses subject to all applicable regulations of this Zoning Code.

2. **Special Uses (S)**. Uses which are marked as "S" in the table shall require approval with a Special Permit as detailed in Section 2-113 prior to establishment.

3. **Prohibited Uses**. A blank space in the table indicates that a use is prohibited.

4. **Uses Not Listed**. A use not specifically listed is prohibited unless, through the Interpretation process established in Section 2-107, it is determined that the use is a part of a general use type as described in Section 7-104-C.

5. **Additional Regulation**. If a use has supplemental standards, they are referenced in the Additional Regulation column. Supplemental standards shall apply to the use, regardless of whether it is a permitted or special use.

Table 7-105-A: Principal Uses by Industrial District

Use	Additional Regulation	ICS	I-1	I-2
Residential Uses	Additional Regulation	ICS	I-1	I-2
Dwelling, Cottage Court				
Dwelling, Duplex				
Dwelling, Single-Family Detached				
Dwelling, Townhouse				
Dwelling, Triplex/Quadplex				
Live-Work Unit				
Multi-Unit Building, 13+ Units				
Multi-Unit Building, 5-12 Units				
Multi-Unit Dwelling Complex				
Multi-Unit Dwelling, Above Ground Floor Only				
Senior Living Facility, Dependent				
Senior Living Facility, Independent				
Transitional Service Facilities with up to 9 residents				
Transitional Service Facilities with up to 15 residents				
Public and Institutional Uses	*Additional Regulation*	ICS	I-1	I-2
Cemetery				

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Table 7-105-A: Principal Uses by Industrial District				
Use	**Additional Regulation**	**ICS**	**I-1**	**I-2**
Day Care		S		
College/University				
Hospital				
Membership Organizations, 2,500 sq ft or less		P		
Membership Organizations, More than 2,500 sq ft		S		
Park				
Place of Worship, 2,500 sq ft or less		P		
Place of Worship, More than 2,500 sq ft		S		
Public Cultural and Community Facilities				
Public Service/Safety Facility				
School, Elementary				
School, High				
School, Middle				
School Vocational/Technical		P	P	
Vacant Land/Vacant Building		P	P	P
Commercial Uses	*Additional Regulation*	ICS	I-1	I-2
Adult Uses				
Alcohol/Liquor Sales				
Amusement and Recreation Services, 2,500 sq ft or less				
Amusement and Recreation Services, More than 2,500 sq ft				
Bank, Credit Union, Financial Services				
Bar/Tavern				
Cannabis Dispensary, Adult Use				
Cannabis Dispensary, Medical Use				
Coworking Space				
Firearms Dealer				
Funeral Home			S	
General Office		P		
General Retail				
Golf Course				

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Table 7-105-A: Principal Uses by Industrial District				
Use	**Additional Regulation**	**ICS**	**I-1**	**I-2**
Hotel				
Medical Clinic		P	P	
Medical Spa				
Meeting/Event Facility				
Microbrewery/Winery/Distillery With Tasting Room		P		
One-on-One Educational Services		P	P	
One-on-One Personal Fitness Facilities		P	P	
Personal Service		P		
Physical Fitness Facilities, 2,500 sq ft or less		P		
Physical Fitness Facilities, 2,500 sq ft or more		S		
Restaurant		S	S	
Short-Term Rental				
Tobacco Retail Sale				
Industrial and Vehicle Related Uses	*Additional Regulation*	ICS	I-1	I-2
Artisan Manufacturing	7-105-B-1	P	P	P
Brewery/Winery/Distillery		P	P	P
Car Wash	7-105-B-2	S	S	
Cannabis Cultivation Center				
Cannabis Craft Grower	7-105-B-3		S	S
Cannabis Infuser	7-105-B-3		S	S
Cannabis Processor	7-105-B-3		S	S
Commercial Kitchen			S	S
Contractor Facility		P	P	P
Crematorium				
Dry Cleaning Facility, Processing On-Site		P	P	P
Building Material, Machinery, and Equipment Sales or Storage			P	P
Fuel Sales	7-105-B-4	P	P	P
Industry, Heavy				S
Industry, Light	7-105-B-5	P	P	P
Materials Salvage Yard/Recycling Operations			P	P

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Table 7-105-A: Principal Uses by Industrial District				
Use	**Additional Regulation**	**ICS**	**I-1**	**I-2**
Microbrewery/Winery/Distillery With or Without Tasting Room		P	P	P
Motor Vehicle Sales/Rental, With Open Sales Lot	7-105-B-6	S	S	
Motor Vehicle Sales/Rental, Without Open Sales Lot	7-105-B-6	P	P	
Off-Street Parking				
Personal / Self-Serve Storage		S	S	S
Trucking Company			S	P
Vehicle Services - Major Repair/Body Work	7-105-B-7		S	P
Vehicle Services - Minor Maintenance/Repair	7-105-B-8	P	P	P
Warehouse, Distribution/Storage		P	P	P
Wholesale Trade		P	P	P
Utilities and Infrastructure	*Additional Regulation*	ICS	I-1	I-2
Electrical Substations	7-105-B-9	P	P	P
Public Utility Facilities	7-105-B-10	S	S	S
Required Detention Facilities		P	P	P
Transit Facilities		S	S	S
Wireless Telecommunications Equipment	7-105-B-11	P	P	P
Wireless Telecommunications Tower	7-105-B-11	P	P	P
Agriculture and Animal Related	*Additional Regulation*	ICS	I-1	I-2
Animal Production				
Community Garden				
Crops and Horticulture		P	P	P
Indoor Agriculture		P	P	
Nursery & Garden Center, With Open Sales Lot		S	S	
Nursery & Garden Center, Without Open Sales Lot		P	P	
Veterinary and Animal Care Services, indoor and outdoor	7-105-B-12	P	P	
Veterinary and Animal Care Services, indoor only	7-105-B-12	P	P	

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B. **Principal Use Specific Standards**

1. **Artisan Manufacturing.**

   a. Outdoor storage shall be prohibited.

   b. Artisan manufacturing shall not create or cause any perceptible noise, odor, smoke, electrical interference, or vibrations that constitute a public or private nuisance to neighboring properties.

   c. Retail sales of goods manufactured on-site shall be permitted and shall comprise a minimum of 25 percent of the total area of the building. Retail sales areas shall be located on the ground floor and shall be directly adjacent to storefront windows.

   d. Manufacturing areas are encouraged to be visible from retail areas.

2. **Car Wash.**

   a. Hours of operation shall be restricted to between 7 am and 9 pm only, when adjacent to a residential district.

   b. All mechanical equipment, excluding self-service vacuum units, shall be fully enclosed within a building.

   c. All facilities shall be designed and configured such that any outdoor spraying preparation or drying activities are directed away from any abutting residential properties.

   d. All car wash facilities and accessory equipment such as vacuums, dryers, accessory buildings, etc. shall be set back a minimum of 100 feet from any residential use or property in the R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, RS. MFRC, RLC, or VGRC Districts.

   e. If self-service vacuum facilities are provided:

      i. They shall be setback a minimum of 20 feet from all property lines, unless otherwise specified.

      ii. A minimum of one parking space shall be provided for each vehicle capable of being serviced at any one time at such vacuum facility. Parking spaces for accessory vacuum facilities shall not interfere with circulation or entrance or exit drives.

   f. All full-service or conveyor-based carwash facilities shall be equipped with, and maintain in operation, a water recycling system that shall recycle a minimum of 50 percent of the water being used by the facility.

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3. **Cannabis Craft Grower, Cannabis Infuser, and Cannabis Processor**

    a. **License Required.**

        i. Cannabis Craft Growers, Processors, and Infusers must obtain and, at all times, maintain a valid professional license issued by the Illinois Department of Agriculture to operate such a facility.

            a) Copies of all state licenses as well as all renewals shall be provided to the Village Manager no later than 30 days of issuance as well as copies of corresponding application materials, including all required certifications, declarations, and affidavit, for state licenses and corresponding license renewals.

    b. Cannabis Craft Growers, Processors, and Infusers shall maintain all mandatory signage, security measures, and nuisance and odor control measures required by Village, state or federal law.

    c. No Cannabis Craft Grower, Processor, or Infuser shall be located on any lot that is less than 500 feet from any lot used for pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, or part day child care facility.

    d. No Cannabis Craft Grower, Processor, or Infuser shall be authorized to have any accessory retail sales of products or sale of overstock goods or products.

4. **Fuel Sales.**

    a. **Location.** Fuel pump canopies shall be located a minimum of 100 feet from any interior side or rear property line that adjoins residentially developed property.

    b. **Height.** Fuel pump canopy height shall not exceed the height of the principal building or 15 feet, whichever is greater.

    c. **Materials.**

        i. Fuel pump canopy roofs shall be steel construction. Plastic and similar materials are prohibited.

    d. **Lighting.** Fuel pump canopy lighting shall be fully recessed.

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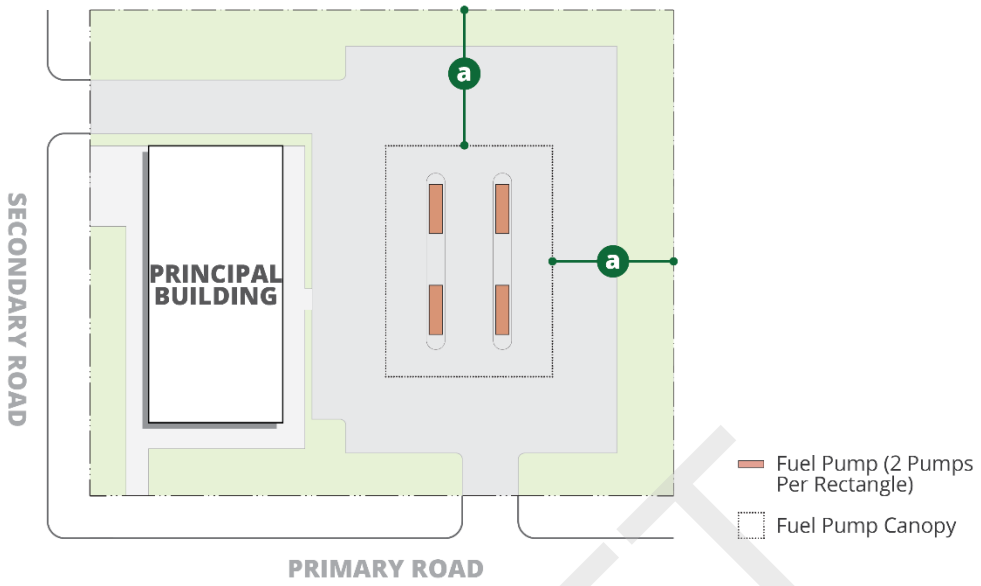

Figure 4 Fuel Sales

5. **Industry, Light.**

   a. **Off-Site Impacts/Public Nuisances.** No generation of dust, odors, noise, vibration or electrical interference or fluctuation shall be perceptible outside of the building.

   b. **Environmental Hazards.** All establishments shall be maintained so as not to create environmental hazards that pose a threat to ground or surface water quality, air quality, wildlife and/or humans.

   c. **Vehicular Access.** Vehicular access to the site shall be provided on a thoroughfare of suitable industrial capacity as determined by the Village Manager, Village Engineer, and/or any required Transportation Impact Analysis.

6. **Motor Vehicle Sales/Rental, with and without Open Lot.**

   a. **Buffer**. A Type A buffer, as detailed in Section 10-106, shall be required along lot lines adjacent to any parcel in a residential district.

   b. **Orientation**. Vehicle service bays shall be set perpendicular to the street or otherwise screened with a Type A buffer from any residential property or the street right of way.

   c. **Separation**. Accessory uses and structures, such as car wash facilities and their incidental functions (vacuums and air compressors) shall be set back at least fifty (50) feet from public rights-of-way or a residential use or district.

   d. **Nonconforming Building Prohibition**. No existing buildings shall be occupied or re-used for vehicle sales, rental, and service unless all requirements of this Zoning Code are met.

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7. **Vehicle Services, Major Repair/Body Work**.

    a. Vehicles which are not operable or suitable for driving shall be stored indoors, in accessory outdoor storage areas meeting all requirements of Section 7-107, or in screened parking areas . Screened parking areas shall have a six foot tall solid fence, chain link will not be permitted.

    b. Drainage from outdoor storage and/or activity areas shall be directed to gravel, grassed, or other planted areas in a manner that prevents direct discharge to storm drain inlets and surface waters.

8. **Vehicle Services, Minor Maintenance/Repair.**

    a. Vehicle service bays shall be screened with a Type A buffer from any residential property or the street right of way.

    b. The hours of operation shall be limited to between the hours of 7:00am and 9:00pm only.

    c. Drainage from outdoor storage and/or activity areas shall be directed to gravel, grassed, or other planted areas in a manner that prevents direct discharge to storm drain inlets and surface waters.

9. **Public Utility/Electrical Substations.** In the ICS, I-1, and I-2 Districts Public Utility/Electrical Substations shall comply with the following standards.

    a. **Structure Appearance and Screening.** All buildings and structures either shall have exteriors which give the appearance of a structure permitted in the district where located or shall provide a Type A as specified in Section 10-106 along all interior side or rear property lines.

    b. **Safety Fencing.** All such uses shall be fenced where any hazard to the safety of human or animal life is present.

    c. **Service and Storage Prohibited.** No service or storage yard or building shall be permitted except as permitted for other uses in the district.

10. **Public Utility Facilities.** Lot area of at least 100,000 square feet shall be required.

11. **Wireless Telecommunications Equipment and Wireless Telecommunications Towers**.

    a. **Purpose and Intent**. This subsection creates the framework for the siting of wireless telecommunication facilities in a manner which protects the public health, safety, and general welfare of the community, provides comprehensive service to the community, and implements the Village's policies for said facilities, as detailed below. The provisions of this subsection are in addition to, and do not replace, any obligations an applicant may have under any franchises, licenses, encroachments, or other permits issued by the Village. This section is intended to:

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i. Facilitate the comprehensive provision of wireless telecommunication services to the residents and businesses of the Village of Northbrook.

ii. Maximize the use of existing and approved telecommunication towers, buildings, and structures for collocation to accommodate new wireless telecommunication antennas in order to minimize the number of telecommunication towers needed to comprehensively serve the community.

iii. Minimize the number, height, obtrusiveness, and the visual impacts of telecommunications towers, associated equipment, and buildings.

iv. Direct and allow wireless telecommunication facilities to areas which are least disruptive to residential, park, open space, and greenway uses and to be as unobtrusive and invisible as reasonably possible.

v. Ensure that the height of telecommunications towers has the least visual impact and is no greater than required to achieve service area requirements and potential co-location.

vi. Site telecommunications towers to minimize locations which are visually solitary or prominent when viewed from residential areas or any public way.

vii. Site telecommunications towers at locations which are obscured by vegetation, tree cover, topographic features, buildings or other structures to the maximum extent feasible.

viii. Protect views of and vistas from architecturally or historically significant structures and historically significant landscapes so that these architectural or historical resources are not impaired or diminished by the placement of telecommunications towers.

ix. Avoid potential damage to adjacent properties from telecommunication towers failure through structural design standards and setback requirements.

b. **General Applicability**. The provisions, of this subsection shall apply to the following:

i. Wireless telecommunication facilities (towers and associated equipment) that are or will be operated by a licensed wireless telecommunication service provider which consists of the equipment and structures involved in the receiving or transmitting of electromagnetic waves associated with wireless telecommunication services.

ii. Small wireless telecommunication towers that meet the following characteristics:

a) Each antenna is located inside an enclosure of no more than six cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than six cubic feet;

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b) All other wireless equipment associated with the facility is cumulatively no more than 28 cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meter, concealment elements, telecommunications demarcation box, ground-based enclosures, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs for the connection of power and other services; and

c) An antenna array feature that is attached to a telecommunications tower or building to transmit or receive radio waves. For this subsection, this does not include antenna dishes or other antenna features on individual homes or businesses that are intended to receive radio or television broadcasts, or internet communication for said use.

c. **Amateur Radio Exemption**. These provisions neither apply to nor shall be construed to apply to Amateur Radio Operators who are licensed to operate a radio or transmitter by the Federal Communications Commission under Part 97 of the Federal Communications Commission's Rules.

d. **Interference with Public Safety Telecommunications**. No new or existing telecommunications service shall interfere with public safety telecommunications. Before the introduction of new service or changes in existing service, telecommunication providers shall notify the Village at least 10 calendar days in advance of such changes and allow the Village to monitor interference levels during the testing process.

e. **Compliance with Other Laws**. A telecommunications tower shall be erected and operated in compliance with the most current Federal Communication Commission and Federal Aviation Administration rules and regulations and other applicable federal and state standards. All telecommunications towers shall comply with all ordinances of the Village which are not in conflict with this subsection.

f. **Wireless Telecommunication Facilities Establishment and Siting Alternatives Analysis**.

i. **Co-location Preference**. The Village shall promote the co-location of wireless telecommunications equipment on existing towers, buildings, or utilities elements. New standalone wireless telecommunication facilities (towers) may only be allowed where co-located of said facilities on existing towers, buildings, or public infrastructure elements is deemed infeasible through a siting alternatives analysis.

ii. **Siting Alternatives Analysis**. For all new, standalone wireless telecommunication towers, the applicant shall provide a siting alternatives analysis to determine whether co-location on existing structures is feasible within the applicant's search ring, including information pertaining to the fair market value of similar contracts – this shall be provided as part of the permitting process and submittal requirements pursuant to Article 2. The siting alternatives analysis shall determine the feasibility of co-locating the new telecommunication facilities/equipment in the following

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situations. (i) Co-location on existing towers; (ii) Placement on Village-owned Structure or Building; (iii) Placement on Existing Structure or Building; and (iv) Construction of New Tower Structure or Substantial Modification of Existing Structure. The following describes the various co-location situations.

a) **Co-location Standards**. The co-location or placement of new telecommunications antennas upon existing telecommunications towers, light poles, and/or buildings.

b) **Village-owned Structure or Building**. The utilization of existing Village-owned structures and buildings for placement of antenna and associated equipment or buildings, including surface-mounted and roof-mounted applications of telecommunication antennas on existing buildings and structure-mounted applications of telecommunication antennas on water towers, electric line transmission towers, or other existing structures.

c) **Existing Structure or Building Utilization**. The utilization of all other existing structures and buildings for placement of antenna and associated equipment or buildings, including surface mounted and roof-mounted applications of telecommunication antennas on existing buildings and structure-mounted applications of telecommunication antennas on existing structures.

iii. **Consulting Option**. As part of the review procedures, the Village Manager shall determine the sufficiency of the information. The Village may choose to hire an outside consultant to conduct a third-party review of the siting alternatives analysis in the following situations: (i) where there are disputes of the findings between the applicant and the Village Manager and/or (ii) where expert consultation is deemed necessary to reach conclusions of the analysis. Where the Village utilizes a consultant in its application review, the fee for such services shall be fixed in advance as part of the application fee for a new telecommunications facility.

g. **Telecommunication Tower and Antenna Array Design Standards**. The following design standards apply to new telecommunication towers and associated antenna array facilities. These standards do not apply to co-location activities on existing towers, buildings, or public infrastructure elements.

i. **Height**. The maximum height of a telecommunications tower, including antenna array, shall be less than 125 feet above grade; whereas, Small Wireless Telecommunications towers shall be limited to 50 feet above grade.

ii. **Location**. Telecommunication towers and antenna arrays shall not be located within 300 feet of an existing or future thoroughfare, as identified in the regional Transportation Improvements Plan as adopted.

iii. **Setbacks Required**. Telecommunication towers, including antenna array shall be setback at least one-hundred twenty-five (125) percent the height of the tower from

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any lot line or a distance equal to their engineered fall zone at a minimum, whichever is greater.

iv. **Guys and Guy Anchors**. All guys and guy anchors shall be located within the buildable area of the lot and shall not be located within any required setback, required landscape area, wetland feature, and watercourse riparian buffer.

v. **Security Fencing**. Securing fencing shall surround the telecommunications tower base, all guy anchors, and equipment. The compound area and all guy anchors shall be secured with a fence of not less than 6 feet in height nor more than 10 feet in height. A security wire (barbed, razor, etc.) may be located on the telecommunications tower-side of the fence but shall not extend above the top of the fence. The type of fence selected shall, in the determination of the Village Manager, be compatible with development in the surrounding area. A chain link fence, if used, shall be black vinyl coated.

vi. **Structural Design**. A telecommunications tower shall be designed and built so as to:

a) Be capable of use by at least two wireless communications providers for a telecommunications tower less than 80 feet in height;

b) Be capable of use by three or more wireless communications providers for a telecommunications tower of 80 feet in height or greater;

c) Accommodate antenna arrays consisting of 9 to 12 antennas for each array, provided, however, this regulation shall not apply to slick antenna applications;

d) Locate such antenna arrays within 15 vertical feet of each other;

e) Have no more than 3 degrees of twist and sway at the top elevation;

f) Provide internal cable routing for all tapering monopole telecommunication towers; and

g) Meet or exceed associated State and Federal structural standards relating to telecommunication standards (e.g., EIA-222).

vii. **Signs Prohibition**. No lettering, symbols, images, trademarks, signs, or advertising shall be placed on or affixed to any part of a telecommunications tower, antenna array or antenna, other than as required by Federal Communications Commission regulations regarding tower registration or other applicable law.

viii. **Lights**. No signals, lights or other illumination shall be permitted on telecommunications towers unless required by the Federal Communications Commission, the Federal Aviation Administration, or the Village.

ix. **Engineering Compliance for Modifications**. If any additions, changes or modifications are to be made to a telecommunications tower, the Village Manager may require proof, through the submission of engineering and structural data, that

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the addition, change or modification conforms to structural wind load and all other requirements of the Village's Building Code.

h. **Separation and Location.**

i. **New Wireless Telecommunication Towers**. New telecommunication towers are subject to the following minimum separation radius from another telecommunications tower - in determining the required separation between telecommunication towers of different heights, the required separation for the taller tower shall apply.

a) Quarter mile radius for proposed telecommunications towers less than 80 feet in height;

b) Half mile radius for proposed telecommunications towers of 80 feet in height or greater but less than 120 feet in height; or

c) One-mile radius for proposed telecommunications towers 120 feet in height or greater.

i. **Wireless Telecommunications Antennas Mounted on Existing Buildings or Structures**. The following design standards apply to antennas associated with wireless communication operations that are mounted on existing buildings and structures.

i. **Roof-Mount Elements**. Roof-mounted wireless telecommunications antennas are permitted on buildings and structures in all districts. Such features shall meet the height standards of the governing district and shall be no taller than the existing building. Said elements shall be subject to the following standards.

a) Whip telecommunication/antenna features (an antenna which transmits signals in 360 degrees) shall be no closer than 15 feet to the perimeter of the building.

b) The telecommunications antenna and associated equipment located on buildings shall be screened in elevation view with enclosures or façades having an appearance that blends with the building on which they are located; and be located so they are not overtly visible from an adjacent public right of way.

ii. **Surface-Mount Elements**. Surface mounted telecommunications antennas (an antenna attached to a building exterior wall) are permitted on buildings or structures in industrial districts and subject to the following standards.

a) Telecommunications/antenna features shall be mounted flush with the exterior of the building or structure so that it projects no more than 30 inches from the surface to which it is attached.

b) The telecommunications/ antenna appearance shall blend with the surrounding surface of the building or structure in terms of color and materials.

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c) Surface-mount elements are subject to applicable design standards in National Register listed properties and historic districts, Local historic districts, and locally designated historic landmarks.

iii. **Elements Attached to Other Existing Structures**. Telecommunications antennas are permitted on existing utility, lighting, telecommunications towers, and other structures in industrial districts and subject to the following standards.

a) Existing utility, lighting, telecommunications towers, and other structures used to affix telecommunication/ antenna features shall not exceed 150 feet in height above grade.

b) The telecommunications antenna shall not exceed the height of the existing structure by more than 10 feet for a non-whip antenna or 15 feet for a whip antenna.

c) Existing structures may be rebuilt/ modified to support the load of the new telecommunications antenna subject to the Village's building permitting standards.

iv. Existing structure mounted elements are subject to applicable design standards in National Register listed properties and historic districts, local historic districts, and locally designated historic landmarks.

v. **Separation Standards**. Telecommunications antennas and associated features located on existing buildings or structures are not subject to the separation requirements stated above.

vi. **Photo Simulation Requirements**. As part of the application process, applicants shall provide photo simulations showing the site of the existing structure with a photo realistic representation of the proposed telecommunications antenna and the existing structure or any proposed reconstruction of the structure as it would appear viewed from the closest R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, RS, MFRC, RLC, or VGRC District and from adjacent public right of way. The applicant shall also submit photographs of the same views as in the photo simulations showing the current appearance of the site without the proposed telecommunications antenna.

j. **Abandonment and Removal of Telecommunications Towers, Antenna Arrays, and Associated Equipment**. The following standards apply to all telecommunication features and their associated elements – these standards ensure inoperable features are removed, whereas habitable buildings are exempt from these requirements.

i. **Abandonment**. Telecommunications towers, antenna arrays, and associated equipment which have not been used for a period of 1 year shall be deemed abandoned and shall be removed from the site.

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ii. **Notice Required**. The owner of the telecommunications tower and the last service provider to use a telecommunications tower shall notify the Village Manager within 30 days that use of a telecommunications tower has been discontinued.

12. **Veterinary and Animal Care Services.**

a. No livestock or large animals shall be boarded, treated, or kept on the premises.

b. Unless otherwise allowed, the use shall be conducted primarily within a fully enclosed building and mitigate any negative impact to surrounding properties (such as noise, odor, dust, litter, etc.)

c. If outdoor areas are allowed they shall meet the following standards:

i. Outdoor areas shall be set back as far as possible from all residential properties, with a minimum setback of 150 feet. However, the Board of Trustees may consider smaller setbacks in areas with high levels of noise, such as those impacted by railroad tracks, highways, or near airport runways, provided that the operator can demonstrate how they will mitigate noise impacts in the outdoor area.

ii. Solid waste will be removed from the outdoor area after each use of the area.

iii. All outdoor areas shall be screened by an opaque fence or wall at least six feet in height. Chain link fences, including chain link fences with slats or mesh cover, are not allowed.

iv. Use of outdoor areas shall be allowed between the hours of 7am and 10pm only.

d. The boarding area must be air-conditioned and heated so that windows, doors, or other openings can be closed at any time.

13. All litter and waste shall be contained and controlled on site by having appropriate flushing drains and other physical elements to properly dispose of cleaning waste from the boarding area.

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7-106. Dimensional Standards Encroachments, Exceptions, and Adjustments

A. **Allowed Encroachments into Required Yards**.

Table 7-106-A. Allowed Encroachments into Required Yard

Encroachment Type	Allowed Location	Limitations of Encroachment
Air Conditioning Units	rear and interior side yard	Shall be a minimum of three feet from any lot line.
Antennae	rear and interior side yard	Shall be a minimum of three feet from any lot line.
Accessibility Ramps and Fire Escapes required by the Illinois State Building Code	any required yard	Shall be a minimum of three feet from the property line unless otherwise approved by the Village Manager as a Administrative Adjustment per Section 2-104.
Basketball equipment	any required yard	A maximum of one per front yard shall be allowed. Shall be a minimum of five feet from side lot lines and ten feet from a front lot line.
Bay Windows and Balconies	front and corner side yard	Shall extend no more than five feet from the applicable elevation of the building and at least five feet from the property line. May not have any foundation or footing and may only project from a façade.
	interior side and rear yard	Shall be a minimum of three feet from the applicable building elevation. May not have any foundation or footing and may only project from a façade.
Clothesline	rear yard	Shall be a minimum of three feet from any lot line.
Compost bin	rear yard	Shall be a minimum of three feet from any lot line.

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Table 7-106-A. Allowed Encroachments into Required Yard		
Encroachment Type	**Allowed Location**	**Limitations of Encroachment**
Covered Porches, Covered Decks, Covered Patios, Pergolas, and Gazebos	front and corner side yard	• May encroach up to five feet from the applicable elevation of the building and no closer than five feet to the property line, whichever is greater. • May not exceed 30 inches in height above the average finished grade. • May not be screened-in or enclosed.
Cornices, Gutters, Eave Overhangs, and Similar Architectural Projections	any required yard	May encroach up to two feet from the applicable elevation of the building or approved by the Village Manager or Village Engineer per Section 2-104
Driveways	any required yard	• Shall comply with the standards of Section 10-104. • Shall be a minimum of two feet from the interior side property line.
Fences, Walls, and Berms	any required yard	Shall comply with the standards of Section 10-108.
Flagpoles	any required yard	Shall be a minimum of five feet from the property line.
Generators	rear and interior side yard	Shall be a minimum of three feet from any lot line.
Lighting: landscape, building façade, outdoor recreational, and pedestrian	front and corner side yard	Shall comply with the standards of Article 10.
Signs	any required yard	Shall comply with the standards of Article 11.
Parking	As allowed and in accordance with the standards of Section 10-102.	
Uncovered and Unenclosed Steps and Stairs	front and corner side yard	May encroach up to six feet from the applicable elevation of the building and no closer than five feet to the property line, whichever is greater.

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Table 7-106-A. Allowed Encroachments into Required Yard		
Encroachment Type	**Allowed Location**	**Limitations of Encroachment**
Uncovered Porches, Decks, Patios, and similar Features	rear and corner side yard	Shall be a minimum of five feet from the property line.
Permeable Path	Interior side yard	As approved by Village Engineer.

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7-107. Accessory Uses

A. **Accessory Uses Table**. The following shall be used in the interpretation of Table 7-107-A.

1. **Permitted Uses (P)**. Uses which are marked as "P" in the table shall be allowed accessory uses subject to all applicable regulations of this Zoning Code.

2. **Special Uses (S)**. Uses which are marked as "S" in the table shall require approval with a Special Permit as detailed in Section 2-113 prior to establishment.

3. **Prohibited Uses**. A blank space in the table indicates that a use is prohibited.

4. **Uses Not Listed**. A use not specifically listed is prohibited unless, through the Interpretation process established in Section 2-107, it is determined that the use is a part of a general use type as described in Section 7-104-C.

5. **Additional Regulation**. If a use has supplemental standards, they are referenced in the Additional Regulation column. Supplemental standards shall apply to the use, regardless of whether it is a permitted or Special use.

Table 7-107-A: Accessory Uses by Industrial District

Use	Additional Regulation	ICS	I-1	I-2
Attached Accessory Dwelling Unit				
Accessory Structure	7-107-B-1	P	P	P
ATM				
Day Care Nursery				
Drive-Through Facility				
Electric Vehicle Charging Station – Commercial	7-107-B-2	P	P	P
Garden				
Home Based Daycare				
Home Occupation				
Outdoor Display - Permanent	7-107-B-3	S	S	S
Sale of Merchandise – Permanent	7-107-B-3	S	S	S
Outdoor Seating for Eating and Drinking Uses				
Outdoor Storage / Open Lot	7-107-B-4	S	S	S
Solar Energy Collection System, Canopy Mounted	7-107-B-5	P	P	P
Solar Energy Collection System, Ground Mounted	7-107-B-6	P	P	P
Solar Energy Collection System, Roof Mounted	7-107-B-7	P	P	P

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B. **Accessory Use Supplemental Standards**

1. **Accessory Structure.**

a. **Number.**

i. **All Accessory Structures**. The number of all accessory structures on a lot shall not exceed the maximum allowed lot coverage per district as established in Section 7-103.

ii. **Total Number of Accessory Structures.** The total number of all accessory structures shall not exceed one per 3,000 square feet of lot area.

b. **Compatibility.** The exterior of an accessory structure shall be compatible with the principal building in terms of color, exterior building cladding materials, and roof style and materials.

a. **Campers, Recreational Vehicles, Etc. Prohibited For Accessory Use:** Campers, travel trailers and recreational vehicles are not permitted for use as an accessory structure and shall not be connected to utilities or occupied. These vehicles shall not be located in front of a principal structure, nor shall they be stored in any Industrial zoning districts, except when being serviced, repaired, or stored at an approved facility for such purposes.

c. **Dimensional Standards.** Accessory structures shall meet the dimensional standards established in Table 7-107-B-1(c).

Table 7-107-B-1(c). Accessory Building/Structure Dimensional Standards	
Yard Setbacks	
Front, Minimum	Five feet behind front elevation of principal building or shall adhere to the front setback of the district, whichever is greater
Corner Side, Minimum	Five feet behind corner side elevation of principal building or shall adhere to the corner side setback of the district, whichever is greater
Interior Side, Minimum	5 feet
Rear, Minimum	5 feet
Building Standards	
Height, Maximum	15 feet
Building Area, Maximum	1,000 square feet or 20 percent of gross lot area, whichever is greater, however in no instance shall an accessory structure exceed the area of the principal building

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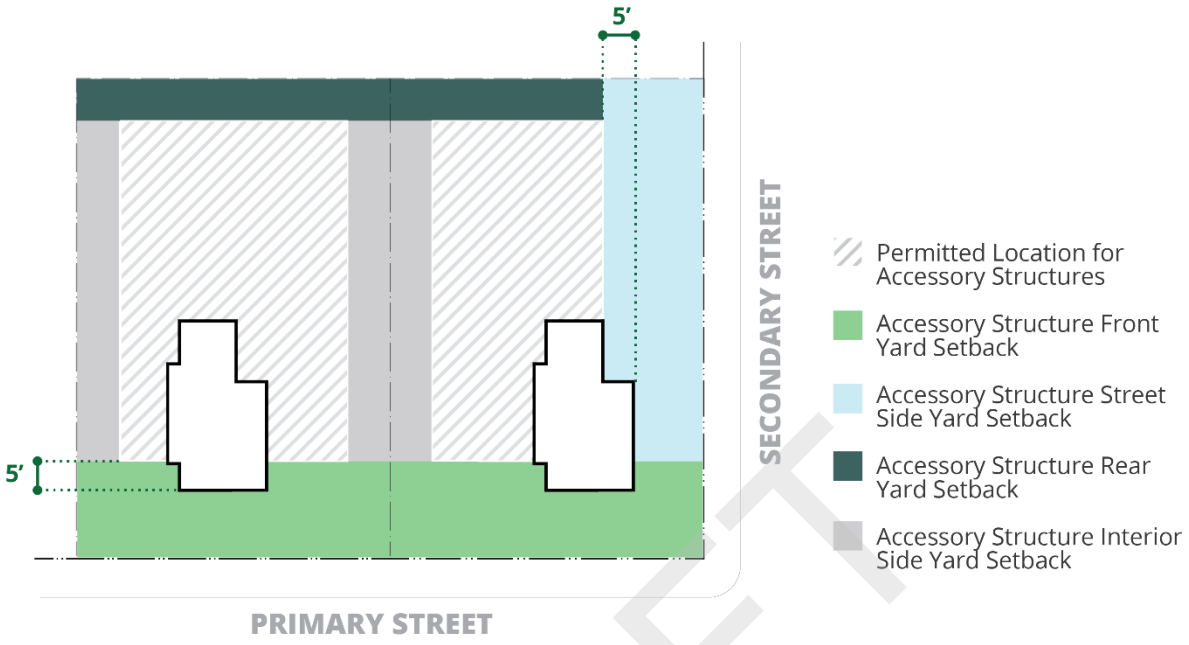

Figure 5 Accessory Structure

2. **Electric Vehicle Charging Station.**

   a. **Equipment**.

      i. Electric Vehicle Charging stations that are accessory to all mixed-use, multifamily, and nonresidential uses shall be a minimum of a level 2 charging capacity.

      ii. Electric vehicle charging station equipment shall be protected by a wheel stop, curb, or bollards.

      iii. All connections of the charging station to electrical utility equipment shall be underground.

      iv. All electric vehicle charging station equipment shall comply with the National Fire Protection Association/National Electrical Code and be approved by the Underwriters Laboratory.

      v. All equipment shall be low-maintenance, durable materials and shall be vandal-proof to the extent possible.

      vi. All equipment shall provide a cord management system that minimizes tripping hazards for pedestrians. Charging cords may not cross sidewalks, walkways, or driveways.

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b. **Design Considerations**.

i. Electric vehicle charging station equipment shall be located in a manner that will not obstruct pedestrian walkways. A minimum of three feet of clear area shall be maintained.

ii. Electric vehicle charging stations shall provide a safe and clearly delineated area for maneuvering around the vehicle for connecting to the equipment.

iii. A sign indicating that the electric vehicle parking is for use while charging only shall be provided.

iv. All charging stations shall be illuminated. Lighting shall comply with the limitations in Section 10-109.

c. **Maintenance**. All electric vehicle charging station equipment shall be maintained in working condition. Equipment that is no longer functional must be decommissioned within 60 days.

3. **Outdoor Display / Sale of Merchandise / Outdoor Seating for Eating and Drinking Uses.**

a. **Principal Use**. Outdoor seating/display shall be allowed accessory to a legally conforming principal use only.

b. **Location**. Accessory outdoor seating/display areas may be located:

i. On a public sidewalk directly in front of the principal use to which the outdoor seating is accessory so long as:

a) A clear pathway at least five feet wide is maintained to allow public pedestrian traffic along the sidewalk and from the sidewalk into the entrance to the establishment. A greater width may be required by the Village Manager to ensure the safe and convenient flow of pedestrian traffic, and

b) A clear separation of at least five feet is maintained from any alley, crosswalk, fire hydrant, or similar public or emergency access feature in or near the sidewalk. A greater clear distance may be required by the Village Manager to ensure use of the public or emergency access features.

ii. In a parking lot so long as:

a) No more than 10 percent of the required parking spaces (per Section 10-102-D) are utilized,

b) The outdoor seating/display area is directly accessible from inside the principal use to which it is accessory, and

c) The outdoor seating/display area is surrounded by a barrier with a minimum height of three feet and maximum height of four feet.

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iii. Within the buildable area of the lot, per Section 7-107-B-1(c).

c. **Noise**. No sound production or reproduction machine or device (including, but not limited to musical instruments, loud-speakers, and sound amplifiers) shall be used, operated, or played in an outdoor seating/display area within 50 feet of a residential use or residentially zoned property.

d. **Hours of Operation**. Hours of operation shall be the same as those for the principal use to which the outdoor seating/display area is accessory.

e. **Furnishings**.

i. Tables, chairs, umbrellas, and other furnishings associated with the outdoor seating/display area shall be of sufficient quality design, materials, and workmanship to ensure the safety and convenience of area occupants and compatibility with adjacent uses.

ii. If located on a public sidewalk, no tables, chairs, umbrellas, or other furnishings or equipment associated with the outdoor seating area shall be attached, chained, or otherwise affixed to any curb, sidewalk, tree, post, sign, or other fixture within the outdoor seating/display area.

f. **License Required.** When located on public property a license agreement shall be obtained from the Village for proof of liability insurance and recorded with Cook County.

4. **Outdoor Storage/Open Lot.**

a. Outdoor storage yards or open lots shall be fully concealed from the right-of-way and adjacent property by the principal building or an opaque wall or fence meeting the standards of Section 10-108.

b. A "C" type buffer, as detailed in Section 10-106-G(2) shall be required along lot lines adjacent to any parcel in the I-1, I-2, OS, C-4, or C-5 districts.

c. A "A" type buffer, as detailed in Section 10-106-G(2), shall be required along lot lines adjacent to any parcel in other districts.

d. Outdoor storage areas or open lots shall be paved in a hard surface material in all districts except I-1 and I-2. For non-vehicular uses in I-1 and vehicular uses in I-2 they shall be paved with an appropriate material that prevents erosion and rutting and manages on-site stormwater, as approved by the Village Engineer.

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5. **Solar Energy Collection System, Canopy Mounted.**

    a. Canopy solar energy collection systems are permitted over any principal or accessory parking lot.

    b. The height of canopy solar energy collection systems shall not exceed the height of the principal building that the parking area serves or 20 feet, whichever is greater.

    c. The minimum height of solar energy collection systems shall allow clearance for emergency and service vehicles.

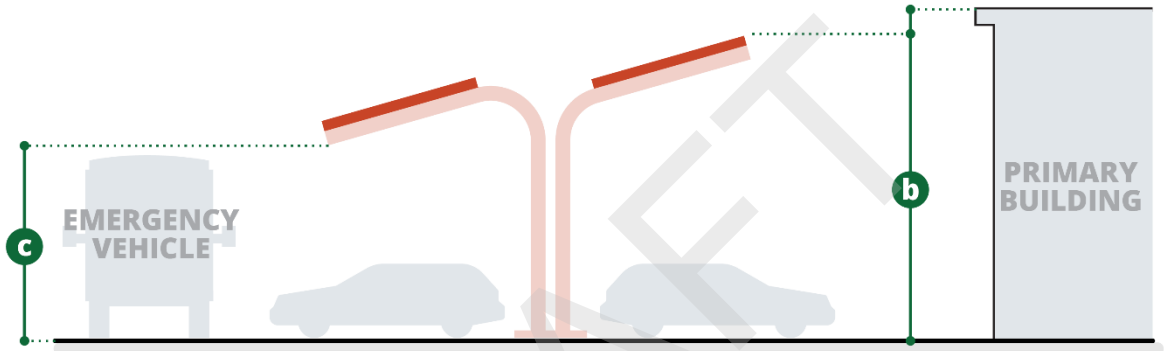

Figure 6 Solar Energy Collection System, Canopy Mounted

6. **Solar Energy Collection System, Ground Mounted.**

    a. Ground-mounted solar energy collection systems shall be permitted in accordance with the principal structure setbacks on the front, street sides, and any applicable accessory structure setbacks.

    b. The maximum height of ground-mounted solar energy collection systems shall be five feet, measured from the grade at the base of the pole to the highest edge of the system.

    c. The minimum clearance between the lowest point of the system and the surface on which the system is mounted shall be 12 inches.

    d. Ground-mounted solar energy collection systems shall be exempt from the impervious surface limits if the ground directly under the solar panel is planted with native plantings and groundcover other than turf grass.

    e. All parts of the freestanding system shall be set back five feet from the side and rear lot lines and shall not be located in an easement.

f. **Sites 1-5 Acres in Area**. In addition to meeting the standards in a-e above, ground mounted solar energy collection systems occupying 1-5 acres in area shall also meet the following requirements:

i. **Decommissioning Required**. Any solar energy use that is not actively in use for 12 consecutive months shall be decommissioned by the operator. The operator shall have six months to fully decommission the use, including all panels, structures, accessories, and appurtenances, shall be entirely removed from the lot.

ii. **Decommissioning Plan**. Prior to receiving approval, the applicant for any solar energy use shall submit a decommissioning plan to ensure that the project is properly decommissioned, which shall include:

a) Procedures for the removal of structures, debris, and cabling, including those below the soil surface,

b) Provisions for the restoration of the natural soil and vegetation, and

c) A provision that the terms of the decommissioning plan shall be binding upon the owner or operator and any of their successors, assigns, or heirs.

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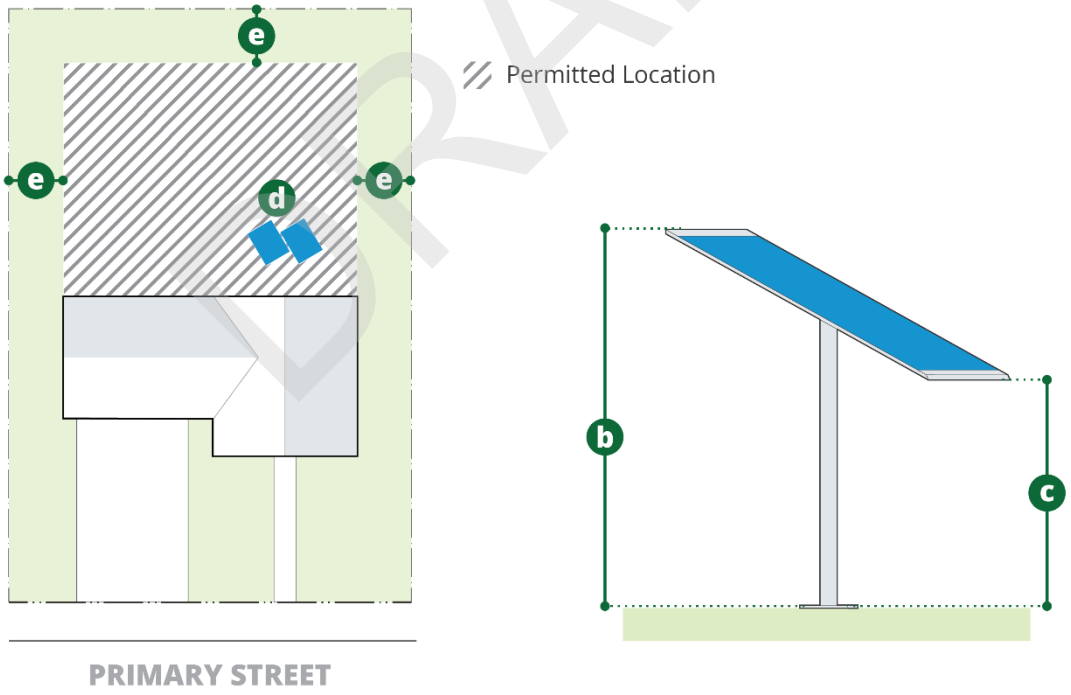

Figure 7 Solar Energy Collection System, Ground Mounted

7. **Solar Energy Collection System, Roof Mounted.**

   a. Roof-mounted solar energy collection systems may be located on any roof face of principal or accessory buildings. Systems should be flush mounted when possible.

   b. Systems on structures 35 feet or less in height shall not extend beyond 12 inches parallel to the roof surface.

   c. Systems on structures greater than 35 feet in height shall not extend beyond 36 inches parallel to the roof surface.

   d. Systems on all structures shall not extend above the highest peak of a pitched roof.

   e. All materials used for racking, mounts, mounting clamps, and flashings shall be of a color consistent with the color of the roof surface to minimize visibility, or black.

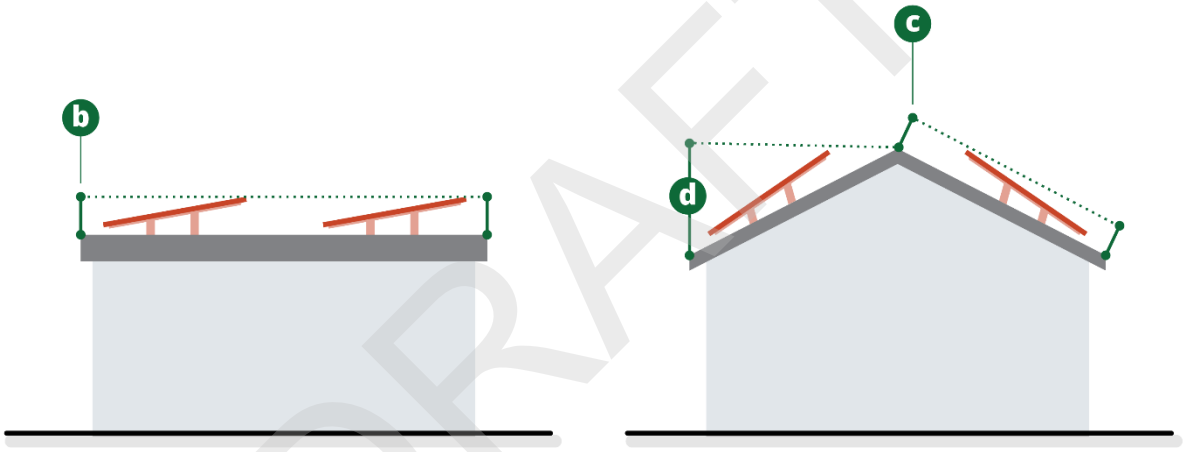

Figure 8 Solar Energy Collection System, Roof Mounted

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7-108. Temporary Uses

A. **Temporary Uses Table**.

1. **Permitted Uses (P)**. Uses which are marked as "P" in the table shall be allowed temporary uses subject to all applicable regulations of this Zoning Code.
2. **Temporary Uses (T)**. Uses which are marked as "T" in the table shall be allowed temporary uses after the approval of a Temporary Use Permit, as detailed in Section 2-110.
3. **Special Uses (S)**. Uses which are marked as "S" in the table shall require approval with a Special Permit as detailed in Section 2-112 prior to establishment.
4. **Prohibited Uses**. A blank space in the table indicates that a use is prohibited.
5. **Uses Not Listed**. A use not specifically listed is prohibited unless, through the Interpretation process established in Section 2-107, it is determined that the use is a part of a general use type as described in Section 7-104-C.
6. **Additional Regulation**. If a use has supplemental standards, they are referenced in the Additional Regulation column. Supplemental standards shall apply to the use, regardless of whether it is a permitted or special use.

Table 7-108-A: Temporary Uses by Industrial District

Use	Additional Regulation	ICS	I-1	I-2
Civic Uses of Public Property				
Contractor Trailer / Temporary Real Estate Sales	7-108-B-1	T	T	T
Farmers Market				
Garage Sales				
Parking of Trailers, Boats, and Other Vehicles				
Portable Outdoor Storage Device	7-108-B-2	T	T	T
Seasonal Sales		T	T	
Tents	7-108-B-3	T	T	T

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B. **Temporary Use Supplemental Standards**.

1. **Contractor Trailer / Temporary Real Estate Sales.**

   a. Contractors' trailers and temporary real estate sales model units are allowed when accessory to a construction project or a new development.

   b. Contractors' trailers and temporary real estate sales model units shall be limited to a period not to exceed the duration of the active construction phase of such project or the active selling and leasing of space in such development.

   c. Contractors' trailers and temporary real estate sales model units shall not contain any sleeping or cooking accommodations, except if located in a model unit.

   d. No such trailer, unit, or office shall be used as the general office or headquarters of any firm.

   e. Contractors' trailers and temporary real estate sales model units shall be located within the buildable setback of the lot where it is located.

2. **Portable Outdoor Storage Device.**

   a. Only one portable outdoor storage device may be located on a lot at a time.

   b. No portable outdoor storage devices shall block any public sidewalk or public/private street right of way or interfere with their use.

   c. The portable outdoor storage device shall not exceed:

      i. Eight feet in width,

      ii. 12 feet in length, and

      iii. Eight feet in height.

   d. The portable outdoor storage device must be located on a hard paved surface approved by the Village Manager.

   e. Every portable outdoor storage device must be locked and secured when not being loaded or unloaded.

3. **Tents.**

   a. No tent shall be allowed to remain for a period of more than four (4) days longer than the period during which the principal or accessory use with which it is associated with is allowed to remain or, in the absence of any such period, ten (10) days.

   b. Unless waived in writing by the Village Manager, every tent shall comply with bulk, yard and space requirements applicable to accessory structures pursuant to Section 7-107-B-1(c).

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Article 8. Institutional and Open Space District Standards

8-101. General Provisions

8-102. Establishment, Purpose, and Intent of Institutional and Open Space Districts

8-103. Dimensional Standards

8-104. General Use Standards

8-105. Principal Uses

8-106. Dimensional Standards Encroachments, Exceptions, and Adjustments

8-107. Accessory Uses

8-108. Temporary Uses

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8-101. General Provisions

A. **Purpose**. The purpose of this Article is to establish the Institutional and Open Space zoning districts of the Village including their purpose, dimensional standards, and allowed encroachments, to:

1. Implement the intent of this Code and the Comprehensive Plan,
2. Allow for orderly development, and
3. Protect natural resources.

B. **Applicability**. The zoning districts established in this Article shall apply to all Institutional and Open Space zoning district (Section 8-102) parcels within the Village of Northbrook as detailed on the Village of Northbrook Zoning Map.

8-102. Establishment, Purpose, and Intent of Institutional and Open Space Districts

Table 8-102 Establishment, Purpose, and Intent of Institutional and Open Space Districts	
District Name	**District Purpose and Intent**
I-B Institutional Building District	The IB Institutional Building district is established to accommodate existing and future public buildings and semi-public buildings having purposes and impacts like public buildings. The district is intended to avoid the problems inherent in treating such buildings as permitted or Special Permit uses in zoning districts characterized by uses and structures bearing no similarity to public and institutional uses and buildings.
OS Open Space District	The OS Open Space district is established to preserve and protect major open space and recreational areas in the Village. The district is intended to apply to all public open space and to major private open spaces such as golf courses and cemeteries. Any use of such spaces inconsistent with their existing, established character shall require rezoning.

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8-103. Dimensional Standards

Table 8-103: Institutional and Open Space District Dimensional Standards		
1 = All Uses	IB	OS
	1	
Lot Standards		
Lot Area, Minimum (sq ft)	85,000	40,000 [1]
Lot Width, Minimum (ft)	300	200 [1]
Lot Depth, Minimum (ft)	200	125
Yard Setbacks		
Front, Minimum (ft)	35	35
Corner Side, Minimum (ft)	35	35
Interior Side, Minimum (ft) [2]	20	20
Rear, Minimum (ft) [2]	20	20
Building Standards		
Height, Maximum (ft)	45	45
Height, Maximum (stories)	4	4
Notes		
[1] Unless Otherwise Specified in Use-Specific Standards		
[2] Standard shall depend on required buffer yards as detailed in Section 10-106.		

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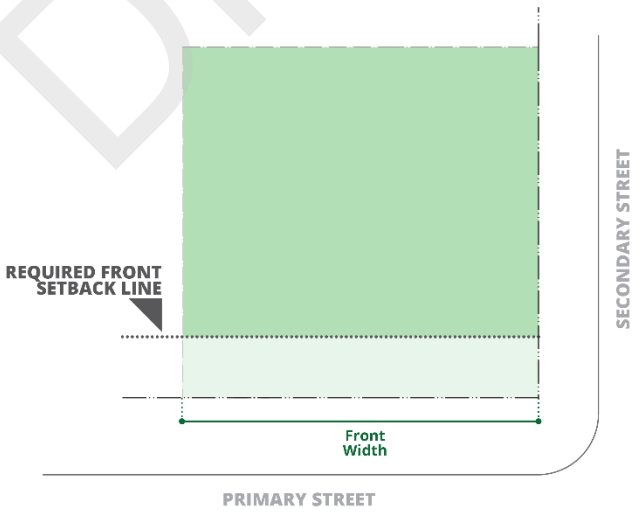

Figure 1 Lot Width

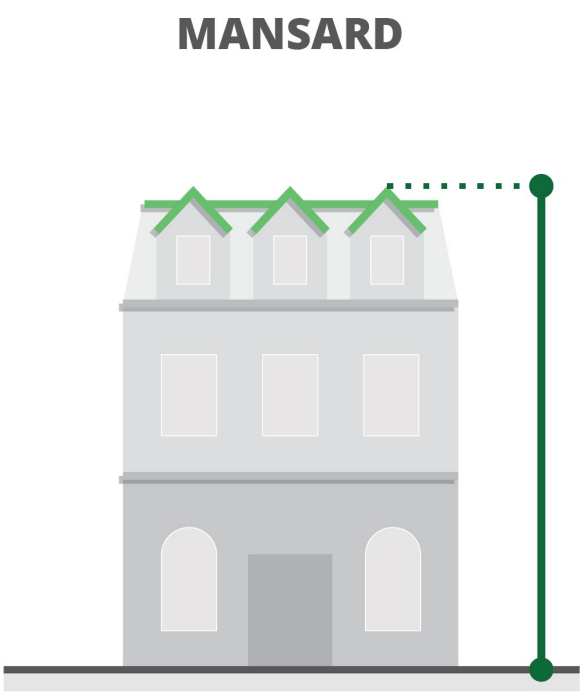

Figure 2 Building Height - Mansard



Figure 3 Building Height - Hip, Gable, Gambrel

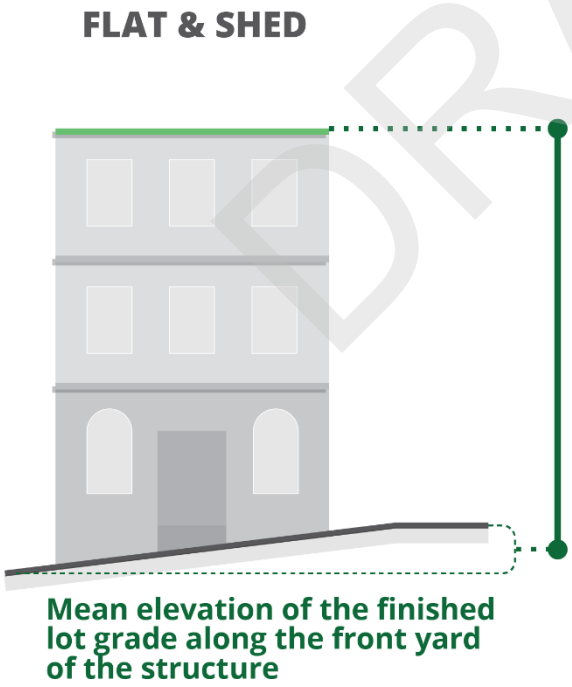

Figure 4 Building Height - Flat, Shed

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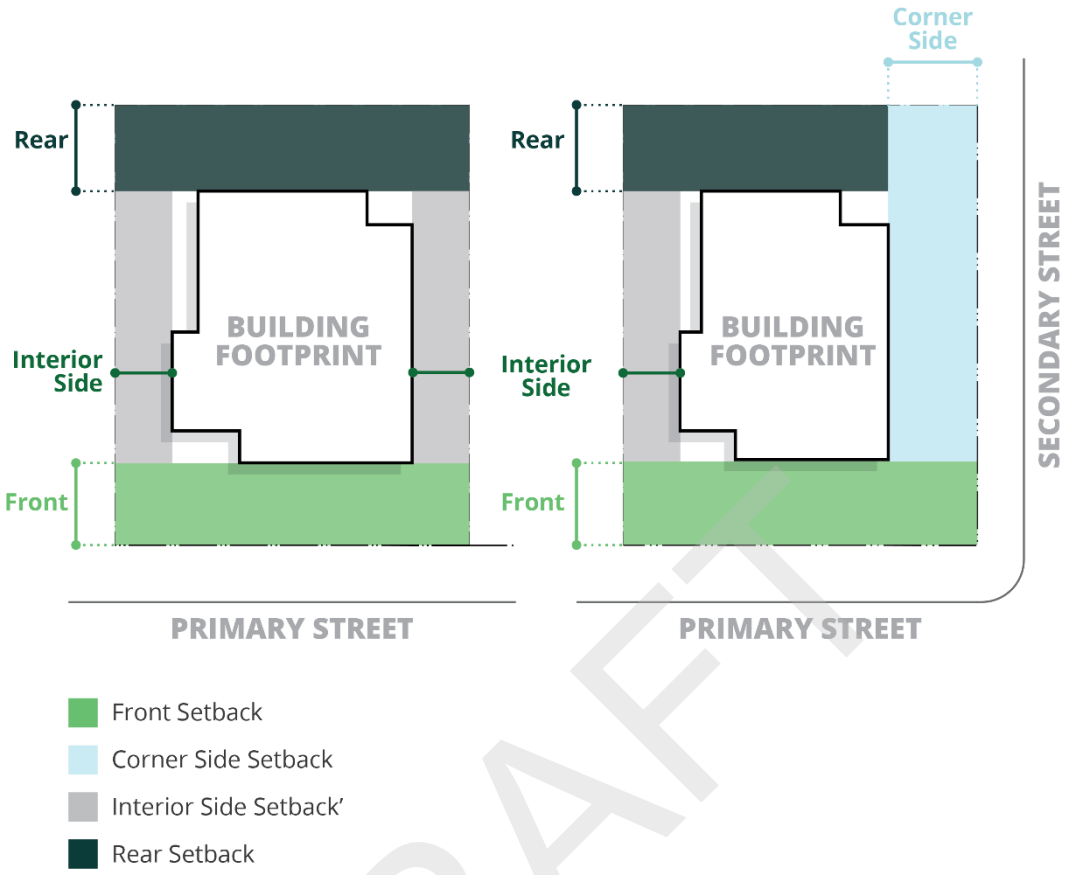

Figure 5 Building Setbacks

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8-104. General Use Standards

A. **Purpose**. The purpose of this Section is to establish the allowed uses in the Institutional and Open Space Districts of the Village including how they are allowed (permitted, special use, etc.) and supplemental standards that must be met for use establishment.

B. **Applicability**. The uses and supplemental use standards established in this Article shall apply to Institutional and Open Space districts of the Village of Northbrook, per the zoning district as detailed on the Village of Northbrook Zoning Map.

C. **General Use Types**. In order to regulate the use of land, general use types have been established. General use types provide a systematic basis for assigning land uses to appropriate categories with other similar uses. General use types classify land uses and activities based on common functional, product or physical characteristics.

1. Characteristics include the type and amount of activity, the hours of operation, the type of customers or residents, how goods or services are sold or delivered, likely impact on surrounding properties and site conditions.

2. Where a general use definition contains a list of example uses, the list is to be considered non-inclusive. Uses shall be categorized through the Interpretation process established in Section 2-107.

D. **Qualified Uses**.

1. **Floor Dependent**.

a. If a use includes “above ground floor only” in the title, it shall be allowed on the second story or higher of a building only.

b. If a use does not include “above ground floor only” in the title, it shall be allowed on all building stories.

2. **Square Footage Dependent**.

a. If a use includes a qualifying statement regarding square footage, such as “less than 2500 sq ft” the total square footage of the building, or tenant space, in which the use may operate shall not exceed what is specified.

b. If a use does not include a qualifying statement regarding square footage, the total square footage of the building in which the use may operate is not restricted, unless otherwise stated in this Code.

3. **Public or Private Designation**.

a. If a use includes “public” in the title, it shall be owned and operated by a governmental entity, non-profit organization, or other non-taxing body.

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b. If a use includes "private" in the title, it shall be owned and operated by a for-profit organization or business.

E. **Principal Uses**.

1. **Allowance**.

a. Principal uses are allowed by district as established in Table 8-105-A Principal Uses.

b. A parcel may contain one or more principal uses or structures. The approval of more than one principal use or structure shall be allowed as follows.

i. **IB District.** By-right approval.

ii. **OS District.** Special Permit required.

c. A development with multiple principal uses shall include only those principal uses designated in Table 8-105-A Principal Uses as allowed in the applicable zoning district, and each principal use shall be subject to all applicable supplemental standards.

2. **Use Categories**.

a. **Residential**. Premises for long-term human habitation by means of ownership or rental, excluding short-term leasing or rental of less than one (1) month.

b. **Public and Institutional**. Premises for organizations dedicated to religion, government, arts and culture, recreation and sports, and other similar areas of public assembly in addition to uses and premises dedicated to education, social service, and health care.

c. **Commercial**. Premises for the commercial sale of merchandise, prepared foods, and food and drink consumption; the transaction of general business and the provision of services; and short-term human habitation, including daily and weekly rental.

d. **Industrial and Vehicle-Related**. Premises for the creation, assemblage, storage, and repair of items including their wholesale or retail sale in addition to uses and premises dedicated to the sale, maintenance, servicing or storage of automobiles or similar vehicles.

e. **Utilities and Infrastructure**. Uses and structures dedicated to transportation, communication, and utilities.

f. **Agriculture and Animal Related**. Premises for growing crops, raising animals, harvesting timber, or harvesting fish and other animals from a farm, ranch or their natural habitat and all related functions in addition to animal care facilities located in commercial settings.

F. **Accessory Uses**. Accessory uses are allowed by district, as established in Table 8-105-A Accessory Uses, but only incidental to a legally established, conforming principal use.

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G. **Temporary Uses**. Temporary uses are allowed by district as established in Table 8-108-A Temporary Uses.

8-105. Principal Uses

A. **Principal Uses Table**. The following shall be used in the interpretation of Table 8-105-A.

1. **Permitted Uses (P)**. Uses which are marked as "P" in the table shall be allowed principal uses subject to all applicable regulations of this Zoning Code.

2. **Special Uses (S)**. Uses which are marked as "S" in the table shall require approval with a Special Permit as detailed in Section 2-113 prior to establishment.

3. **Prohibited Uses**. A blank space in the table indicates that a use is prohibited.

4. **Uses Not Listed**. A use not specifically listed is prohibited unless, through the Interpretation process established in Section 2-107, it is determined that the use is a part of a general use type as described in Section 8-104-C.

5. **Additional Regulation**. If a use has supplemental standards, they are referenced in the Additional Regulation column. Supplemental standards shall apply to the use, regardless of whether it is a permitted or special use.

Table 8-105-A: Principal Uses Allowed by Institutional and Open Space District

Use	Additional Regulation	IB	OS
Residential Uses	Additional Regulation	IB	OS
Dwelling, Cottage Court			
Dwelling, Duplex			
Dwelling, Single-Family Detached			
Dwelling, Townhouse			
Dwelling, Triplex/Quadplex			
Live-Work Unit			
Multi-Unit Building, 13+ Units			
Multi-Unit Building, 5-12 Units			
Multi-Unit Dwelling Complex			
Multi-Unit Dwelling, Above Ground Floor Only			
Senior Living Facility, Dependent			
Senior Living Facility, Independent			
Transitional Service Facilities with up to 9 residents			

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Table 8-105-A: Principal Uses Allowed by Institutional and Open Space District			
Use	**Additional Regulation**	**IB**	**OS**
Transitional Service Facilities with up to 15 residents			
Public and Institutional Uses	*Additional Regulation*	IB	OS
Cemetery			
Day Care	8-105-B-1	S	S
College/University		S	
Hospital		S	
Membership Organizations, 2,500 sq ft or less		S	S
Membership Organizations, More than 2,500 sq ft		S	S
Park		P	P
Place of Worship, 2,500 sq ft or less		S	
Place of Worship, More than 2,500 sq ft		S	
Public Cultural and Community Facilities		S	S
Public Service/Safety Facility		P	
School, Elementary		S	
School, High		S	
School, Middle		S	
School Vocational/Technical		S	
Vacant Land/Vacant Building		S	P
Commercial Uses	*Additional Regulation*	IB	OS
Adult Uses			
Alcohol/Liquor Sales			
Amusement and Recreation Services, 2,500 sq ft or less			
Amusement and Recreation Services, More than 2,500 sq ft			
Bank, Credit Union, Financial Services			
Bar/Tavern			
Cannabis Dispensary, Adult Use			
Cannabis Dispensary, Medical Use			
Coworking Space			

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Table 8-105-A: Principal Uses Allowed by Institutional and Open Space District			
Use	**Additional Regulation**	**IB**	**OS**
Firearms Dealer			
Funeral Home			
General Office			
General Retail			
Golf Course			P
Hotel			
Medical Clinic			
Medical Spa			
Meeting/Event Facility			
Microbrewery/Winery/Distillery With Tasting Room			
One-on-One Educational Services			
One-on-One Personal Fitness Facilities			
Personal Service			
Physical Fitness Facilities, 2,500 sq ft or less			
Physical Fitness Facilities, 2,500 sq ft or more			
Restaurant			
Short-Term Rental			
Tobacco Retail Sale			
Industrial and Vehicle Related Uses	*Additional Regulation*	IB	OS
Artisan Manufacturing			
Brewery/Winery/Distillery			
Car Wash			
Cannabis Cultivation Center			
Cannabis Craft Grower			
Cannabis Infuser			
Cannabis Processor			
Commercial Kitchen			
Contractor Facility			
Crematorium			
Dry Cleaning Facility, Processing On-Site			

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Table 8-105-A: Principal Uses Allowed by Institutional and Open Space District			
Use	**Additional Regulation**	**IB**	**OS**
Building Material, Machinery, and Equipment Sales or Storage			
Fuel Sales			
Industry, Heavy			
Industry, Light			
Materials Salvage Yard/Recycling Operations			
Microbrewery/Winery/Distillery With or Without Tasting Room			
Motor Vehicle Sales/Rental, With Open Sales Lot			
Motor Vehicle Sales/Rental, Without Open Sales Lot			
Off-Street Parking			
Personal / Self Serve Storage			
Trucking Company			
Vehicle Services - Major Repair/Body Work			
Vehicle Services - Minor Maintenance/Repair			
Warehouse, Distribution/Storage			
Wholesale Trade			
Utilities and Infrastructure	*Additional Regulation*	IB	OS
Electrical Substations	8-105-B-2	S	S
Public Utility Facilities	8-105-B-3	S	
Required Detention Facilities		P	P
Transit Facilities			
Wireless Telecommunications Equipment	8-105-B-4	P	P
Wireless Telecommunications Tower	8-105-B-5	S	S
Agriculture and Animal Related	*Additional Regulation*	IB	OS
Animal Production			S
Community Garden		P	P
Crops and Horticulture			P
Indoor Agriculture			

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Table 8-105-A: Principal Uses Allowed by Institutional and Open Space District			
Use	**Additional Regulation**	**IB**	**OS**
Nursery & Garden Center, With Open Sales Lot			
Nursery & Garden Center, Without Open Sales Lot			
Veterinary and Animal Care Services, indoor and outdoor			
Veterinary and Animal Care Services, indoor only			

B. **Principal Use Supplemental Standards.**

1. **Day Care.**

a. **Required Approvals.**

i. No child day care service shall be established without the prior licensing, certification or other approval of every public agency charged with the regulation or supervision of any facet of the activity of the proposed service.

ii. Every application for a Special Permit for a child day care service shall set forth each agency that must approve the establishment or operation of the service and shall be accompanied by a formal acknowledgment of approval from each such agency.

iii. In the event any such approval has been delayed, the application shall set forth the status of each such application, and shall state any facts known to the applicant that might have contributed to the delay of any required approval that has not been obtained as of the time of the filing of the application for a Special Permit.

b. **Supervision.** Every child day care service shall provide qualified supervisory personnel in sufficient numbers to assure the safety, well-being and appropriate behavior of all children enrolled in the service. The Special Permit may establish minimum supervision requirements.

c. **Outdoor Play Area.**

i. Every child day care service shall provide at least 75 square feet of open space per child, exclusive of any open space located in a required front yard,

ii. Open Space shall be completely enclosed by a fence or other suitable barrier sufficient to prevent access by children to neighboring properties or to traffic or other hazards.

iii. An existing fence or barrier on a neighboring property shall not be relied upon to satisfy this requirement.

d. **Recreational Devices.** No recreational device shall be located within 20 feet of any abutting residential property, nor shall a recreational device be located closer to the

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public right of way than the front, or corner side façade of the principal structure on the same lot.

e. **Landscape Buffer.** A Type A Landscape Buffer as specified in Section 10-106 shall be provided along property lines abutting a residential district.

2. **Public Utility/Electrical Substations.** In the Institutional and Open Space Districts Public Utility/Electrical Substations shall comply with the following standards:

   a. **Structure Appearance and Screening.** All buildings and structures either shall have exteriors which give the appearance of a structure permitted in the district where located or shall provide a Type A as specified in Section 10-106 along all interior side or rear property lines.

   b. **Safety Fencing.** All such uses shall be fenced where any hazard to the safety of human or animal life is present.

   c. **Service and Storage Prohibited.** No service or storage yard or building shall be permitted except as permitted for other uses in the district.

3. **Public Utility Facilities.** Lot area of at least 100,000 square feet shall be required.

4. **Wireless Telecommunications Equipment and Wireless Telecommunications Towers**.

   a. **Purpose and Intent**. This subsection creates the framework for the siting of wireless telecommunication facilities in a manner which protects the public health, safety, and general welfare of the community, provides comprehensive service to the community, and implements the Village's policies for said facilities, as detailed below. The provisions of this subsection are in addition to, and do not replace, any obligations an applicant may have under any franchises, licenses, encroachments, or other permits issued by the Village. This section is intended to:

      i. Facilitate the comprehensive provision of wireless telecommunication services to the residents and businesses of the Village of Northbrook.

      ii. Maximize the use of existing and approved telecommunication towers, buildings, and structures for collocation to accommodate new wireless telecommunication antennas in order to minimize the number of telecommunication towers needed to comprehensively serve the community.

      iii. Minimize the number, height, obtrusiveness, and the visual impacts of telecommunications towers, associated equipment, and buildings.

      iv. Direct and allow wireless telecommunication facilities to areas which are least disruptive to residential, park, open space, and greenway uses and to be as unobtrusive and invisible as reasonably possible.

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v. Ensure that the height of telecommunications towers has the least visual impact and is no greater than required to achieve service area requirements and potential co-location.

vi. Site telecommunications towers to minimize locations which are visually solitary or prominent when viewed from residential areas or any public way.

vii. Site telecommunications towers at locations which are obscured by vegetation, tree cover, topographic features, buildings or other structures to the maximum extent feasible.

viii. Protect views of and vistas from architecturally or historically significant structures and historically significant landscapes so that these architectural or historical resources are not impaired or diminished by the placement of telecommunications towers.

ix. Avoid potential damage to adjacent properties from telecommunication towers failure through structural design standards and setback requirements.

b. **General Applicability**. The provisions of this subsection shall apply to the following:

i. Wireless telecommunication facilities (towers and associated equipment) that are or will be operated by a licensed wireless telecommunication service provider which consists of the equipment and structures involved in the receiving or transmitting of electromagnetic waves associated with wireless telecommunication services.

ii. Small wireless telecommunication towers that meet the following characteristics:

a) Each antenna is located inside an enclosure of no more than six cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than six cubic feet;

b) All other wireless equipment associated with the facility is cumulatively no more than 28 cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meter, concealment elements, telecommunications demarcation box, ground-based enclosures, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs for the connection of power and other services; and

c) An antenna array feature that is attached to a telecommunications tower or building to transmit or receive radio waves. For this subsection, this does not include antenna dishes or other antenna features on individual homes or businesses that are intended to receive radio or television broadcasts, or internet communication for said use.

c. **Amateur Radio Exemption**. These provisions neither apply to nor shall be construed to apply to Amateur Radio Operators who are licensed to operate a radio or transmitter by

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the Federal Communications Commission under Part 97 of the Federal Communications Commission's Rules.

d. **Interference with Public Safety Telecommunications**. No new or existing telecommunications service shall interfere with public safety telecommunications. Before the introduction of new service or changes in existing service, telecommunication providers shall notify the Village at least 10 calendar days in advance of such changes and allow the Village to monitor interference levels during the testing process.

e. **Compliance with Other Laws**. A telecommunications tower shall be erected and operated in compliance with the most current Federal Communication Commission and Federal Aviation Administration rules and regulations and other applicable federal and state standards. All telecommunications towers shall comply with all ordinances of the Village which are not in conflict with this subsection.

f. **Wireless Telecommunication Facilities Establishment and Siting Alternatives Analysis**.

i. **Co-location Preference**. The Village shall promote the co-location of wireless telecommunications equipment on existing towers, buildings, or utilities elements. New standalone wireless telecommunication facilities (towers) may only be allowed where co-located of said facilities on existing towers, buildings, or public infrastructure elements is deemed infeasible through a siting alternatives analysis.

ii. **Siting Alternatives Analysis**. For all new, standalone wireless telecommunication towers, the applicant shall provide a siting alternatives analysis to determine whether co-location on existing structures is feasible within the applicant's search ring, including information pertaining to the fair market value of similar contracts – this shall be provided as part of the permitting process and submittal requirements pursuant to Article 2. The siting alternatives analysis shall determine the feasibility of co-locating the new telecommunication facilities/equipment in the following situations. (i) Co-location on existing towers; (ii) Placement on Village-owned Structure or Building; (iii) Placement on Existing Structure or Building; and (iv) Construction of New Tower Structure or Substantial Modification of Existing Structure. The following describes the various co-location situations.

a) **Co-location Standards**. The co-location or placement of new telecommunications antennas upon existing telecommunications towers, light poles, or buildings.

b) **Village-owned Structure or Building**. The utilization of existing Village-owned structures and buildings for placement of antenna and associated equipment or buildings, including surface-mounted and roof-mounted applications of telecommunication antennas on existing buildings and structure-mounted applications of telecommunication antennas on water towers, electric line transmission towers, or other existing structures.

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c) **Existing Structure or Building Utilization**. The utilization of all other existing structures and buildings for placement of antenna and associated equipment or buildings, including surface mounted and roof-mounted applications of telecommunication antennas on existing buildings and structure-mounted applications of telecommunication antennas on existing structures.

iii. **Consulting Option**. As part of the review procedures, the Village Manager shall determine the sufficiency of the information. The Village may choose to hire an outside consultant to conduct a third-party review of the siting alternatives analysis in the following situations: (i) where there are disputes of the findings between the applicant and the Village Manager and/or (ii) where expert consultation is deemed necessary to reach conclusions of the analysis. Where the Village utilizes a consultant in its application review, the fee for such services shall be fixed in advance as part of the application fee for a new telecommunications facility.

g. **Telecommunication Tower and Antenna Array Design Standards**. The following design standards apply to new telecommunication towers and associated antenna array facilities. These standards do not apply to co-location activities on existing towers, buildings, or public infrastructure elements.

i. **Height**. The maximum height of a telecommunications tower, including antenna array, shall be less than 125 feet above grade; whereas, Small Wireless Telecommunications towers shall be limited to 50 feet above grade.

ii. **Location**. Telecommunication towers and antenna arrays shall not be located within 300 feet of an existing or future thoroughfare, as identified in the regional Transportation Improvements Plan as adopted.

iii. **Setbacks Required**. Telecommunication towers, including antenna array shall be setback at least one-hundred twenty-five (125) percent of the height of the tower from any lot line or a distance equal to their engineered fall zone at a minimum, whichever is greater.

iv. **Guys and Guy Anchors**. All guys and guy anchors shall be located within the buildable area of the lot and shall not be located within any required setback, required landscape area, wetland feature, and watercourse riparian buffer.

v. **Security Fencing**. Securing fencing shall surround the telecommunications tower base, all guy anchors, and equipment. The compound area and all guy anchors shall be secured with a fence of not less than 6 feet in height nor more than 10 feet in height. A security wire (barbed, razor, etc.) may be located on the telecommunications tower-side of the fence but shall not extend above the top of the fence. The type of fence selected shall, in the determination of the Village Manager, be compatible with development in the surrounding area. A chain link fence, if used, shall be black vinyl coated.

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vi. **Structural Design**. A telecommunications tower shall be designed and built so as to:

a) Be capable of use by at least two wireless communications providers for a telecommunications tower less than 80 feet in height;

b) Be capable of use by three or more wireless communications providers for a telecommunications tower of 80 feet in height or greater;

c) Accommodate antenna arrays consisting of 9 to 12 antennas for each array, provided, however, this regulation shall not apply to slick antenna applications;

d) Locate such antenna arrays within 15 vertical feet of each other;

e) Have no more than 3 degrees of twist and sway at the top elevation;

f) Provide internal cable routing for all tapering monopole telecommunication towers; and

g) Meet or exceed associated State and Federal structural standards relating to telecommunication standards (e.g., EIA-222)

vii. **Signs Prohibition**. No lettering, symbols, images, trademarks, signs, or advertising shall be placed on or affixed to any part of a telecommunications tower, antenna array or antenna, other than as required by Federal Communications Commission regulations regarding tower registration or other applicable law.

viii. **Lights**. No signals, lights or other illumination shall be permitted on telecommunications towers unless required by the Federal Communications Commission, the Federal Aviation Administration, or the Village.

ix. **Engineering Compliance for Modifications**. If any additions, changes or modifications are to be made to a telecommunications tower, the Village Manager may require proof, through the submission of engineering and structural data, that the addition, change or modification conforms to structural wind load and all other requirements of the Village's Building Code.

h. **Separation and Location.**

i. **New Wireless Telecommunication Towers**. New telecommunication towers are subject to the following minimum separation radius from another telecommunications tower - in determining the required separation between telecommunication towers of different heights, the required separation for the taller tower shall apply.

a) Quarter mile radius for proposed telecommunications towers less than 80 feet in height;

b) Half mile radius for proposed telecommunications towers of 80 feet in height or greater but less than 120 feet in height; or

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c) One-mile radius for proposed telecommunications towers 120 feet in height or greater.

ii. **Small Wireless Telecommunication Towers**. New small wireless telecommunication towers are subject to the following minimum separation radius from another telecommunications tower, measured from the bases.

a) **For the same wireless telecommunication provider**. Each new small wireless telecommunication facility shall not be located such that the anticipated coverage ring of the small wireless telecommunication facility substantially overlaps the coverage ring of any other wireless telecommunication facility. Substantial overlap shall be defined as more than 10% overlap between the anticipated coverage ring of a new small wireless telecommunication facility and the coverage ring of other existing facilities of the same provider.

(i) Coverage ring shall be defined as the approximate area of coverage that each small wireless telecommunication facility is able to provide; or in the case of new small wireless telecommunication facilities, the approximate area the small wireless telecommunication facility is anticipated to provide.

(ii) Coverage is defined as the area in which a person or entity can establish an electronic connection with the small wireless telecommunication facility.

b) **For different wireless telecommunication providers**. Each new small wireless telecommunication facility of different providers shall not be located within three hundred 300 feet of another small wireless telecommunication facility unless the applicant can show that locating the small wireless telecommunication facility within the prescribed distance is necessary.

iii. **Deviations**. As part of a Special Permit review, the Village may authorize deviations from these separation standards due to special circumstances relating to natural features, scarcity of available land, and telecommunications operating standards.

i. **Wireless Telecommunications Antennas Mounted on Existing Buildings or Structures**. The following design standards apply to antennas associated with wireless communication operations that are mounted on existing buildings and structures.

i. **Roof-Mount Elements**. Roof-mounted wireless telecommunications antennas are permitted on buildings and structures in all districts. Such features shall meet the height standards of the governing district and shall be no taller than the existing building. Said elements shall be subject to the following standards.

a) Whip telecommunication/antenna features (an antenna which transmits signals in 360 degrees) shall be no closer than 15 feet to the perimeter of the building.

b) The telecommunications antenna and associated equipment located on buildings shall be screened in elevation view with enclosures or façades having

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an appearance that blends with the building on which they are located; and be located so they are not overtly visible from an adjacent public right of way.

ii. **Surface-Mount Elements**. Surface mounted telecommunications antennas (an antenna attached to a building exterior wall) are permitted on buildings or structures in Institutional and Open Space Districts and subject to the following standards.

a) Telecommunications/antenna features shall be mounted flush with the exterior of the building or structure so that it projects no more than 30 inches from the surface to which it is attached.

b) The telecommunications/ antenna appearance shall blend with the surrounding surface of the building or structure in terms of color and materials.

c) Surface-mount elements are subject to applicable design standards in National Register listed properties and historic districts, Local historic districts, and locally designated historic landmarks.

iii. **Elements Attached to Other Existing Structures**. Telecommunications antennas are permitted on existing utility, lighting, telecommunications towers, and other structures Institutional and Open Space Districts and subject to the following standards.

a) Existing utility, lighting, telecommunications towers, and other structures used to affix telecommunication/ antenna features shall not exceed 150 feet in height above grade.

b) The telecommunications antenna shall not exceed the height of the existing structure by more than 10 feet for a non-whip antenna or 15 feet for a whip antenna.

c) Existing structures may be rebuilt/ modified to support the load of the new telecommunications antenna, subject to the Village's building permitting standards.

iv. Existing structure mounted elements are subject to applicable design standards in National Register listed properties and historic districts, local historic districts, and locally designated historic landmarks.

v. **Separation Standards**. Telecommunications antennas and associated features located on existing buildings or structures are not subject to the separation requirements stated above.

vi. **Photo Simulation Requirements**. As part of the application process, applicants shall provide photo simulations showing the site of the existing structure with a photo realistic representation of the proposed telecommunications antenna and the existing structure or any proposed reconstruction of the structure as it would appear viewed from the closest R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, RS, MFRC, RLC, or VGRC

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District and from adjacent public right of way. The applicant shall also submit photographs of the same views as in the photo simulations showing the current appearance of the site without the proposed telecommunications antenna.

j. **Abandonment and Removal of Telecommunications Towers, Antenna Arrays, and Associated Equipment**. The following standards apply to all telecommunication features and their associated elements – these standards ensure inoperable features are removed, whereas habitable buildings are exempt from these requirements.

i. **Abandonment**. Telecommunications towers, antenna arrays, and associated equipment which have not been used for a period of 1 year shall be deemed abandoned and shall be removed from the site.

ii. **Notice Required**. The owner of the telecommunications tower and the last service provider to use a telecommunications tower shall notify the Village Manager within 30 days that use of a telecommunications tower has been discontinued.

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8-106. Dimensional Standards Encroachments, Exceptions, and Adjustments

A. **Allowed Encroachments into Required Yards**.

Table 8-106-A. Allowed Encroachments into Required Yard

Encroachment Type	Allowed Location	Limitations of Encroachment
Air Conditioning Units	rear and interior side yard	Shall be a minimum of three feet from any lot line.
Antennae	rear and interior side yard	Shall be a minimum of three feet from any lot line.
Accessibility Ramps and Fire Escapes required by the Illinois State Building Code	any required yard	Shall be a minimum of three feet from the property line unless otherwise approved by the Village Manager as a Administrative Adjustments per Section 2-104.
Basketball equipment	any required yard	A maximum of one per front yard shall be allowed. Shall be a minimum of five feet from side lot lines and ten feet from a front lot line.
Bay Windows and Balconies	front and corner side yard	Shall extend no more than five feet from the applicable elevation of the building and at least five feet from the property line. May not have any foundation or footing and may only project from a façade.
	interior side and rear yard	Shall be a minimum of three feet from the applicable building elevation. May not have any foundation or footing and may only project from a façade.
Clothesline	rear yard	Shall be a minimum of three feet from any lot line.
Compost bin	rear yard	Shall be a minimum of three feet from any lot line.

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Table 8-106-A. Allowed Encroachments into Required Yard		
Encroachment Type	**Allowed Location**	**Limitations of Encroachment**
Covered Porches, Covered Decks, Covered Patios, Pergolas, and Gazebos	front and corner side yard	• May encroach up to five feet from the applicable elevation of the building and no closer than five feet to the property line, whichever is greater. • May not exceed 30 inches in height above the average finished grade. • May not be screened-in or enclosed.
Cornices, Gutters, Eave Overhangs, and Similar Architectural Projections	any required yard	May encroach up to two feet from the applicable elevation of the building or approved by the Village Manager or Village Engineer per Section 2-104.
Driveways	any required yard	• Shall comply with the standards of Section 10-108. • Shall be a minimum of two feet from the interior side property line.
Fences, Walls, and Berms	any required yard	Shall comply with the standards of Section 10-108.
Flagpoles	any required yard	Shall be a minimum of five feet from the property line.
Generators	rear and interior side yard	Shall be a minimum of three feet from any lot line.
Lighting: landscape, building façade, outdoor recreational, and pedestrian	front and corner side yard	Shall comply with the standards of Article 10.
Signs	any required yard	Shall comply with the standards of Article 11.
Statuary and garden feature	any required yard	Shall comply with the standards of Section 10-106.
Parking	As allowed and in accordance with the standards of Section 10-102.	

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Table 8-106-A. Allowed Encroachments into Required Yard		
Encroachment Type	**Allowed Location**	**Limitations of Encroachment**
Uncovered and Unenclosed Steps and Stairs	front and corner side yard	May encroach up to six feet from the applicable elevation of the building and no closer than five feet to the property line, whichever is greater.
Uncovered Porches, Decks, Patios, and similar Features	rear and corner side yard	Shall be a minimum of five feet from the property line.
Permeable Path	Interior side yard	As approved by Village Engineer.

B. **Allowed Height Exceptions.** Buildings purpose built for Place of Worship uses may have a maximum height of 55 feet and may include spires and minarets with a maximum height of 70 feet.

8-107. Accessory Uses

A. **Accessory Uses Table**. The following shall be used in the interpretation of Table 8-107-A.

1. **Permitted Uses (P)**. Uses which are marked as "P" in the table shall be allowed accessory uses subject to all applicable regulations of this Zoning Code.
2. **Special Uses (S)**. Uses which are marked as "S" in the table shall require approval with a Special Permit as detailed in Section 2-113 prior to establishment.
3. **Prohibited Uses**. A blank space in the table indicates that a use is prohibited.
4. **Uses Not Listed**. A use not specifically listed is prohibited unless, through the Interpretation process established in Section 2-107, it is determined that the use is a part of a general use type as described in Section 8-104-C.
5. **Additional Regulation**. If a use has supplemental standards, they are referenced in the Additional Regulation column. Supplemental standards shall apply to the use, regardless of whether it is a permitted or Special use.

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Table 8-107-A: Accessory Uses allowed by Institutional and Open Space District			
Use	**Additional Regulation**	**IB**	**OS**
Attached Accessory Dwelling Unit			
Accessory Structure	8-107-B-1	P	P
ATM		P	
Day Care Nursery			
Drive-Through Facility			
Electric Vehicle Charging Station – Commercial	8-107-B-2	P	P
Garden		P	P
Home Based Daycare			
Home Occupation			
Outdoor Display - Permanent			
Sale of Merchandise – Permanent			
Outdoor Seating for Eating and Drinking Uses			
Outdoor Storage / Open Lot			
Solar Energy Collection System, Canopy Mounted	8-107-B-3	P	P
Solar Energy Collection System, Ground Mounted	8-107-B-4	P	P
Solar Energy Collection System, Roof Mounted	8-107-B-5	P	P

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B. **Accessory Use Supplemental Standards.**

1. **Accessory Structure.**

a. **Number.**

i. **All Accessory Structures**. The number of all accessory structures on a lot shall not exceed the maximum allowed lot coverage per district as established in Section 8-103.

ii. **Total Number of Accessory Structures.** The total number of all accessory structures shall not exceed one per 3,000 square feet of lot area.

b. **Compatibility.** The exterior of an accessory structure shall be compatible with the principal building in terms of color, exterior building cladding materials, and roof style and materials.

c. **Campers, Recreational Vehicles, Etc. Prohibited For Accessory Use:** Campers, travel trailers and recreational vehicles shall not be permitted as an accessory structure in the IB and OS districts. These vehicles shall not be connected to utilities, occupied, or located in front of a principal structure within these districts.

d. **Dimensional Standards.** Accessory structures shall meet the dimensional standards established in Table 8-107-B(d).

Table 8-107-B(d). Accessory Building/Structure Dimensional Standards	
Yard Setbacks	
Front, Minimum	Five feet behind front elevation of principal building or shall adhere to the front setback of the district, whichever is greater
Corner Side, Minimum	Five feet behind corner side elevation of principal building or shall adhere to the corner side setback of the district, whichever is greater
Interior Side, Minimum	5 feet
Rear, Minimum	5 feet
Building Standards	
Height, Maximum	15 feet
Building Area, Maximum	1,000 square feet or 20 percent of gross lot area, whichever is greater, however in no instance shall an accessory structure exceed the area of the principal building

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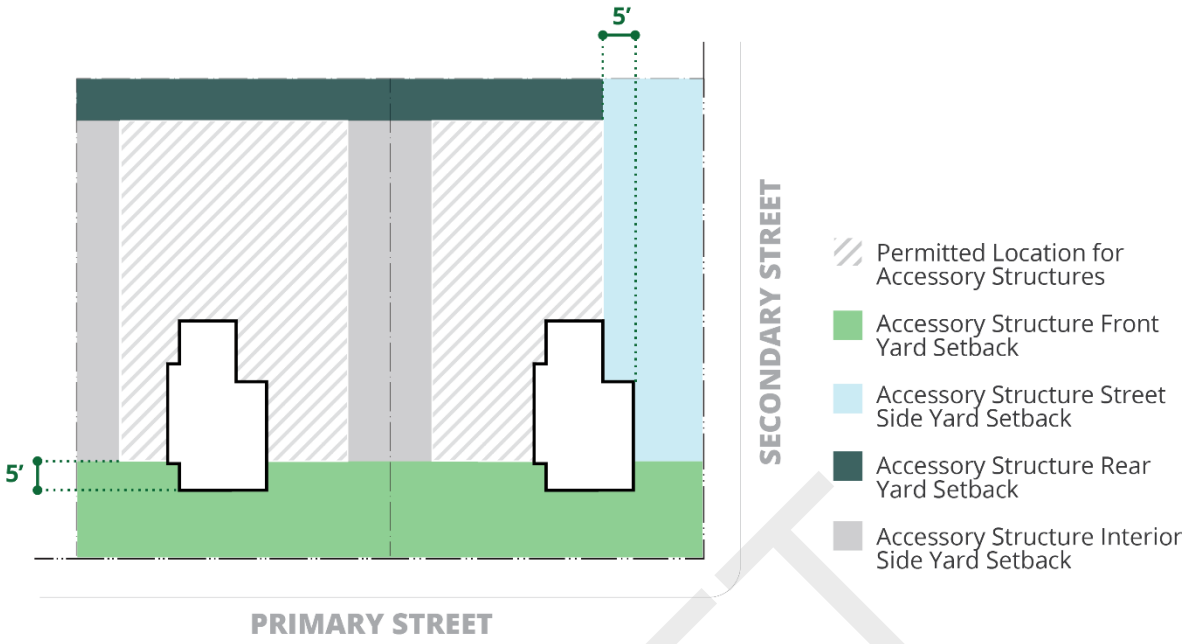

Figure 6 Accessory Structure

2. **Electric Vehicle Charging Station.**

   a. **Equipment**.

      i. Electric Vehicle Charging stations that are accessory to all mixed-use, multifamily, and nonresidential uses shall be a minimum of a level 2 charging capacity.

      ii. Electric vehicle charging station equipment shall be protected by a wheel stop, curb, or bollards.

      iii. All connections of the charging station to electrical utility equipment shall be underground.

      iv. All electric vehicle charging station equipment shall comply with the National Fire Protection Association/National Electrical Code and be approved by the Underwriters Laboratory.

      v. All equipment shall be low-maintenance, durable materials and shall be vandal-proof to the extent possible.

      vi. All equipment shall provide a cord management system that minimizes tripping hazards for pedestrians. Charging cords may not cross sidewalks, walkways, or driveways.

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b. **Design Considerations**.

i. Electric vehicle charging station equipment shall be located in a manner that will not obstruct pedestrian walkways. A minimum of three feet of clear area shall be maintained.

ii. Electric vehicle charging stations shall provide a safe and clearly delineated area for maneuvering around the vehicle for connecting to the equipment.

iii. A sign indicating that the electric vehicle parking is for use while charging only shall be provided.

iv. All charging stations shall be illuminated. Lighting shall comply with the limitations in Section 10-109.

c. **Maintenance**. All electric vehicle charging station equipment shall be maintained in working condition. Equipment that is no longer functional must be decommissioned within 60 days.

3. **Solar Energy Collection System, Canopy Mounted.**

a. Canopy solar energy collection systems are permitted over any principal or accessory parking lot.

b. The height of canopy solar energy collection systems shall not exceed the height of the principal building that the parking area serves or 20 feet, whichever is greater.

c. The minimum height of solar energy collection systems shall allow clearance for emergency and service vehicles.

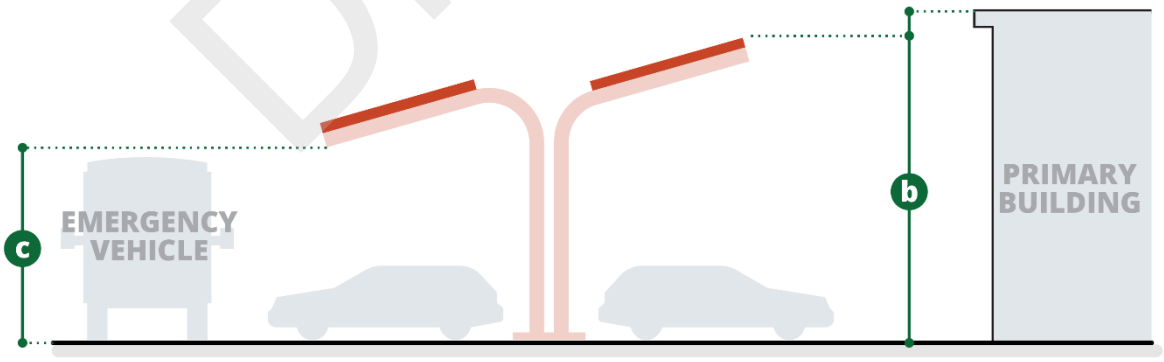

Figure 7 Solar Energy Collection System, Canopy Mounted

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4. **Solar Energy Collection System, Ground Mounted.**

   a. Ground-mounted solar energy collection systems shall be permitted in accordance with the principal structure setbacks on the front, street sides, and any applicable accessory structure setbacks.

   b. The maximum height of ground-mounted solar energy collection systems shall be five feet, measured from the grade at the base of the pole to the highest edge of the system.

   c. The minimum clearance between the lowest point of the system and the surface on which the system is mounted shall be 12 inches.

   d. Ground-mounted solar energy collection systems shall be exempt from the impervious surface limits if the ground directly under the solar panel is planted with native plantings and groundcover other than turf grass.

   e. All parts of the freestanding system shall be set back five feet from the side and rear lot lines and shall not be located in an easement.

   f. **Sites 1-5 Acres in Area**. In addition to meeting the standards in a-e above, ground mounted solar energy collection systems occupying 1-5 acres in area shall also meet the following requirements:

      i. **Decommissioning Required**. Any solar energy use that is not actively in use for 12 consecutive months shall be decommissioned by the operator. The operator shall have six months to fully decommission the use, including all panels, structures, accessories, and appurtenances, shall be entirely removed from the lot.

      ii. **Decommissioning Plan**. Prior to receiving approval, the applicant for any solar energy use shall submit a decommissioning plan to ensure that the project is properly decommissioned, which shall include:

         a) Procedures for the removal of structures, debris, and cabling, including those below the soil surface,

         b) Provisions for the restoration of the natural soil and vegetation, and

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c) A provision that the terms of the decommissioning plan shall be binding upon the owner or operator and any of their successors, assigns, or heirs.

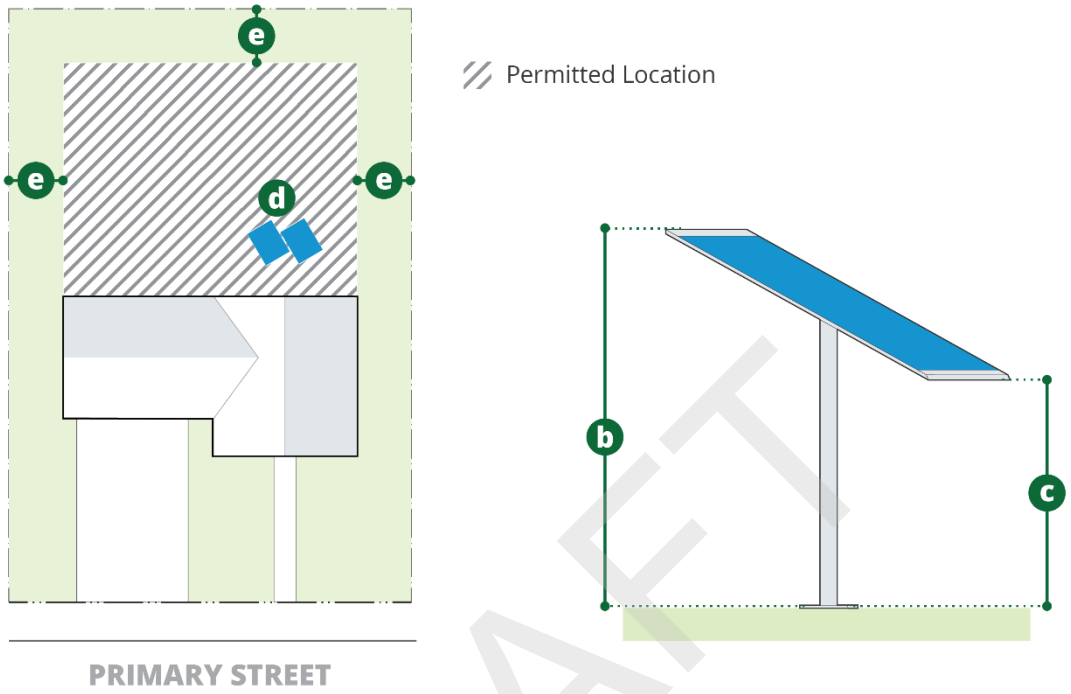

Figure 8 Solar Energy Collection System, Ground Mounted

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5. **Solar Energy Collection System, Roof Mounted.**

   a. Roof-mounted solar energy collection systems may be located on any roof face of principal or accessory buildings. Systems should be flush mounted when possible.

   b. Systems on structures 35 feet or less in height shall not extend beyond 12 inches parallel to the roof surface.

   c. Systems on structures greater than 35 feet in height shall not extend beyond 36 inches parallel to the roof surface.

   d. Systems on all structures shall not extend above the highest peak of a pitched roof.

   e. All materials used for racking, mounts, mounting clamps, and flashings shall be of a color consistent with the color of the roof surface to minimize visibility, or black.

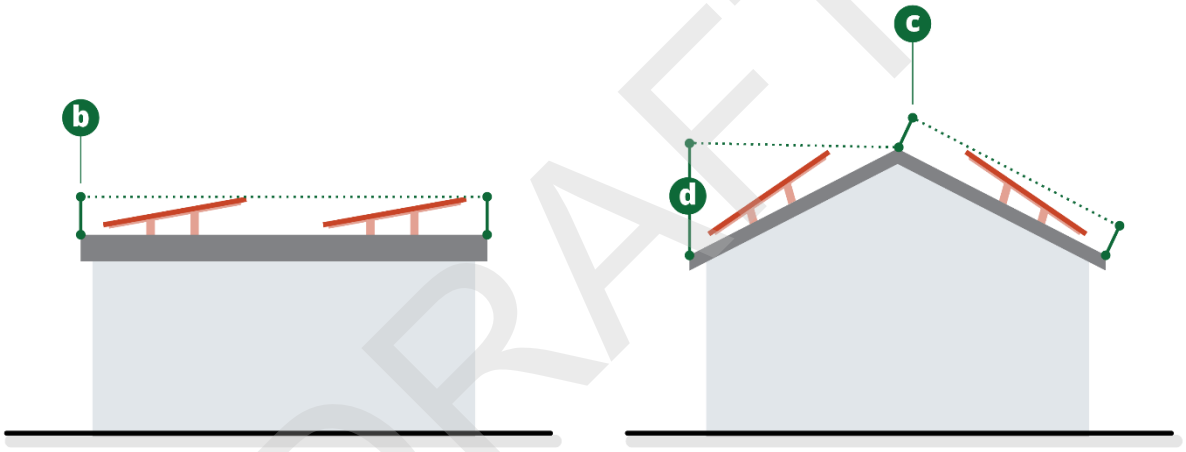

Figure 9 Solar Energy Collection System, Roof Mounted

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8-108. Temporary Uses

A. **Temporary Uses Table**.

1. **Permitted Uses (P)**. Uses which are marked as "P" in the table shall be allowed temporary uses subject to all applicable regulations of this Zoning Code.

2. **Temporary Uses (T)**. Uses which are marked as "T" in the table shall be allowed temporary uses after the approval of a Temporary Use Permit, as detailed in Section 2-110.

3. **Special Uses (S)**. Uses which are marked as "S" in the table shall require approval with a Special Permit as detailed in Section 2-113 prior to establishment.

4. **Prohibited Uses**. A blank space in the table indicates that a use is prohibited.

5. **Uses Not Listed**. A use not specifically listed is prohibited unless, through the Interpretation process established in Section 2-107, it is determined that the use is a part of a general use type as described in Section 8-104-C.

6. **Additional Regulation**. If a use has supplemental standards, they are referenced in the Additional Regulation column. Supplemental standards shall apply to the use, regardless of whether it is a permitted or special use.

Table 8-108-A: Temporary Uses Allowed by Institutional and Open Space District

Use	Additional Regulation	IB	OS
Contractor Trailer / Temporary Real Estate Sales	8-108-B-1	T	T
Farmers Market		T	
Garage Sales			
Parking of Trailers, Boats, and Other Vehicles			
Portable Outdoor Storage Device	8-108-B-2	T	T
Seasonal Sales			
Tents	8-108-B-3	T	T

B. **Temporary Supplemental Use Standards**

1. **Contractor Trailer / Temporary Real Estate Sales.**

a. Contractors' trailers and temporary real estate sales model units are allowed when accessory to a construction project or a new development.

b. Contractors' trailers and temporary real estate sales model units shall be limited to a period not to exceed the duration of the active construction phase of such project or the active selling and leasing of space in such development.

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c. Contractors' trailers and temporary real estate sales model units shall not contain any sleeping or cooking accommodations, except if located in a model unit.

d. No such trailer, unit, or office shall be used as the general office or headquarters of any firm.

e. Contractors' trailers and temporary real estate sales model units shall be located within the buildable setback of the lot where it is located.

2. **Portable Outdoor Storage Device.**

a. Only one portable outdoor storage device may be located on a lot at a time.

b. No portable outdoor storage devices shall block any public sidewalk or public/private street or right of way or interfere with their use.

c. The portable outdoor storage device shall not exceed:

i. Eight feet in width,

ii. 12 feet in length, and

iii. Eight feet in height.

d. The portable outdoor storage device must be located on a hard paved surface approved by the Village Manager.

e. Every portable outdoor storage device must be locked and secured when not being loaded or unloaded.

3. **Tents.**

a. No tent shall be allowed to remain for a period of more than four (4) days longer than the period during which the principal or accessory use with which it is associated with is allowed to remain or, in the absence of any such period, ten (10) days.

b. Unless waived in writing by the Village Manager, every tent shall comply with bulk, yard and space requirements applicable to accessory structures pursuant to Section 8-107-B(d).

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Article 9. Overlay District Standards

9-101. General Provisions

9-102. Establishment of Overlay Districts

9-103. Techny Overlay

9-104. VG-O Village Green Overlay

9-105. Flood Hazard Overlay

9-101. General Provisions

A. **Purpose**. The purpose of this Article is to establish the overlay districts of the Village.

B. **Applicability**. The zoning districts established in this Article shall apply to all overlay zoning district parcels within the Village of Northbrook as detailed on the Village of Northbrook Zoning Map.

9-102. Establishment of Overlay Districts

A. **Overlay Districts**. An overlay district prescribes an additional set of standards for regulations on properties in a defined geographic area within one or more underlying base district. The standards of the overlay district shall supersede the standards of all other applicable district types.

Table 9-102-A Overlay Districts

District Name	District Purpose and Intent
Techny Overlay	The Techny Overlay District has been created to accommodate the development of a large tract of vacant land located at the southeast corner of the Village that compromises a portion of the larger tract known as the Techny Property. The Techny Property, and particularly the portion included within the Techny Overlay District, offers characteristics and circumstances affecting development that are unique to the Village as follows. • Its size and relative isolation from other areas of the Village and the fact that its

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Table 9-102-A Overlay Districts	
District Name	**District Purpose and Intent**
	full development could require half a century or more create the need for more flexible zoning restrictions than are appropriate in more built-up areas of the Village. • These same factors also present greater opportunities for creative land use planning and development. At the same time, however, there is a need to provide a framework of general development regulations that will assure that the ultimate development of this vast area will blend comfortably with the existing scale and character of the Village. • Particular attention is needed along the periphery of the Techny Property where it abuts existing development in the Village and other communities. This area has been zoned into conventional residential and institutional districts to provide a transition between areas of existing development and the Techny Overlay District. • Special attention is also needed along the major arterial streets from which the Techny Property's character will be most readily perceived. • The purpose of the Techny Overlay District is to accommodate, in the core of the Techny Property, this special need for flexibility within a general framework of regulations structured to provide appropriate assurances of community compatibility.
Village Green Overlay	The VG-O Village Green Overlay District is established to promote conservation and compatible redevelopment in the downtown area of the Village and preserve its distinctive character and design. The preservation and appropriate development of the downtown

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Table 9-102-A Overlay Districts	
District Name	**District Purpose and Intent**
	area requires rules and regulations specifically addressing its distinctive characteristics. The Village Green Overlay District has been created and shall be mapped on the Zoning Map in furtherance of the following public purposes: • **Special Character.** To protect, enhance, perpetuate, and use improvements and areas of special character or special historic and aesthetic interest or value which represent or reflect elements of the Village's history or distinction. • **Local Atmosphere.** To maintain the local "small town" atmosphere of the downtown area. • **Compatibility.** To insure compatibility of new development with the existing characteristics of the Village Green Overlay District. • **Attractiveness.** To protect and enhance the Village's attractiveness to visitors and the support and stimulus to local business provided thereby. • **Strong Economy.** To strengthen the economy of the Village. • **Promote Only Compatible Redevelopment.** To promote the careful and considered redevelopment of business areas in the Village Green Overlay District.
Flood Hazard Overlay	The Flood Hazard Overlay District is intended to promote the orderly development of land and water resources, diminish threats to public health and safety caused by floodwaters, protect new buildings and major improvements to buildings from flood damage, and to reduce economic losses to individuals and the community at large. The District and its regulations are established in compliance with

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Table 9-102-A Overlay Districts	
District Name	**District Purpose and Intent**
	the rules and regulations of the National Flood Insurance Program of the Federal Emergency Management Agency, codified as 44 C.F.R. Parts 59 through 79, and as may be amended and supplemented from time to time, in order to make federally subsidized flood insurance available within the Village; and in compliance with Section 18g of the Rivers, Lakes and Streams Act, 615 ILCS 5/18g, and 17 Ill. Admin. Code Part 3708 to allow the Village to issue certain permits regulating construction and the method, manner and extent of construction and other work undertaken in the flood way. In addition to the powers listed in Section 1-102 and other provisions of this Code, this Part II of Article VIII of this Code is also adopted pursuant to Sections 1-2-1, 11-12-12, 11-30-2, 11-30-8, and 11-31-1 et seq. of the Illinois Municipal Code, 65 ILCS 5/1-2-1, 11-12-12, 11-30-2, 11-30-8, and 11-31-1 et seq.

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9-103. Techny Overlay

A. **Geographic Allowance.** The Techny Overlay District shall be mapped only in the area lying southeast of the Chicago and Northwestern Railroad right-of-way, northeast of the Soo Line Railroad right-of-way, southwest of Waukegan Road, and north of Willow Road.

B. **Overlay District.** The Techny Overlay District appears on the Zoning Map as an "overlay district" imposed on top of other districts created by this Code and referred to in this Part as "base districts." Development of property in the Techny Overlay District must comply both with the regulations of the Techny Overlay District and with the regulations of the base district in which it is located. Where there is any conflict between the Techny Overlay District and the base district, the provisions of Techny Overlay District shall apply.

C. **Additional Permitted Uses, Conditional Uses, and Special Permit Uses.** In addition to the uses allowed in the base districts, the following additional uses, and no others, are allowed in the Techny Overlay District in the base districts indicated in the following table.

1. The uses in the following tables designated by a “P” are permitted as of right. The uses in the following table designated by a "p*" shall be permitted only in the area bounded by Waukegan Road on the northeast, the Chicago and Northwestern Railroad right-of-way on the northwest and Techny Road (existing or relocated) on the south.

2. Except as specifically limited, the remaining uses listed in the following table may be permitted as either 1) a conditional use, which is designated by a “C,” and subject to the additional standards set forth in this Article 9; or 2) a Special Permit use, which is designated by an “S,” and subject to the issuance of a Special Permit as provided in Section 2-112 of this Code and subject to the additional standards set forth in this Article 9. Nothing herein shall be deemed or interpreted as precluding an accessory use in the Techny Overlay District pursuant to Section 9-103-C-4 of this Code.

3. **Principal Uses.**

Table 9-103-C-3: Techny Overlay Principal Uses

Use	Additional Regulation	C-5	O-3	O-4
Residential Uses	Additional Regulation	C-5	O-3	O-4
Dwelling, Cottage Court				
Dwelling, Duplex				
Dwelling, Single-Family Detached				
Dwelling, Townhouse				
Dwelling, Triplex/Quadplex				

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Table 9-103-C-3: Techny Overlay Principal Uses				
Use	**Additional Regulation**	**C-5**	**O-3**	**O-4**
Dwelling Units, Limited to Not More Than 15 Percent of the Gross Floor Area Allowable on the Lot in Question		P		
Live-Work Unit				
Multi-Unit Building, 13+ Units				
Multi-Unit Building, 5-12 Units				
Multi-Unit Dwelling Complex				
Multi-Unit Dwelling, Above Ground Floor Only				
Senior Living Facility, Dependent				
Senior Living Facility, Independent				
Transitional Service Facilities with up to 9 residents				
Transitional Service Facilities, with up to 15 residents				
Public and Institutional Uses	*Additional Regulation*	C-5	O-3	O-4
Cemetery				
Day Care				
College/University				
Hospital				
Membership Organizations, 2,500 sq ft or less		P	P	P
Membership Organizations, More than 2,500 sq ft		P	P	P
Noncommercial Research Organizations			P*	
Operation of Sanitary Landfills, including extraction, treatment and sale of methane gas, and generation and sale of electricity therefrom, existing as of the effective date of this Code			P	
Park				
Place of Worship, 2,500 sq ft or less				

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Table 9-103-C-3: Techny Overlay Principal Uses				
Use	**Additional Regulation**	**C-5**	**O-3**	**O-4**
Place of Worship, More than 2,500 sq ft				
Public Cultural and Community Facilities				
Public Service/Safety Facility				
School, Elementary		S		
School, High		S		
School, Middle		S		
School Vocational/Technical		S		
Vacant Land/Vacant Building				
Commercial Uses	*Additional Regulation*	C-5	O-3	O-4
Adult Uses				
Alcohol/Liquor Sales				
Amusement and Recreation Services, 2,500 sq ft or less				
Amusement and Recreation Services, More than 2,500 sq ft				
Bank, Credit Union, Financial Services				
Bar/Tavern				
Cannabis Dispensary, Adult Use				
Cannabis Dispensary, Medical Use				
Coworking Space				
Firearms Dealer				
Funeral Home				
General Retail			P	P
Golf Course			P	P
Hotel		P	P	P
Medical Clinic				
Medical Spa				
Meeting/Event Facility				
Microbrewery/Winery/Distillery With Tasting Room				
Motion Picture Theaters Not Exceeding Three Screens Except Drive-Ins		P		

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Table 9-103-C-3: Techny Overlay Principal Uses				
Use	**Additional Regulation**	**C-5**	**O-3**	**O-4**
One-on-One Educational Services				
One-on-One Personal Fitness Facilities				
Personal Service			P	P
Physical Fitness Facilities, 2,500 sq ft or less		P	P	P
Physical Fitness Facilities, 2,500 sq ft or more		P	P	P
Professional Services				
Real Estate Agents and Managers			P	P
Restaurant				
Short-Term Rental				
Theater Buildings		P		
Theatrical Producers		P		
Tobacco Retail Sale				
Industrial and Vehicle Related Uses	*Additional Regulation*	C-5	O-3	O-4
Artisan Manufacturing				
Brewery/Winery/Distillery				
Car Wash				
Cannabis Cultivation Center				
Cannabis Craft Grower				
Cannabis Infuser				
Cannabis Processor				
Commercial Kitchen				
Contractor Facility				
Crematorium				
Dry Cleaning Facility, Processing On-Site				
Building Material, Machinery, and Equipment Sales or Storage				
Fuel Sales				
Industry, Heavy				
Industry, Light			P*	
Materials Salvage Yard/Recycling Operations				

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Table 9-103-C-3: Techny Overlay Principal Uses				
Use	**Additional Regulation**	**C-5**	**O-3**	**O-4**
Microbrewery/Winery/Distillery With or Without Tasting Room				
Motor Vehicle Sales/Rental, With Open Sales Lot				
Motor Vehicle Sales/Rental, Without Open Sales Lot				
Off-Street Parking				
Personal / Self Serve Storage				
Testing Laboratories			P*	
Trucking Company				
Vehicle Services - Major Repair/Body Work				
Vehicle Services - Minor Maintenance/Repair				
Warehouse, Distribution/Storage				
Wholesale Trade			P*	
Utilities and Infrastructure	*Additional Regulation*	C-5	O-3	O-4
Electrical Substations				
Public Utility Facilities				
Required Detention Facilities				
Transit Facilities				
Wireless Telecommunications Equipment				
Wireless Telecommunications Tower				
Agriculture and Animal Related	*Additional Regulation*	C-5	O-3	O-4
Animal Production		P	P	P
Community Garden				
Crops and Horticulture				
Indoor Agriculture				
Nursery & Garden Center, With Open Sales Lot				
Nursery & Garden Center, Without Open Sales Lot				
Veterinary and Animal Care Services, indoor and outdoor				

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Table 9-103-C-3: Techny Overlay Principal Uses				
Use	**Additional Regulation**	**C-5**	**O-3**	**O-4**
Veterinary and Animal Care Services, indoor only				

4. **Accessory Uses.**

Table 9-103-C-4: Techny Overlay Accessory Uses				
Use	**Additional Regulation**	**C-5**	**O-3**	**O-4**
Attached Accessory Dwelling Unit				
Accessory Structure				
ATM				
Day Care Nursery				
Drive-Through Facility				
Electric Vehicle Charging Station – Commercial				
Garden				
Home Based Daycare				
Home Occupation				
Live Entertainment Accessory to Permitted Hotels		P	P	P
Outdoor Display - Permanent				
Sale of Merchandise - Permanent				
Outdoor Seating for Eating and Drinking Uses		P	P	P
Outdoor Storage / Open Lot				
Solar Energy Collection System, Canopy Mounted				
Solar Energy Collection System, Ground Mounted				
Solar Energy Collection System, Roof Mounted				

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D. **Special Bulk, Space and Yard Requirements.** The bulk, space and yard requirements applicable in the base districts shall apply in the Techny Overlay District except as specifically modified in this Section. The following special bulk, space and yard requirements shall apply in the Techny Overlay District.

Table 9-103-D: Techny Overlay District Dimensional Standards	Base District		
	C-5	O-3	O-4
Lot Standards			
Lot Area, Minimum (sq ft)	450,000	150,000	150,000
Yard Setbacks			
Front, Minimum (ft)	As established in the base district or the building height at the setback, whichever is greater		
Corner Side, Minimum (ft)			
Interior Side, Minimum (ft)	Building height at the setback		
Rear, Minimum (ft)			
Building Standards			
Height, Maximum (ft)	75/110 [1]	75	--
Height, Maximum (stories)	5/8 [1]	--	8
Maximum Lot Coverage (%)	60	60	60
Floor Area Ratio - With TDR* See subsection 9-103-H below.	0.45	0.4	0.75
Floor Area Ratio - Without TDR	0.4	0.2	0.2
[1] Any part of any building that exceeds 75 feet or five stories in height shall be set back at least 550 feet from the center lines of both Waukegan and Willow Roads and 1,000 feet from the point of intersection of said center lines.			

E. **Residential Parking.** All parking spaces in excess of two (2) spaces per unit required pursuant to the provisions of section 10-102 of this Code for dwelling units constructed pursuant to Subsection 9-103-C of this Section may be provided pursuant to enforceable agreements for the joint use of parking spaces provided to serve non-residential uses located within 1,000 feet of such dwelling units.

F. **Special Perimeter Landscaping Requirement.** Notwithstanding any provision of this Part to the contrary there shall be provided on any property located in the Techny Overlay District the following perimeter landscaped open spaces:

1. A perimeter landscape open space extending from the lot line to a line parallel to, and setback at least 185 feet from, the center line of both Willow Road and Waukegan Road; provided, however, that

    a. For that portion of any such property located within an area beginning at the eastern boundary of Founders Drive (as platted pursuant to the Plat of Subdivision for Parcel SE-1 recorded on December 22, 2000 as Document No. 0001007540 in the Office of the

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Recorder of Cook County, Illinois) and extending eastward to a point that is 450 feet west of the intersection of the centerline of Willow Road and Waukegan Road, the perimeter landscaped open space shall extend from the lot line to a line parallel to, and set back at least 145 feet, from the center line of Willow Road; and

2. A perimeter landscaped open space on that portion of the property located within Techny Overlay District and designated as Parcel SE-1A-2 on the Village's Comprehensive Plan extending from the lot line to a line parallel to, and setback at least 40 feet in depth along, the northern boundary of Parcel SE-1A-2 where it abuts the southern boundary of Parcel SE-1A-1 of the Northbrook Greens Condominium Project, such 40-foot landscaped perimeter open space to be in addition to the perimeter open space required under the applicable provisions of Section 10-106 of the Zoning Code.

3. Except for the width requirement stated herein, such perimeter landscaped open space shall conform to the provisions of Subsection 10-106 of this Code.

G. **Multiple Uses on Same Lot.** Notwithstanding the provisions of Subsection 12-101 D of this Code, more than one principal use or principal structure may be located on one lot in the Techny Overlay District.

H. **Transfer of Development Rights.**

1. **TDR Authorized.** Within the Techny Overlay District, the floor area ratios permitted in Table 9-103-D above are intended and shall be construed and applied only as a limit on the overall density of development of the property lying within the Techny Overlay District and not as a limit on any individual lot. The floor area ratios permitted in Table 9-103-D establish the maximum density allowable on individual lots; provided, however, that those maximum densities are allowable only pursuant to a transfer of development rights pursuant to this Subsection.

2. The owner of any lot in the Techny Overlay District may, within the limits stated in Table 9-103-D, transfer to such lot (the "transferee parcel") all or any part of the undeveloped floor area rights ("development rights"), up to the maximum stated in Table 9-103-D, from any other vacant parcel in the Techny Overlay District (the "transferor parcel"). The Owner of any vacant parcel in the Techny Overlay District may designate such parcel as a transferor parcel and reserve development rights associated with such parcel, up to the maximum stated in Table 9-103-D, for future transfer to a transferee parcel to be identified at a later time ("reserved development rights"); provided, however, that such reserved development rights shall remain in the ownership of the owner of the transferor parcel at the time of such reservation until transferred from such ownership to the owner of a transferee parcel for use on such transferee parcel and no reserved development rights shall be transferred to any person or for any purpose other than to the owner of a transferee parcel for use on such transferee parcel.

3. All or any of the development rights of a transferor parcel may be transferred or reserved for future transfer; provided, however, that the sum of such rights transferred or reserved

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for future transfer from any parcel shall not exceed the total floor area that could be developed on such parcel pursuant to Table 9-103-D; and provided further, however, that once transferred to a transferee parcel such development rights shall not be transferred again but shall remain attached to the transferee parcel forever; and provided further, however, that no parcel that has once been designated a transferee parcel shall thereafter be designated a transferor parcel.

4. No transfer or reservation of development rights pursuant to this Subsection shall be authorized except pursuant to an application filed with the Village Manager pursuant to 9-102-D-H(6) below. No transfer or reservation of development rights from a transferor parcel shall be permitted unless the owner of the transferor parcel shall have first filed with the Village Manager the restrictive covenant required pursuant to 9-102-D-H(6) below to reduce the maximum gross floor area that may be developed on the transferor parcel by an amount equal to the amount of gross floor area being transferred to, or reserved for future transfer to, a transferee parcel.

5. Nothing herein shall be construed to be authority to reduce, waive, or otherwise affect the other bulk, space, and yard requirements applicable to any transferee parcel.

6. **TDR Procedures.**

   a. Application to Reserve Development Rights for Future Transfer. The owner of any parcel located within the Techny Overlay District shall have the right to designate such parcel as a transferor parcel for the purpose of reserving all or any part of the development rights of such parcel for transfer to a transferee parcel to be identified at a later time by filing with the Village Manager an application, in a form provided by the Village, for such designation and reservation.

   b. Application for Immediate Transfer of Development Rights. The owner of a proposed transferee parcel located in the Techny Overlay District shall have the right to transfer development rights from any proposed transferor parcel located in the Techny Overlay District or from previously created reserved development rights by filing with the Villager Manager an application, in a form provided by the Village, for such transfer. Such application shall be filed prior to, or concurrently with, the filing of an application pursuant to the applicable provisions of the Northbrook Municipal Code for a building permit for construction on the transferee parcel.

   c. **Application Requirements.** Every application filed pursuant to this Subsection shall be executed by the owner of the transferor parcel and by the owner of the transferee parcel if one is being designated at the time of application and shall contain the following:

      i. The name and address of the owner of the transferor parcel or of the reserved development rights, as the case may be;

      ii. The name and address of the owner of the transferee parcel, if a transferee parcel is being designated at the time of application;

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iii. A legal description and survey of the transferor parcel or of the parcel from which the reserved development rights were reserved;

iv. A legal description and survey of the transferee parcel, if one is being designated at the time of the application;

v. A statement of the maximum amount of development rights, stated in square feet of floor area, permitted on the transferor parcel pursuant to Subparagraph 8-604 A5a above or, in the case of a transfer from reserved development rights, the total amount of reserved development rights originally reserved from the transferor parcel from which such rights were reserved;

vi. A statement of the amount of development rights, stated in square feet of gross floor area, previously authorized for transfer from the transferor parcel or from the reserved development rights being drawn upon;

vii. A statement of the amount of development rights, stated in square feet of gross floor area, to be transferred or reserved for future transfer pursuant to the current application; and

viii. In any case where development rights are being transferred from a transferor parcel, whether for immediate transfer to a transferee parcel or for reservation for future transfer to a transferee parcel, an executed, recordable restrictive covenant, in a form reasonably satisfactory to the Village Attorney, restricting the use and development of the transferor parcel to a total gross floor area not to exceed a number of square feet of gross floor area calculated as follows:

a) Area of transfer or parcel in square feet times 0.4, if transferor parcel is located in the C-5 base district, or 0.2, if transferor parcel is located in the 0-3 or 0-4 base district minus

b) Gross floor area previously transferred or reserved from transferor parcel minus Gross floor area currently being transferred to transferee parcel or reserved for future transfer equals

c) Allowable floor area remaining for development on transferor parcel.

d. **Review.** Each application for a transfer or reservation of development rights shall be reviewed and acted upon by the Village Manager within 30 days following the receipt thereof. No such application shall be denied except for violation of the provisions of this Section 2-118, which violation shall be stated in a written order of denial. The failure of the Village Manager to act on an application within such 30-day period shall be deemed a denial of that application.

e. **Appeal.** The denial of any application for transfer of development rights shall be appealable pursuant to 2-111 of this Code.

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f. **TDR Records.** The Village Manager shall keep sufficient records to allow for the efficient and accurate administration of the TDR program authorized by this Subsection. At a minimum the Village Manager shall keep the following records:

i. A record identifying all transferor parcels, their original maximum development rights and their remaining development rights, if any;

ii. A record identifying all transferee parcels, their original maximum development rights, the amount of development rights transferred to them and their resulting total development rights;

iii. A record of all reserved development rights, separately identified with reference to the transferor parcel from which such rights were reserved, the owner of such parcel, the original amount of such reserved rights, all transfers of any of such reserved rights to any transferee parcel and the balance of such reserved rights remaining available for future transfers; and

iv. A record of TDR transactions showing the transferor parcel or reserved development rights from which development rights were transferred, the amount of development rights that were transferred and the transferee parcel, if any, to which such development rights were transferred.

I. **Additional Standards for Accessory Drive-Through Facilities.**

1. **Purpose**. Accessory Drive-Through Facilities (Village S.I.C. No. 9980.00) may be permitted in the C-5 Zoning District subject to the issuance of a Special Permit as provided in Section 11-602 of this Code and subject to the additional standards hereinafter set forth.

2. **Traffic Management and Queuing.** 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.

3. **Pedestrian Movement.** 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 on-site and on adjoining public right-of-ways.

4. **Enhanced Architectural and Landscape Features.** 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.

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5. **Hours of Operation & Noise Restrictions.** 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 surround

J. **Definitions.**

1. **Drive-Through Facility.** An establishment or facility that provides products or services to occupants seated inside a motor vehicle, other than within a building, but not including dispensing of fuels at an automobile service station. Pick-up, drop-off, ordering and service are handled through a drive-through window.

2. **Drive-Through Window.** A window, other fenestration or other device provided within the structure of a building designed for the delivery of goods or products to a vehicle and through which compensation for such may be exchanged, including the making of change and the order of such

K. **Off-Premises Identification Signs.**

1. Purpose. Off-Premises Identification Signs may be permitted in the C-5 Zoning District subject to the issuance of a Special Permit as provided in Section 2-112 of this Code and subject to the additional standards hereinafter set forth

2. Additional Standards for Off-Premises Identification Signs. An off-premises identification sign shall only be allowed for an establishment located on a property within the Techny Overlay District.

3. The off-premises identification sign is necessary to prevent or reduce traffic and safety hazards.

4. The off-premises identification sign shall have no more than two (2) sign faces and shall have a maximum gross surface area of no more than 25 square feet per face.

5. The off-premises identification sign shall not be located within 70 feet of any other identification or joint identification sign regardless of the lot on which said other identification or joint identification sign is located.

6. The street and number of the building or development to which the off-premises sign refers shall be marked on said sign.

7. Any off-premises identification sign so permitted shall not be included in the total sign area calculations or any other signage controls applicable to either the lot on which said sign is located or the lot upon which the building or development to which the sign refers is located.

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L. **Schools and Educational Services Not Elsewhere Classified.**

1. **Purpose.** Schools & Educational Services, Not Elsewhere Classified may be permitted in the C-5 Zoning District either as a conditional use or subject to the issuance of a Special Permit as provided in Section 2-112 of this Code and subject to the additional standards hereinafter set forth.

2. **Additional Standards for Schools & Educational Services, Not Elsewhere Classified.** The proposed use shall have a gross floor area no greater than 2500 square feet. If the gross floor area is greater than 2500, the use is required to apply for a Special Permit.

9-104. VG-O Village Green Overlay

A. **Special Bulk and Dimensional Standards.** The bulk, space, and yard requirements applicable in the base districts shall apply in the Village Green Overlay District, except as specifically modified in this Section. The following special bulk, space, and yard requirements shall apply in the Village Green Overlay District:

1. **Building Height.**

a. Regardless of base district, the minimum allowed building height shall be 2 stories.

b. In the C-3 base district, the maximum permitted building height shall be 45 feet or 3 stories by right and 55 feet or 4 stories, with a Special Permit.

c. In the C-2 base district, the maximum permitted building height shall be 55 feet or 4 stories by right and 65 feet or 5 stories, with a Special Permit.

d. Additional building height may be approved as a Planned Unit Development.

e. All buildings four or more stories in height shall be designed to step back the upper stories after the first, second, or third story. The step back shall meet the following standards:

i. **Location**. The step back shall be provided along all building elevations facing a front or corner side lot line or a residential property outside of the Village Green Overlay District.

ii. **Width**. The step back shall be provided along a minimum of 80 percent of any applicable building elevation.

iii. **Depth**. The step back shall have a minimum depth of 10 feet.

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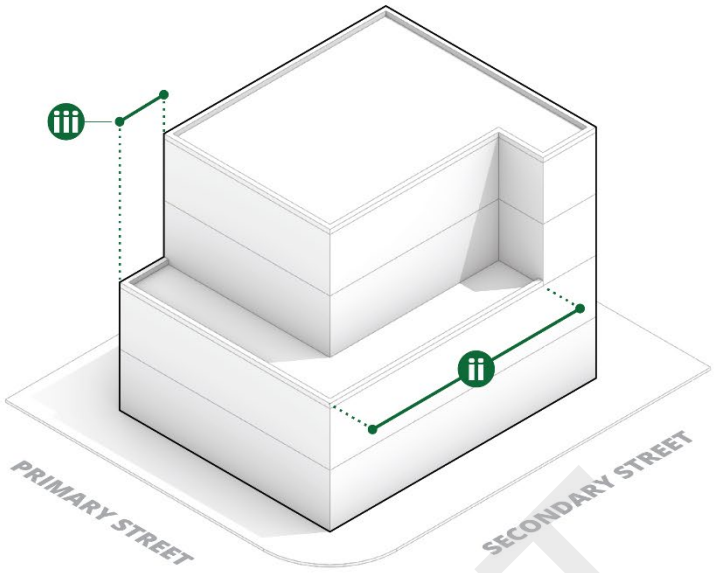

Figure 1 Upper Story Step Back

2. **Building Setbacks**. Buildings in the Village Green Overlay District shall have the minimum and maximum front and corner side setbacks detailed in subsections a and b below. If a nonresidential building, excluding institutional buildings, is setback five or more feet, the setback shall be activated as outdoor dining or public gathering space.

   a. **Minimum Setback**. 0 feet / at the property line

   b. **Maximum Setback**. 10 feet

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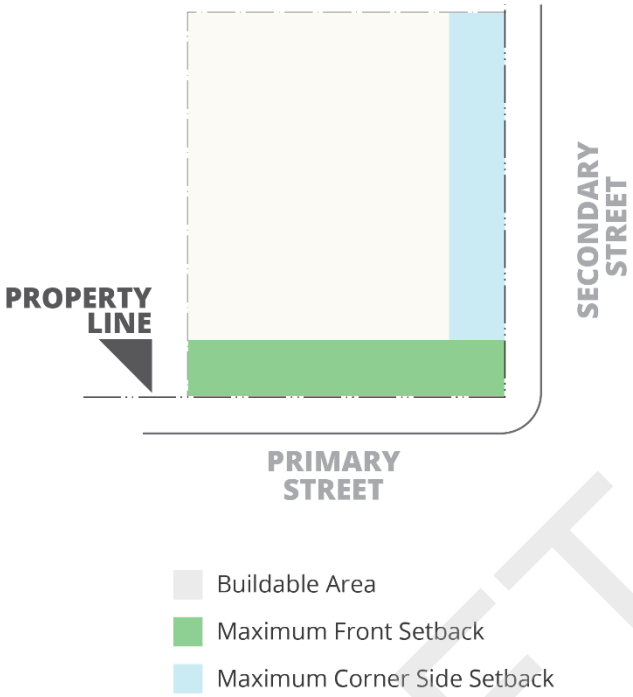

Figure 2 Minimum and Maximum Setbacks

B. **Design Standards.**

1. **Exterior Building Cladding Materials.** All buildings in the Village Green Overlay District shall meet the exterior building cladding material requirements detailed in Table 9-104-B-1. Glazing shall not be included in the material calculations.

Table 9-104-B-1: VG-O District Exterior Building Cladding Materials			
Building Façade Elevation	**Tier I**	**Tier II**	**Tier III**
Front and Corner Side	Minimum 50%	Maximum 50%	Not allowed
Interior Side and Rear	Minimum 25%	Maximum 75%	Maximum 25%

a. **Tier I.** Tier I materials are characterized by their high quality and long-lasting durability. These materials may commonly reflect traditional building methods and serve as a unifying element throughout buildings in the Village. Tier I materials include:

i. Brick;

ii. Natural and manufactured stone;

iii. Terra cotta;

iv. Architectural concrete masonry units; and

v. Concrete materials.

b. **Tier II**. Tier II materials are characterized by their medium-to-high quality with lasting durability, but more frequent maintenance required than Tier I materials. Tier II materials are generally lower cost than Tier I materials. These materials provide variety and design expression on the building and have scale, texture, and pattern creating visual interest. Tier II materials include:

   i. Siding (natural wood or composite materials) in a lap, vertical beaded or batten board, or shake application;

   ii. Composite board or fiber cement board with a maximum joint pattern of two feet by four feet;

   iii. Architectural metal panels with a maximum joint pattern of two feet by four feet.

c. **Tier III**. Tier III materials are medium quality materials and/or monolithic in visual appearance. These materials may require more frequent maintenance than Tier I or Tier II but provide up-front cost savings. Tier II materials contribute to variety and design expression but offer less visual interest. Tier II materials shall include:

   i. Natural and synthetic stucco, including EIFS;

   ii. Composite board or fiber cement board with a maximum joint pattern of four feet by eight feet;

   iii. Architectural metal panels with a maximum joint pattern of four feet by eight feet.

d. **Prohibited Materials**. The following materials are prohibited:

   i. Corrugated metal siding;

   ii. Vinyl siding; and

   iii. Unfinished concrete block, except in areas of loading docks, screened from view from the right of way and/or neighboring properties.

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2. **Façade Articulation.** Façade articulation requirements shall apply to all front and corner side facing building elevations in the Village Green Overlay District. If a front or corner side facing building elevation is up to 60 feet in width, at least two of the following façade articulation options shall be met. If a front or corner side facing building elevation is 60 feet to 100 feet in width, at least three of the following façade articulation options shall be met. If a front or corner side facing building elevation is more than 100 feet in width, at least four of the following façade articulation options shall be met.

    a. Changes in floor plates that protrude and/or recess with a minimum dimension of two feet from the applicable façade.

    b. A horizontal shift of the applicable ground floor façade with a minimum depth of two feet for a minimum 80 percent of the length of the façade. Ground floor step backs shall not exceed the maximum setback requirements (Section 9-104-A-2).

    c. Variation in horizontal and/or vertical recesses or projections such as a pattern of recessed grouping of windows, recessed panels, or bay windows. The recess or projection shall be a minimum four inches in depth.

    d. Variation in horizontal and/or vertical projections such as shading and weather protection devices, decorative architectural details.

    e. Datum lines that continue the length of the building, such as parapets or cornices, with a minimum four inches in height or a minimum two inches in depth and include a change in material.

    f. Variation in at least two of the following: fenestration size, proportions, pattern, and depth or projection.

    g. Variation in two of the following: façade material, material size, texture and pattern, or color.

    h. Upper floor balconies, habitable projections, or Juliet balconies (every 20 to 40 feet) with a minimum four inches in depth;

    i. Other as proposed by the applicant and approved by the Architectural Control Commission.

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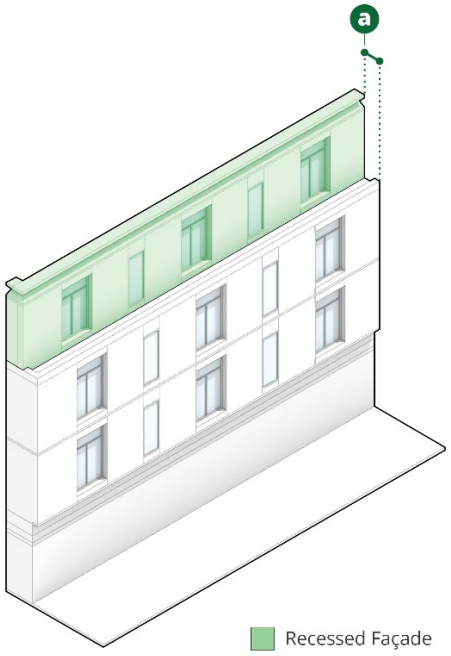

Figure 3 Facade Articulation A

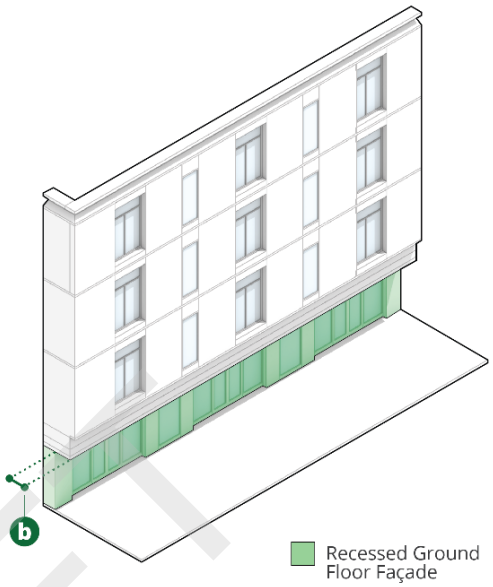

Figure 4 Facade Articulation B

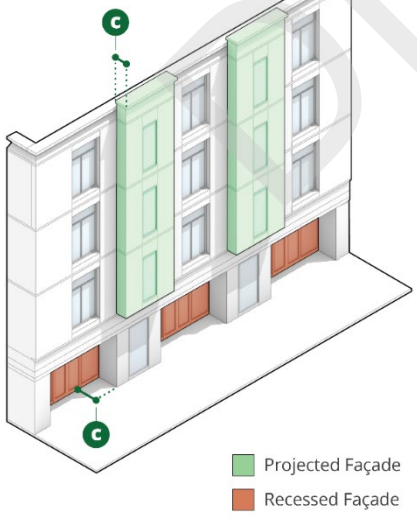

Figure 5 Facade Articulation C

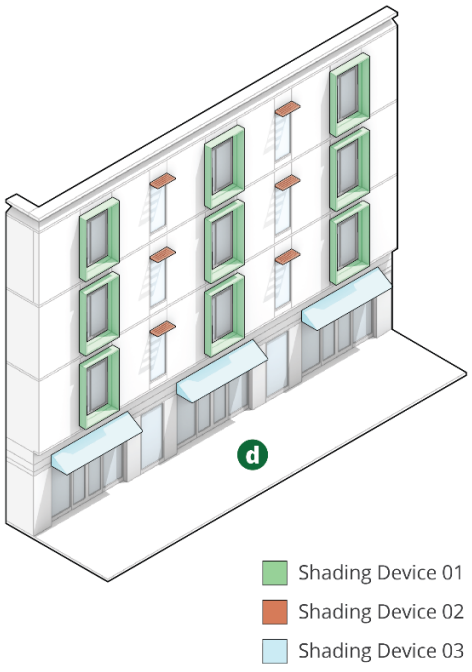

Figure 6 Facade Articulation D

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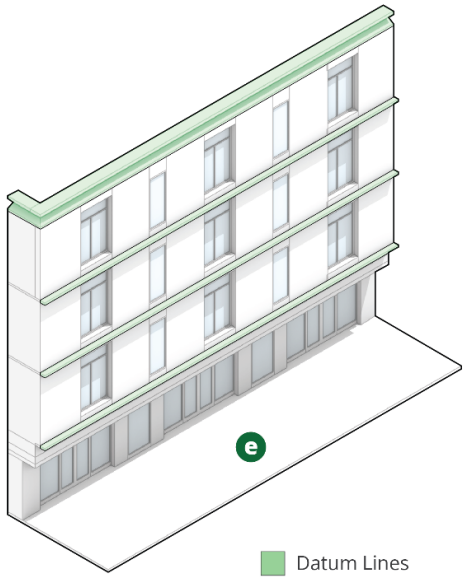

Figure 7 Facade Articulation E

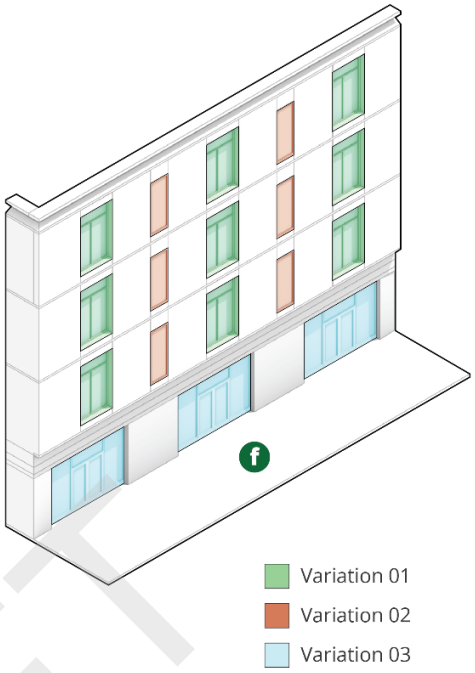

Figure 8 Facade Articulation F

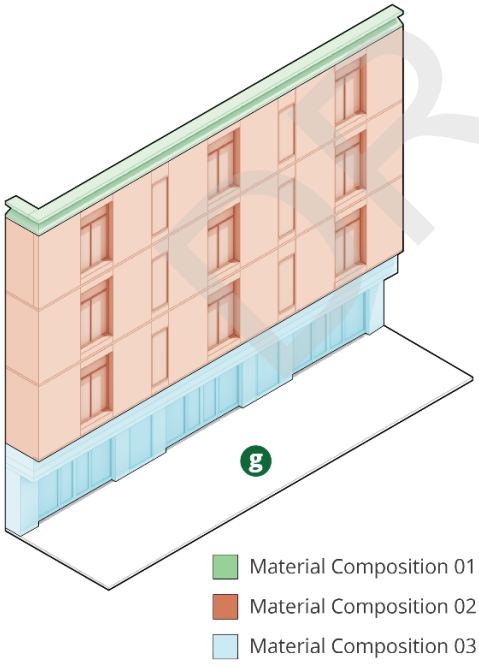

Figure 9 Facade Articulation G

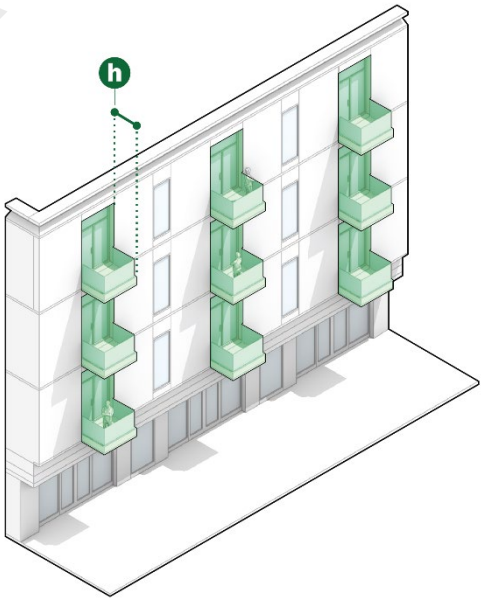

Figure 10 Facade Articulation H

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3. **Glazing.** The ground floor of all front and corner side facing building elevations in the Village Green Overlay District shall meet the glazing requirements detailed in subsections a and b below. Glazing standards shall apply to nonresidential buildings only, excluding institutional buildings.

   a. **Front Facing Ground Floor Façades**. Minimum 70 percent

   b. **Corner Side Facing Ground Floor Façades**. Minimum 40 percent

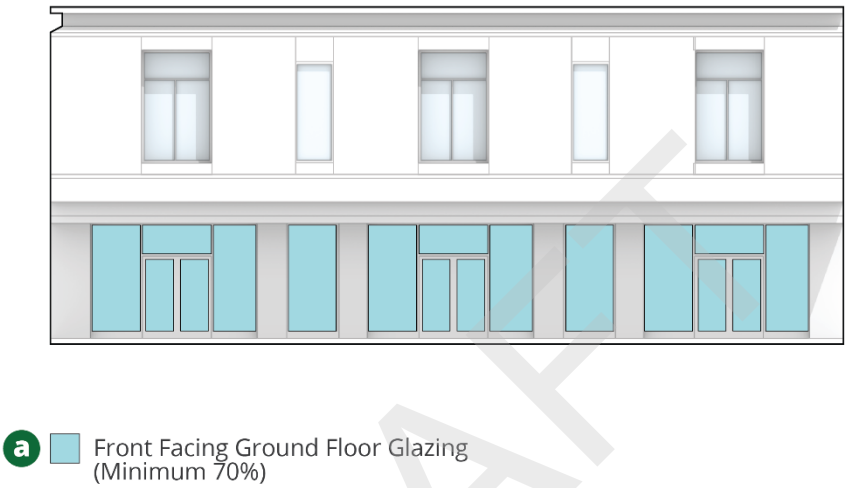

Figure 11 Front Facing Ground Floor Facade Glazing

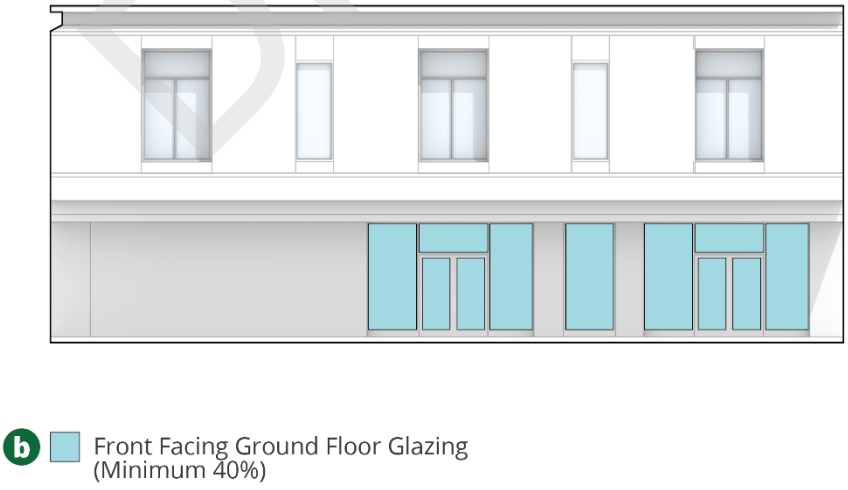

Figure 12 Corner Side Facing Ground Floor Facade Glazing

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4. **Signs.**

    a. Permanent signs in the Village Green Overlay District shall not be allowed to display a wall sign and an awning sign on the same façade;

    b. A permanent building sign shall be located:

        i. Within a signboard frieze, if one exists; and

        ii. In a manner that does not cover any architectural features, including but not be limited to, a pediment, cornice, belt course, pier, windows, pilaster, roof, decorative stone or inlay, kick plate/bulkhead, raised or colored brick pattern, and corbel of the building to which it is affixed.

    c. A permanent ground sign shall be exempt from the location restrictions established per permanent ground sign type in Section 11-106.

9-105. Flood Hazard Overlay

A. **Overlay Districts Established**. The Flood Hazard Overlay District is established and appears on the Zoning Map as an "overlay district." The restrictions of the Flood Hazard Overlay District are in addition to the limitations established in this Code for the "Base Districts." Development of properties in the Flood Hazard Overlay District must comply both with the regulations of the Flood Hazard Overlay District and the regulations of the base district in which they are located. Where there is any conflict between the Flood Hazard Overlay District and the base district, the provisions of the more restrictive district shall apply.

B. **Applicability.**

1. **Generally.** The provisions of this Part shall apply to all land within the Village of Northbrook located within the flood plain.

2. **Interpretation of Maps.** The limits of the Flood Hazard Overlay District shown on the Zoning Map shall be used as a guide; provided, however, that only those land areas that are located in a special flood hazard area, as established in this Code, shall be subject to the provisions of this Part.

C. **Incorporation of Studies, Maps, and Data; Establishment of Base Flood Elevation.**

1. The base flood elevations, and the limits of the special flood hazard areas, such as the flood plain, flood fringe and regulatory floodway, are based on the appropriate Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS).

2. **Incorporated Areas; Depiction on Zoning Map.** The floodway and the base flood elevation for the special flood hazard areas mapped by FEMA and IDNR/OWR for the West and Middle Forks of the North Branch of the Chicago River and for their tributaries (Underwriters' Laboratories, Techny Drain, and the South Fork Techny Drain) shall be as delineated on the one hundred (100) year flood profiles in the Cook County Flood Insurance Rate Maps

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(FIRMs), Map Number 17031C; panels 0088F, 0089F, 0093F, 0226F, 0227F, 0231F and 0232F, 0088J, 0089J, 0093J, 0226J, 0227J, 0231J and 0232J, effective date November 6, 2000; August 19, 2008; panels 0069G and 0207G, 0069J and 0207J, effective date April 16, 2007, August 19, 2008, and the Cook County Flood Insurance Study (FIS), effective date April 16, 2007; August 19, 2008. The Village Engineer shall order the depiction of the approximate location of the flood plain limits on the Village zoning map and the Cook County Flood Insurance Rate Maps (FIRMs), Map Number 17031C; the panels referenced in Subsection 8-204 A panels 0068F and 0094F, 0068J and 0094J, effective date November 6, 2000; August 19, 2008, panels 0069G and 0207G, 0069J and 0207J, effective date April 16, 2007; August 19, 2008, and the Cook County Flood Insurance Study (FIS), effective date April 16, 2007; August 19, 2008.

3. **Areas Annexed into the Village.** In the event properties may be annexed into the Village that include areas defined as being within the flood plain, the base flood elevation and flood fringe and regulatory floodway limits shall be as delineated on the flood profiles in the then current version of the Flood Insurance Rate Maps (FIRM) and the Flood Insurance Studies for those parts of unincorporated Lake, as the case may be, prepared by FEMA and the Cook County Flood Insurance Rate Maps (FIRMs), Map Number 17031C; the panels referenced in Subsection 8-204 A. and panels 0068F and 0094F, 0068J and 0094J, effective date November 6, 2000; August 19, 2008, panels 0069G and 0207G, 0069J and 0207J, effective date April 16, 2007; August 19, 2008, and the Cook County Flood Insurance Study (FIS), effective date April 16, 2007; August 19, 2008.

4. **FIRM Maps.** The base flood elevation for each portion of a SFHA delineated as an "AH Zone" or "AO Zone" shall reflect the elevation delineated on the Flood Insurance Rate Map of the Cook County Flood Insurance Rate Maps (FIRMs), Map Number 17031C; panels 0088F, 0089F, 0093F, 0226F, 0227F, 0231F and 0232F, 0088J, 0089J, 0093J, 0226J, 0227J, 0231J and 0232J, effective date November 6, 2000; August 19, 2008; panels Village of Northbrook Article VIII - Part II Zoning Code Flood Hazard Overlay District VIII-3 0069G and 0207G, 0069J and 0207J, effective date April 16, 2007; August 19, 2008, as may be amended from time to time.

5. **Areas Without Established Base Flood Elevations.** When no base flood elevation has been established by FEMA for a property, such elevation shall be determined by utilizing computation methods established by the Village and IDNR/OWR, as specified in the Village Standards and Specifications for Public and Private Improvements and any other applicable authority.

D. **Administration of Flood Hazard Regulations.**

1. **Determination of Flood Status.** The Village Manager shall take all such actions as are necessary to ensure that all proposed development sites within the Village are reviewed to determine whether they are within the Flood Hazard Overlay District.

2. **Flood Plain Development Permit Required.** In the event that a development site is determined to be within the Flood Hazard Overlay District, a flood plain development permit must be issued by the Village Manager in accordance with Section 2-106 of this Code prior to commencing any development activity. No flood plain development permit shall be issued

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for any activity which does not comply with the standards of this Part. The Village Manager shall ensure that any and all required federal, state and local permits are received prior to the issuance of a flood plain development permit.

3. **Variations.** Applications for variations of the provisions of these Flood Hazard Overlay District regulations shall be limited to, and reviewed in accordance with, the provisions of Section 2-113 of this Code.

E. **Development Restrictions in Flood Fringe Areas.** The requirements of this Section shall apply to all proposed development activities and other activities, defined in this Part within a flood fringe area of a SFHA.

1. **Base Zoning District Regulations.** Nothing in these Flood Hazard Overlay District regulations shall be interpreted to allow any use of the flood fringe area which would not otherwise be allowed within the base zoning district in which a property is located.

2. **Elevation Standards.**

a. **Existing Structures, Improved to Less Than Fifty Percent (50%) in Value of Structure.** A habitable structure within the flood fringe area, for which the start of construction commenced prior to February 12, 1992, may be improved in accordance with the standards and procedures established in the Building Code and the other limitations of the base zoning district, but need not meet any special flood elevation requirements; provided the cost of such reconstruction, rehabilitation, addition, or other improvement of a structure is less than fifty percent (50%) of the market value of the structure before the start of construction of the improvement.

b. **Existing Structures, Improved by Fifty Percent (50%) or More in Value.** A habitable structure within the flood fringe area, for which the start of construction commenced prior to February 12, 1992, may be improved by fifty percent (50%) or more of the market value of the structure before the start of construction of the improvement; however, in such cases the structure must be elevated in such a manner that the lowest floor of the structure, including any basement area, is at or above the base flood elevation, unless:

i. FEMA grants the Village an exception to permit the construction of floodproofed residential basements, in accordance with 44 CFR Section 60.6(c); or

ii. A variation is granted in accordance with Section 2-113 of this Code.

c. **New Construction, and Subsequent Improvements.** In the flood fringe area, new construction (including alterations to structures having a start of construction on or after February 12, 1992), as defined in this Part, may occur; however, in such cases the structures must be elevated in such a manner that the lowest floor of the structure, including any basement area, is at or above the flood protection elevation.

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d. **Substantially Damaged Structures.** The elevation requirements of Paragraphs 2 and 3 of this Subsection, as appropriate to the structure, shall also apply to structures which have incurred substantial damage, as defined in this Part, regardless of the actual repair work performed. These limitations do not, however, apply to:

i. Any project for improvement of a structure to correct existing violations of state and local health, sanitary, or safety code specifications which have been identified by the Village Manager and which are the minimum necessary to assure safe living conditions; or

ii. Any alteration of a historic structure or site, documented as deserving preservation by the Illinois Historic Preservation Agency or listed on the National Register of Historic Places, provided that such alteration will not preclude the structure's or site's continued designation as a historic structure or site.

3. **Compensatory Storage in Flood Fringe Areas.** Compensatory storage shall be required for all development proposed in the flood fringe area. Compensatory storage may be provided on:

a. The same lot as the proposed development, or

b. An off-site location, approved by the Village Manager, where hydraulically equivalent storage can be achieved. When such compensatory storage is provided, the continued protection and maintenance thereof shall be provided for by a recorded easement, recorded covenant, or other recorded legal document may be approved by the Village and IDNR/OWR.

c. **Existing Lots of Record.** Whenever any development is proposed within the flood fringe area, as authorized in this Section, for a lot of record existing prior to February 12, 1992, within the flood fringe, the volume of space which will be occupied by the authorized fill or structure below the base flood elevation shall be compensated for and balanced by a hydraulic volume of excavation taken from below the base flood or one hundred (100) year frequency flood elevation equal to one hundred twenty percent (120%) of the volume of storage lost due to the proposed fill or structure's displacement. Compensatory storage shall not be required for authorized floodproofing activities.

d. **New Lots of Record.** Whenever any development is proposed within the flood fringe area, as authorized in this Section, for a lot of record or planned development created on or after February 12, 1992, the volume of space which will be occupied by the authorized fill or structure below the base flood elevation shall be compensated for and balanced by a hydraulic volume of excavation taken from below the base flood or one hundred (100) year frequency flood elevation equal to one hundred fifty percent (150%) of the volume of storage lost due to the proposed fill or structure's displacement. Compensatory storage shall not be required for authorized floodproofing activities.

e. **Manner of Construction.** All such excavations shall be constructed to drain freely and openly to the watercourse by gravity, fine graded and landscaped to prevent soil erosion

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and sedimentation in accordance with Northbrook Standards and Specifications. In the case of streams or watercourses, such excavation shall be made opposite or adjacent to the areas so filled or occupied. All flood plain storage lost below the existing ten (10) year elevation shall be replaced below the proposed ten (10) year flood elevation. All flood plain storage lost above the existing ten (10) year flood elevation shall be replaced above the proposed ten (10) year flood elevation.

4. **Additional Limitations on Development in Flood Fringe.** Uses which are permitted or allowed by Special Permit may be located within the flood fringe upon issuance of a flood plain development permit and compliance with the general flood plain development requirements established in Section 2-106 of this Code.

5. **Fill Activities; LOMR Required.** If fill or other improvements are proposed to elevate a flood fringe site above the base flood elevation, the applicant shall, in addition to obtaining a flood plain development permit, submit sufficient data and obtain a Letter of Map Revision (LOMR) from FEMA for the purpose of removing the site from the flood plain. The Village shall have no obligation to issue:

   a. A flood plain development permit until a CLOMR is issued by FEMA and delivered to the Village Manager, or

   b. A building permit until a LOMR-F is issued by FEMA and delivered to the Village Manager.

F. **Development Restrictions in Flood Fringe Areas.** The requirements of this Section shall apply to all proposed development activities and other activities, defined in this Part within a flood fringe area of a SFHA.

1. **Base Zoning District Regulations.** Nothing in these Flood Hazard Overlay District regulations shall be interpreted to allow any use of the flood fringe area which would not otherwise be allowed within the base zoning district in which a property is located.

2. **Elevation Standards.**

   a. **Existing Structures, Improved to Less Than Fifty Percent (50%) in Value of Structure.** A habitable structure within the flood fringe area, for which the start of construction commenced prior to February 12, 1992, may be improved in accordance with the standards and procedures established in the Building Code and the other limitations of the base zoning district, but need not meet any special flood elevation requirements; provided the cost of such reconstruction, rehabilitation, addition, or other improvement of a structure is less than fifty percent (50%) of the market value of the structure before the start of construction of the improvement.

   b. **Existing Structures, Improved by Fifty Percent (50%) or More in Value.** A habitable structure within the flood fringe area, for which the start of construction commenced prior to February 12, 1992, may be improved by fifty percent (50%) or more of the market value of the structure before the start of construction of the improvement; however, in such cases the structure must be elevated in such a manner that the lowest

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floor of the structure, including any basement area, is at or above the base flood elevation, unless:

i. FEMA grants the Village an exception to permit the construction of floodproofed residential basements, in accordance with 44 CFR Section 60.6(c); or

ii. A variation is granted in accordance with Section 2-113 of this Code.

c. **New Construction, and Subsequent Improvements.** In the flood fringe area, new construction (including alterations to structures having a start of construction on or after February 12, 1992), as defined in this Part, may occur; however, in such cases the structures must be elevated in such a manner that the lowest floor of the structure, including any basement area, is at or above the flood protection elevation.

d. **Substantially Damaged Structures.** The elevation requirements of Paragraphs 2 and 3 of this Subsection, as appropriate to the structure, shall also apply to structures which have incurred substantial damage, as defined in this Part, regardless of the actual repair work performed. These limitations do not, however, apply to:

i. Any project for improvement of a structure to correct existing violations of state and local health, sanitary, or safety code specifications which have been identified by the Village Manager and which are the minimum necessary to assure safe living conditions; or

ii. Any alteration of a historic structure or site, documented as deserving preservation by the Illinois Historic Preservation Agency or listed on the National Register of Historic Places, provided that such alteration will not preclude the structure's or site's continued designation as a historic structure or site.

e. **Compensatory Storage in Flood Fringe Areas.** Compensatory storage shall be required for all development proposed in the flood fringe area. Compensatory storage may be provided on:

i. The same lot as the proposed development, or

ii. An off-site location, approved by the Village Manager, where hydraulically equivalent storage can be achieved. When such compensatory storage is provided, the continued protection and maintenance thereof shall be provided for by a recorded easement, recorded covenant, or other recorded legal document may be approved by the Village and IDNR/OWR.

iii. **Existing Lots of Record.** Whenever any development is proposed within the flood fringe area, as authorized in this Section, for a lot of record existing prior to February 12, 1992, within the flood fringe, the volume of space which will be occupied by the authorized fill or structure below the base flood elevation shall be compensated for and balanced by a hydraulic volume of excavation taken from below the base flood or one hundred (100) year frequency flood elevation equal to one hundred twenty

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percent (120%) of the volume of storage lost due to the proposed fill or structure's displacement. Compensatory storage shall not be required for authorized floodproofing activities.

iv. **New Lots of Record.** Whenever any development is proposed within the flood fringe area, as authorized in this Section, for a lot of record or planned development created on or after February 12, 1992, the volume of space which will be occupied by the authorized fill or structure below the base flood elevation shall be compensated for and balanced by a hydraulic volume of excavation taken from below the base flood or one hundred (100) year frequency flood elevation equal to one hundred fifty percent (150%) of the volume of storage lost due to the proposed fill or structure's displacement. Compensatory storage shall not be required for authorized floodproofing activities.

v. **Manner of Construction.** All such excavations shall be constructed to drain freely and openly to the watercourse by gravity, fine graded and landscaped to prevent soil erosion and sedimentation in accordance with Northbrook Standards and Specifications. In the case of streams or watercourses, such excavation shall be made opposite or adjacent to the areas so filled or occupied. All flood plain storage lost below the existing ten (10) year elevation shall be replaced below the proposed ten (10) year flood elevation. All flood plain storage lost above the existing ten (10) year flood elevation shall be replaced above the proposed ten (10) year flood elevation.

vi. **Additional Limitations on Development in Flood Fringe.** Uses which are permitted or allowed by Special Permit may be located within the flood fringe upon issuance of a flood plain development permit and compliance with the general flood plain development requirements established in Section 2-106 of this Code.

vii. **Fill Activities; LOMR Required.** If fill or other improvements are proposed to elevate a flood fringe site above the base flood elevation, the applicant shall, in addition to obtaining a flood plain development permit, submit sufficient data and obtain a Letter of Map Revision (LOMR) from FEMA for the purpose of removing the site from the flood plain. The Village shall have no obligation to issue:

a) A flood plain development permit until a CLOMR is issued by FEMA and delivered to the Village Manager, or

b) A building permit until a LOMR-F is issued by FEMA and delivered to the Village Manager.

G. **Development Restrictions in Regulatory Floodway Areas.**

1. The requirements of this Section shall apply to all proposed development activities, as defined in this Part, within a regulatory floodway. For the West and Middle Forks of the North Branch of the Chicago River and for their tributaries, the regulatory floodway shall be as delineated on the maps and studies referenced in Section 2-106 of this Code.

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2. **Base Zoning District Regulations.** Nothing in these Flood Hazard Overlay District regulations shall be interpreted to allow any use of the regulatory floodway which would not otherwise be allowed within the base zoning district in which a property is located.

3. **Appropriate Uses Within the Floodway.** Only "appropriate uses", as established herein and as listed in 17 Illinois Administrative Code Part 3708 shall be permitted within the regulatory floodway. All appropriate uses within the regulatory floodway must comply with the requirements of this Section and with the general flood plain development requirements in Section 2-106. Appropriate uses in the regulatory floodway are limited to the following:

   a. The replacement, reconstruction or repair of a damaged building, provided that the outside dimensions of the building are not increased and, provided that, if the building is damaged to fifty percent (50%) or more of building's market value before it was damaged, the building must be protected from flooding to or above the base flood elevation.

   b. Modifications to an existing building that would not increase the enclosed area of the building below the one hundred (100) year frequency flood elevation, and which will not block flood flows, including, but not limited to fireplaces, bay windows, decks, patios, and second story additions. In the event such modifications result in a fifty percent (50%) or more increase in the market value of the structure before the start of construction, the structure must comply with the elevation standards in Paragraph 8-206 B2 of this Code.

   c. Construction, modification, repair or replacement of detached garages, storage sheds, or other non-habitable structures without toilet facilities that are accessory to an existing building or use, as authorized in Subsection 8-209 D of this Code, and that will not block flood flows, nor reduce floodway water storage.

   d. Parking lots, driveways, and any modifications thereto, built at or below grade, where the flooding at the one hundred (100) year frequency flood event will not exceed one (1) foot in depth or, in the case of a short-term recreational use facility parking lot, where the applicant formally agrees to restrict access during overbank flooding events and accepts liability for all damage caused by vehicular access during all overbank flooding events.

   e. Structures or facilities relating to the use of, or requiring access to, the water or shoreline, such as pumping and treatment facilities, and facilities and improvements related to recreational boating, commercial shipping and other functionally water dependent uses.

   f. Flood proofing activities to protect previously existing lawful structures including, but not limited to, the construction of water tight window wells, elevating structures, or construction of floodwalls around residential, commercial or industrial principal structures where the outside toe of the floodwall shall be no more than ten (10) feet away from the exterior wall of the existing structure and which are not considered substantial improvements to the structure.

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g. Public recreational facilities such as playing fields, trail systems, including any related fencing (at least 50 percent open when viewed from any one direction) built parallel to the direction of flood flows, and open air pavilions and toilet facilities (4 stall maximum) that will not block flood flows or reduce floodway storage.

h. Flood control structures, dikes, dams and other public works or private improvements relating to the control of drainage, flooding, erosion, or water quality or habitat for fish and wildlife.

i. Storm and sanitary sewer outfalls.

j. Underground and overhead utilities.

k. Roads, bridges, culverts, sidewalks, bikeways, railways, runways and taxiways, and any necessary modifications thereto.

l. Re-grading within the regulatory floodway, without fill, to create a positive non-erosive slope toward a watercourse.

4. Appropriate uses do not include the construction or placement of any new structures, fill, building additions, buildings on stilts, excavation or channel modifications done to accommodate otherwise non-appropriate uses in the floodway, fencing (including landscaping or planting designed to act as a fence) and storage of materials except as specifically listed above as an appropriate use.

5. **Interpretation of Appropriate Uses.** The Village Manager shall enforce the floodway development restrictions of this Part in compliance with 17 Ill. Admin. Code Part 3708.

6. **Additional Criteria for Reviewing Appropriate Uses.** All appropriate uses within the regulatory floodway shall require the issuance of a flood plain development permit and, further, shall demonstrate compliance with the general flood plain development requirements established in Section 2-106 of this Code. The applicant's engineer shall:

   a. Submit to the Village Manager certified documents, plans and calculations demonstrating that the proposed use or improvement meets or exceeds the minimum federal, state, and local requirements, including, without limitation, the Village Standards and Specifications for Public and Private Improvements; and

   b. Submit evidence of approval of the use by any other entity with jurisdiction.

   c. No development shall be permitted within the regulatory floodway:

      i. That will reduce the regulatory floodway storage or conveyance;

      ii. That will increase the regulatory floodway velocities;

      iii. That will increase flood heights by more than 0.0 foot, provided, however, that bridges and culverts shall not increase flood heights during the base flood by more than one-tenth (0.1) of a foot;

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iv. That will be a threat to public health, safety and welfare;

v. That will impair the natural hydrologic and hydraulic functions of the floodway or channel;

vi. Where periodic inundation will pose a danger to the general health and welfare of the user; or

vii. Where periodic inundation will require the expenditure of public funds or the provision of public resources or disaster relief services.

7. **Compensatory Storage Requirements for Floodway Development.** Compensatory storage shall be required for all development proposed in the floodway. Compensatory storage may be provided on:

a. The same lot as the proposed development, or

b. An off-site location, approved by the Village Manager, where hydraulically equivalent storage can be achieved. When such compensatory storage is provided, the continued protection and maintenance thereof shall be provided for by a recorded easement, recorded covenant, or other recorded legal document may be approved by the Village and IDNR/OWR.

i. **Existing Lots of Record.** Whenever any development is proposed within the regulatory floodway, as authorized in this Section, for a lot of record existing prior to February 12, 1992, the volume of space which will be occupied by the authorized fill or structure below the base flood elevation shall be compensated for and balanced by a hydraulic volume of excavation taken from below the base flood or one hundred (100) year frequency flood elevation equal to one hundred percent (100%) of the volume of storage lost due to the proposed fill or structure's displacement. Compensatory storage shall not be required for authorized floodproofing activities.

ii. **New Lots of Record.** Whenever any development is proposed within the regulatory floodway, as authorized in this Section, for a lot of record or planned development created after February 12, 1992, the volume of space which will be occupied by the authorized fill or structure below the base flood elevation shall be compensated for and balanced by a hydraulic volume of excavation taken from below the base flood or one hundred (100) year frequency flood elevation equal to one hundred fifty percent (150%) of the volume of storage lost due to the proposed fill or structure's displacement. Compensatory storage shall not be required for authorized floodproofing activities.

iii. **Manner of Construction.** All such excavations shall be constructed to drain freely and openly to the watercourse by gravity, and fine graded and landscaped to prevent soil erosion and sedimentation in accordance with Northbrook Standards and Specifications. In the case of streams or watercourses, such excavation shall be made opposite or adjacent to the areas so filled or occupied. All flood plain storage

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lost below the existing ten (10) year elevation shall be replaced below the proposed ten (10) year flood elevation. All flood plain storage lost above the existing ten (10) year flood elevation shall be replaced above the proposed ten (10) year flood elevation.

H. **Development in Floodplains Without Identified Floodways.** In the event a development activity or other activity as defined in this Part is proposed within a SFHA or floodplain (including AE, AH, AO and Unnumbered A Zones) draining more than one (1) square mile, where no floodways have been identified and no base flood elevations have been established by FEMA, all such areas shall be deemed to be within the regulatory floodway, shall be subject to all development restrictions for regulatory floodways established in this Code. In the alternative, the applicant may, at its sole cost and expense, elect to submit to the Village an engineering study by a registered professional engineer to determine a floodway. Upon approval of the engineering study by FEMA or IDNR/OWR, as appropriate, properties in flood plain areas without identified floodways shall be delineated as being within the flood fringe or floodway, as appropriate, and development shall be allowed in accordance with Sections 8-206 or 8-207 of this Code, as appropriate.

I. **General Floodplain Development Requirements.** In addition to any restrictions elsewhere in this Code, all proposed development and other activities defined in this Part within the flood plain shall demonstrate compliance with the general requirements of this Section prior to issuance of a flood plain development permit.

1. **Prevention of Increased Damages.** No development in the Flood Hazard Overlay District shall be permitted which would:

   a. Impair the natural hydrologic and hydraulic functions of the floodway or channel; or

   b. Threaten the public health, safety and welfare.

2. **Public Health Standards.**

   a. Storage of Materials. No developments in the flood plain shall include locating or storing chemicals, explosives, buoyant materials, animal wastes, fertilizers, flammable liquids, pollutants, or other hazardous or toxic materials below the flood protection elevation (FPE).

   b. Utilities. New and replacement water supply systems, wells, sanitary sewer lines and on-site waste collection and disposal system shall be permitted within the flood plain, provided all manholes or other above ground openings located below the FPE are clearly marked, gasketed, and sealed watertight in accordance with Northbrook Standards and Specifications so as to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters. Other public utilities and facilities such as sewer, gas and electric shall be designed, located and constructed to minimize or eliminate flood damage.

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3. **Accessory Structures.** Accessory structures, including sheds and detached garages, on an existing single-family platted lot, may be constructed with the lowest floor below the flood protection elevation provided:

    a. The accessory structure shall not be used for human habitation and shall be used only for the storage of vehicles and/or tools and shall not contain or later be modified for other uses, such as workshops, greenhouses or similar uses;

    b. The accessory structure shall comply with all provisions of Section 9-101 of this Code and shall have a value of less than $10,000 and a floor area of less than 500 square feet;

    c. All enclosed areas of the structure below the base flood elevation shall be constructed with waterproof material;

    d. Structures located in a regulatory floodway shall be constructed and placed so as not to block the flow of flood waters and shall comply with the appropriate use criteria of Subsection 105-G-3 of this Code;

    e. The structure shall be anchored to prevent flotation or buoyancy;

    f. Service facilities such as electrical and heating equipment shall be elevated or flood-proofed to the flood protection elevation;

    g. The structure shall meet the permanent opening criteria as described in Subsection 8-209 H;

    h. All flammable or toxic materials (gasoline, paint, insecticides, fertilizers, etc.) shall be stored above the flood protection elevation; and

    i. The lowest floor elevation shall be identified and the Village Manager shall notify the applicant of the flood insurance implications, if any;

4. **Temporary Uses.** Construction trailers and other temporary trailers, in accordance with Zoning District Standards of this Code, may be located in the flood plain upon a determination by the Village Manager that no other location for such temporary use is practical and provided that such trailers are maintained so as to be fully licensed, ready for highway use and able to be moved in the event of a flood hazard.

5. **Storage of Vehicles.** The off-street storage of vehicles in the flood plain shall be allowed in accordance with the limitations of established under zoning district standards. Further, in accordance with 44 CFR Section 60.3, recreational vehicles stored on sites within the flood plain shall be either:

    a. Fully licensed and ready for highway use; and

    b. Stored on the site for fewer than one hundred eighty (180) consecutive days.

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A recreational vehicle shall be deemed ready for highway use if it is on its own wheels or jacking system, is attached to the site only by quick disconnect type utility and security devices, and has no permanently attached additions.

6. **Manufactured Homes Prohibited.** No manufactured homes, as defined in this Part, shall be permitted to be located on sites within the flood plain.

7. **Construction on Fill Material.** Any authorized habitable structure, when allowed, may be constructed on permanent land fill. A Conditional Letter of Map Revision (CLOMR) must be issued by FEMA and submitted to the Village Manager prior to issuance of a flood plain development permit and commencement of land filling. Following completion of land filling, an "as-built" grading plan with soil compaction certification shall be submitted to FEMA by the applicant for issuance of a Letter of Map Revision based on fill (LOMR-F). The Village shall have no obligation to issue any permit prior to receipt, by the Village Manager, of a LOMR-F issued by FEMA. A person who has obtained a LOMR-F that removes a site in the flood fringe from the flood plain due to the use of fill to elevate the site above the BFE, may construct any authorized habitable structure, or addition or improvement thereto, on permanent land fill in accordance with the requirements of Section 8 of Northbrook Standards and Specifications.

8. **Elevated Construction.** New or substantially improved buildings or structures located within the flood plain, that otherwise comply with the limitations of this Article, may be elevated above the base flood elevation rather than constructed on fill. Elevated structures in the flood plain shall comply with the requirements below.

    a. The proposed building or improvements within the flood plain shall be elevated on a crawl space, stilts, piles, walls, or other foundation that is permanently open to the entry and exit of flood waters and not subject to damage by fire, debris, freezing ice or hydrostatic pressures of the one hundred (100) year frequency flood. Designs for meeting this requirement must either be certified by an Illinois registered professional engineer or architect as satisfying the requirements of 44 CFR Section 60.6(c), or otherwise meet or exceed the following minimum criteria:

        i. A minimum of two (2) openings having a total net area of not less than one (1) square inch for every one (1) square foot of enclosed area subject to flooding below the base flood elevation shall be provided.

        ii. Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of flood waters.

    b. The foundation and supporting members shall be anchored and aligned parallel in relation to flood flows and adjoining structures so as to minimize exposure to known hydrodynamic forces such as current, waves, ice, and floating debris.

    c. All areas below the base flood elevation shall be constructed of corrosion free, non-floatable materials resistant to flood damage. The lowest floor (including basement) and all electrical, heating, communication, ventilating, plumbing, and air conditioning

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equipment and utility meters shall be located at or above the flood protection elevation. The Village Manager may permit water and sewer pipes, electrical and telephone lines, submersible pumps, and other waterproofed service facilities to be located below the flood protection elevation upon a finding that unusual field conditions occur.

d. The areas below the flood protection elevation may only be used for the parking of vehicles, building access or storage in an area other than a basement and not later modified or occupied as habitable space.

e. In lieu of the above criteria, designs that will comply with these requirements must be certified by an Illinois registered professional engineer or architect as meeting these requirements and submitted to the Village Manager for review and approval.

f. Motorized homes, travel trailers, and truck campers shall be required to meet the elevation and anchoring requirements of Paragraph 8-209 H6 above unless they are on site for less than 180 consecutive days and fully licensed, ready for highway use, and used only for recreation, camping, travel or seasonal use rather than as a permanent dwelling. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utility and service devices, and has no permanently attached additions.

9. **Floodproofing of Proposed Non-Residential Structures.** Only non-residential buildings proposed to be constructed in the flood fringe area may be structurally dry floodproofed in lieu of being elevated. The Village Manager shall authorize such flood-proofing activities, provided that an Illinois registered professional structural engineer or architect shall certify that the building has been adequately floodproofed below the base flood elevation and that the structure and attendant utility and sanitary facilities are watertight and capable of resisting the effects of the base flood or 100-year frequency flood. The building design shall take into account flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, the effects of buoyancy, and impacts from debris or ice. Floodproofing measures shall be operable without human intervention and without an outside source of power/electricity. The construction of levees, berms, floodwalls and similar works are not considered floodproofing for the purpose of this Subsection.

10. **Other Limitations.** All building and property protection requirements pertaining to structures, elevation, and anchoring established by the Federal Emergency Management Agency for participation in the National Flood Insurance Program shall be satisfied.

11. **Critical Facilities.** New critical facilities shall be located outside the limits of the flood plain; provided, however, that siting of new critical facilities shall be permissible within the flood plain if no feasible alternative site is available. New critical facilities constructed within the flood plain shall have the lowest floor (including basement) elevated or structurally dry floodproofed to the 500-year flood frequency elevation or three feet above the level of the 100-year flood frequency elevation, whichever is greater. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released

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into floodwaters from new critical facilities. Access routes to all new critical facilities shall be elevated to or above the level of the base flood elevation.

J. **Disclaimer of Liability.** The degree of flood protection required by this Part is considered reasonable for regulatory purposes and is based on federal and state law and regulations, historical records, and engineering and scientific methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes. The adoption and implementation of these regulations does not imply that areas outside the prescribed base flood area or land uses permitted within such area will be free from flooding or flood damage. The adoption and enforcement of these regulations shall not create liability on the part of the Village of Northbrook or any officer, employee, agent or consultant thereof for any flood damage that may result from reliance on this Code or on any administrative decision made thereunder. Nothing herein shall be construed to prevent any property owner from taking such additional, lawful measures (including non-use of flood-prone property) to protect against flood damage.

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Article 10. General Development Standards

10-101. General Provisions

10-102. Off-Street Vehicle Parking

10-103. Off-Street Loading

10-104. Off-Street Bicycle Parking

10-105. On-Site Pedestrian Walkways

10-106. Landscape

10-107. Screening

10-108. Fence, Wall, and Berm Standards

10-109. Outdoor Lighting

10-110. Sight Triangles

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10-101. General Provisions

A. **Purpose**. The purpose of this Article shall be detailed in the general provisions subsection of Sections 10-102-10-110.

B. **Applicability**. The standards of this Article shall apply as detailed below and in the applicability tables included at the beginning of each Section of this Article.

1. **New Development**. New development shall meet all standards of this Article. New development shall include:

   a. Development proposed after the demolition of existing buildings and site elements;

   b. All nonresidential and mixed-use development, including subdivisions;

   c. Any residential subdivision that results in five or more lots; and

   d. Any residential development that results in five or more dwelling units.

2. **Redevelopment**. The standards of this Article shall apply to redevelopment depending on the scale of redevelopment activity, as outlined in subsections a-d below. If redevelopment activity meets the qualifications of multiple categories, the more restrictive category standards shall apply.

a. **Major Redevelopment**. Includes 50 percent or more increase in gross floor area, building value, dwelling units, disturbed area, or impervious surface area.

b. **Intermediate Redevelopment**. Includes 25 percent or more up to less than 50 percent increase in gross floor area, dwelling units, disturbed areas, or impervious surface area; or an increase in building height.

c. **Minor Redevelopment**. Includes any exterior changes to buildings or changes to required site elements not meeting the thresholds of other development categories.

d. **Change of Use**. Includes changing from one use category to another use category.

10-102. Off-Street Vehicle Parking

A. **General Provisions**.

1. **Purpose**. The purpose of the Off-Street Vehicle Parking requirements is to ensure sufficient, but not excessive parking is provided to balance demand for on-street parking and minimize negative environmental and aesthetic impacts of parking areas on the Village.

2. **Applicability**. The off-street vehicle parking standards established in this section shall apply as detailed in Table 10-102-A.

Table 10-102-A: Off-Street Vehicle Parking Standards Applicability Overview

Key:
● = Standards apply to entire development site
○ = Standards apply to portion of site or building(s) impacted by development activity
Blank = Standards do not apply

Standard	Reference	*New development*	*Major redevelopment*	*Intermediate redevelopment*	*Minor redevelopment*	*Change of use*
Vehicle Parking Area Locations	10-102-B	●	●	●		
Vehicle Parking Area Design and Maintenance	10-102-C	●	○	○	○	
Required Vehicle Parking	10-102-D	●	●	●	●	●
Allowed Adjustments to Vehicle Parking Standards	10-102-F	●	●	●	●	●

B. **Allowed Vehicle Parking Area Locations**. Except as provided in Section 10-102-C below, parking spaces required by this Section shall be located on the same lot as the use to which they are accessory.

C. **Vehicle Parking Area Design and Maintenance**.

1. **Access to Street.**

a. All parking areas and structures shall be so located and designed as to provide access to adjacent public streets with the least interference with through traffic movements.

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b. Driveways serving single family and duplex dwellings and driveways providing direct access from a parking area or parking structure to a public street, and not serving as a circulation aisle in connection with any parking space, may encroach into any required yard.

c. The surface area of any driveway giving access from a parking lot or parking structure that encroaches into any required front or corner side yard shall not exceed 30 percent of the area between the principal building and street right of way.

d. No curb cut across public property shall exceed 40 feet in width without the written approval of the Village Manager.

e. No driveway shall be provided through a zoning district other than the district in which the parking area or structure is located except across a permanent, recorded access easement in form and substance satisfactory to the Village Attorney.

2. **Turnaround and Back Up Area.**

a. **Turnaround Area**. Every parking area, garage, or structure, other than a parking area or garage accessory to a single-family dwelling, shall be provided with a turnaround area or other means to permit cars to exit the parking area, garage, or structure without backing onto any street or sidewalk.

b. **Back-up Area.** Each parking space, except spaces accessory to a single-family dwelling, shall be provided with a sufficient back-up area to permit egress in one (1) maneuver, consisting of one (1) backward and one (1) forward movement.

3. **Slope.** No portion of any parking area or structure, excluding access ramps, shall have a slope greater than five percent. No ramp shall have a slope in excess of eight percent.

a. **Waiver Authorized.** Notwithstanding any other provision of this Section, the Board of Trustees may issue a waiver to increase the slope of a ramp within a parking lot or garage following receipt of an application for such a waiver and a public hearing considering such application as set forth in Subsection (F)(4) below.

b. **Public Hearing Required.** Any application pursuant to this Subsection shall be considered at a public hearing scheduled, noticed, and conducted in accordance with Section 2-103 of this Code. Whenever any other application is filed pursuant to this Code or the Subdivision Code as a companion to an application for waiver under this Subsection (F)(4), and the relief requested in such application otherwise requires a Plan Commission hearing, the public hearing on the application for a waiver under this Subsection (F)(4) shall be conducted by the Plan Commission. If the application for a waiver under this Subsection (F)(4) is submitted without any companion requests which require a Plan Commission hearing, the public hearing shall be conducted by the Board of Trustees.

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4. **Car Stops.** As determined necessary by the Village Manager, parking areas and parking structures, except those accessory to a single family dwelling, shall be bordered by a six inch high concrete curb and shall be provided with curbs, car wheel stops, guard rails, barrier fences or other suitable devices designed and located to protect required screening devices, landscaping, structures and other vehicles from damage by vehicles using such lot or garage.

5. **Space and Circulation Aisle Dimensions.** Each off-street parking space, excluding its associated circulation aisle, shall have the following minimum dimensions, in feet. The requirements of this section shall not apply to motor vehicle dealers with open sales lots, who may provide required parking spaces without direct access to a circulation aisle.

Table 10-102-C: Parking Space and Circulation Aisle Dimensional Requirements

Parking Angle (Degrees)	Space Width [1]	Space Depth	Aisle Width (2-Way)	Aisle Width (1-Way)	Depth of Interlocking Spaces	Overhang [2]
0	9'	22'	18'	12'	n/a	1'0''
45	9'	20' [3]	18'	12'	28.25'	1'6''
60	9'	20' [3]	18'	16'	32'	1'9''
90	9'	20' [3]	24'	22'	36'	2'0''

Notes

[1] The Village Manager may approve narrower space width when sustainability measures including but not limited to permeable pavement, rain gardens, permeable pavement, supplemental site landscaping above the requirements of Section 10-106 are provided on-site.

[2] Overhang shall be required when parking space abuts a pedestrian walkway or sidewalk only.

[3] Parking spaces that terminate onto a landscape area may have a depth of 18 feet if wheel stops are provided.

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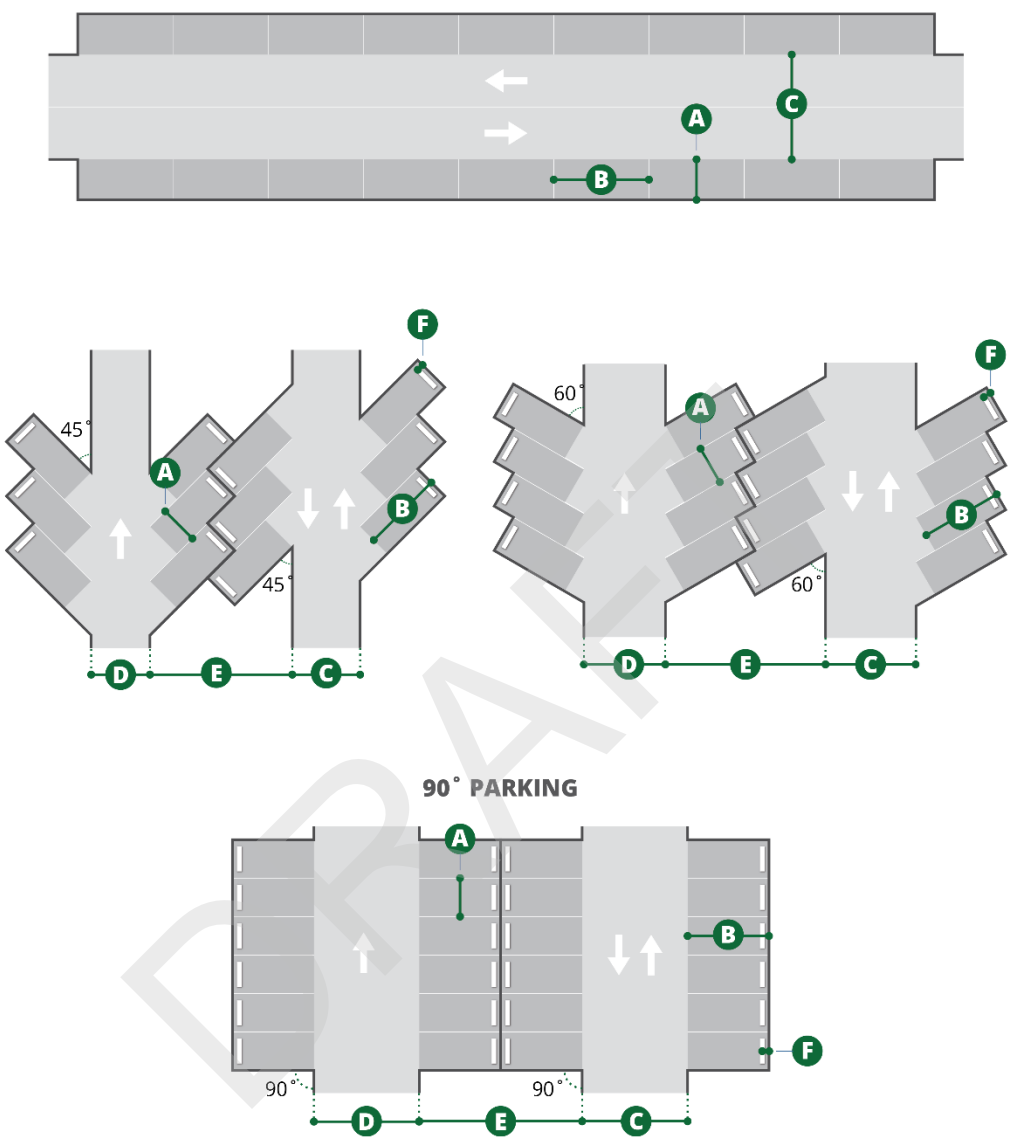

Figure 1 Space and Circulation Aisle Dimensions

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D. **Vehicle Parking Amount**. Table 10-012-D establishes the minimum number of required vehicle parking spaces per use. The maximum number of vehicle parking spaces allowed per use shall be 10 percent in excess of the minimum requirement.

Table 10-102-D: Minimum Vehicle Parking Requirements	
Use	Minimum Parking Requirement
Residential Uses	
Dwelling, Single-Family Detached	2 / dwelling
Dwelling, Duplex	
Dwelling, Triplex/Quadplex	
Dwelling, Multi-Unit Building [1]	1 / bedroom up to 2/ unit
Dwelling, Multi-Unit above ground floor [1]	
Dwelling, Cottage Court	1.5 / dwelling
Dwelling, Townhouse	2 / dwelling
Live-Work Unit	1 / dwelling plus 1 / 250 sq ft of commercial space
Multi-Unit Building Complex	1 / bedroom up to 2/ unit
Group Homes, up to 8 residents	2 / dwelling
Group Homes, 9+ residents	3 / dwelling
Senior Housing, Dependent	0.5 / dwelling/bed
Senior Housing, Independent	1 / dwelling
Public and Institutional Uses	
Cemetery	As determined through applicable permit process
Day Care	1 / 250 sq ft
College/University	As determined through applicable permit process
Hospital	1 / hospital bed
Membership Organizations, 2,500 sq ft or less	1 / 250 sq ft
Membership Organizations, More than 2,500 sq ft	
Park	None for the first acre 1/ acre after the first acre PLUS 1 per every 5 persons of design capacity for any structure or court located in the park.
Place of Worship, less than 15,000 sq ft	1 / 250 sq ft
Place of Worship, more than 15,000 sq ft	
Public Cultural and Community Facilities	
Public Library, Museum, or Gallery	
Public Service/Safety Facility	

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Table 10-102-D: Minimum Vehicle Parking Requirements	
Use	Minimum Parking Requirement
School, Elementary	As determined through applicable permit process
School, High	
School, Middle	
School Vocational/Technical	
Vacant Land/Vacant Building	N/A
Commercial Uses	
Adult Uses	1 / 250 sq ft
Alcohol/Liquor Sales	
Amusement and Recreation Services, 2,500 sq ft or less	
Amusement and Recreation Services, More than 2,500 sq ft	
Bank, Credit Union, Financial Services	
Bar/Tavern	1 / 150 sq ft
Cannabis Dispensary, Adult Use	1 / 250 sq ft
Cannabis Dispensary, Medical Use	
Coworking Space	
Firearms Dealer	
Funeral Home	
General Retail	
Golf Course	As determined through applicable permit process
Hotel	1 / lodging unit
Medical Clinic	1 / 250 sq ft
Medical Spa	
Microbrewery/Winery/Distillery With Tasting Room	
Personal Service	
Physical Fitness Facilities	
Professional Services	
Restaurant	1 / 100 sq ft
Meeting/ Event Facility	
Short-Term Rental	1 / lodging unit
Tobacco Retail Sale	1 / 250 sq ft
Industrial and Vehicle Related Uses	
Artisan Manufacturing	1 / 1,000 sq ft
Brewery/Winery/Distillery	
Car Wash	1 / 250 sq ft
Commercial Kitchen	1 / 1,000 sq ft
Contractor Shop	

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Table 10-102-D: Minimum Vehicle Parking Requirements	
Use	Minimum Parking Requirement
Crematorium	
Dry Cleaner, Processing On Site	
Fuel Sales	1 / 250 sq ft
Industry, Heavy	
Industry, Light	
Materials Salvage Yard / Recycling Operations	1 / 1,000 sq ft
Microbrewery/Winery/Distillery With or Without Tasting Room	
Motor Vehicle Sales/Rental, With Open Sales Lot	
Motor Vehicle Sales/Rental, Without Open Sales Lot	1 / 300 sq ft
Off-Street Parking	N/A
Personal / Self Serve Storage	
Trucking Company	1 / 1,000 sq ft
Vehicle Services - Major Repair/Body Work	
Vehicle Services - Minor Maintenance/Repair	1 / 300 sq ft
Warehouse, Distribution/Storage	
Wholesale Trade	1 / 1,000 sq ft
Utilities and Infrastructure	
Electrical Substations	
Public Utility Facilities	As determined through applicable permit process
Required Detention Facilities	N/A
Transit Facilities	
Wireless Telecommunications Equipment	
Wireless Telecommunications Tower	As determined through applicable permit process
Agriculture and Animal-Related	
Animal Production	
Community Garden	
Crops and Horticulture	
Indoor Agriculture	1 / 1,000 sq ft
Nursery & Garden Center, With Open Sales Lot	
Nursery & Garden Center, Without Open Sales Lot	1 / 500 sq ft
Veterinary and Animal Care Services, indoor and outdoor	1 / 300 sq ft

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Table 10-102-D: Minimum Vehicle Parking Requirements	
Use	Minimum Parking Requirement
Veterinary and Animal Care Services, indoor only	
Accessory Uses	
Attached Accessory Dwelling Unit	1/dwelling
Accessory Structure / Building	n/a
Drive-Through Facility	
Electric Vehicle Charging Station	
Food Cart or Truck, Accessory	
Garden, Accessory	
Home Based Daycare	
Home Occupation	
Outdoor Display / Sale of Merchandise, Permanent	
Outdoor Seating for Eating and Drinking Uses	
Outdoor Storage Yard	
Small Cell Wireless Facilities	
Solar Energy Collection System, Canopy	
Solar Energy Collection System, Ground	
Solar Energy Collection System, Roof	
Temporary Uses	
Civic Uses of Public Property	As determined through applicable permit process
Contractor Trailer / Temporary Real Estate Sales	
Farmers Market	
Garage Sales	
Parking of Trailers, Boats, and Other Vehicles	
Portable Outdoor Storage Device	
Seasonal Sales	
Tents	

E. **Parking for Townhouse, Triplex, Quadplex, and Multifamily Dwellings.**

1. **Resident Parking**.

a. **Townhouse Resident Parking.** At least one space required for each townhouse unit shall be located on each individual townhouse lot of record.

b. **Triplex, Quadplex, and Multifamily Resident Parking.** At least one space required for each unit shall be located within 250 feet of the unit.

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2. **Guest Parking.**

   a. Guest parking shall include parking spaces located in parking areas available for use in common by at least three individual units.

   b. No required guest parking space shall be located farther than 500 feet, measured along an on-site pedestrian walkway (Section 10-105), from the unit it is required to serve.

F. **Allowed Adjustments to Vehicle Parking Standards**.

1. **Required Parking in the Village Green Overlay District.** Properties located within the mapped Village Green Overlay District may reduce the required number of parking spaces for all uses by up to 50%, not to exceed less than one space per dwelling unit.

2. **Landbanking of Required Parking.**

   a. **Landbanking Authorized.** The Board of Trustees may, by Special Permit granted pursuant to Section 2-113, reduce the total number of off-street parking spaces as specified in to Section 10-102-D or the stall length and width dimension required pursuant to Section 10-102-C above, subject to acceptance by the property owner of the conditions set forth below. No such Special Permit shall allow landbanking of more than 50 percent of the parking spaces required to be provided accessory to any senior housing development.

   b. **Termination of Landbanking.** The Board of Trustees shall have the right, in its sole and absolute discretion, to require the property owner or their successor, at any time, to increase the stall length and width to the dimension required by Section 10-102-C above or to increase the number of parking spaces provided to serve said development up to the maximum required by Section 10-102-D for the property in question as if no Special Permit for landbanking had been granted.

   c. **Alternate Plans Required.**

      i. Every application for a Special Permit to allow landbanking of required parking spaces shall be accompanied by alternate detailed parking plans. One plan shall show the full stall length and width required by Section 10-102-C above and the full number of parking spaces required pursuant to Subsection 10-102-D of this Section. The other plan shall show the reduced stall length and width or the reduced number of parking spaces, or both, proposed pursuant to the Special Permit being sought and shall also show the landscaping required in Section 10-106 proposed to be reserved for future parking requirements.

      ii. The design plans for such parking areas shall be subject to the approval of the Board of Trustees.

   d. **Open Space Covenant.** As a condition of granting a Special Permit, the applicant shall file with the Village Manager their unconditional agreement and covenant in form and

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substance satisfactory to the Village Attorney that areas reserved for future parking shall be maintained as landscaped open space until and unless required to be used for off-street parking pursuant to such Special Permit. The Code granting such the permit, together with such agreement and covenant, shall be recorded with the Recorder of Deeds of Cook County, Illinois.

3. **Reduction of Required Number of Parking Spaces in Excess of Allowable Parking Variation.**

   a. **Reduction Authorized.** Notwithstanding any other provision of this Section, the Board of Trustees may, by Special Permit granted pursuant to Section 2-112 of this Code, reduce the total number of off-street parking spaces required pursuant to Subsection 10-102-D of this Section in excess of the allowable 25% parking variation (Section 10-102-F-3(a)).

   b. **Alternate Plans Required.**

      i. Every application for a Special Permit to allow reduction of required parking spaces shall be accompanied by alternate detailed parking plans. One plan shall show the number of parking spaces required pursuant to Subsection D of this Section; the other plan shall show the reduced number of parking spaces proposed to be provided pursuant to the Special Permit being sought and shall also show the landscaping treatment of areas proposed to be reserved for future parking requirements. Both such plans shall show the location on the site of all parking areas, the exact number of parking spaces to be provided, and complete details for:

         a) Wheel stops,

         b) Markings,

         c) Curbing,

         d) Surfacing,

         e) Screening and landscaping,

         f) Lighting,

         g) Signing, and

         h) Access.

      ii. The design plans for such parking areas shall be subject to the approval of the Board of Trustees.

   c. **Covenant.** As a condition of granting a Special Permit, the applicant shall file with the Village Manager their unconditional agreement and covenant in form and substance satisfactory to the Village Attorney that should the property ever cease to be used for its current use, additional off-street parking spaces will be provided in accordance with the

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then applicable off-street parking requirements for such use to which the property is converted. The Code granting such permit, together with such agreement and covenant, shall be recorded with the Recorder of Deeds of Cook County, Illinois.

4. **Waiver of Off-Street Parking Requirement for Certain Public Parks.**

   a. **Waiver Authorized.** Notwithstanding any other provision of this Section, the Board of Trustees may issue a waiver to reduce the total number of off-street parking spaces required for a public park of five acres or less in size, following receipt of an application by the owner of such public park and a public hearing considering such application as set forth in Subsection below.

   b. **Public Hearing Required.** Any application pursuant to this Subsection shall be considered at a public hearing conducted pursuant to notice meeting the requirements applicable to variations set forth in Section 2-103 of this Code.

      i. Whenever any other application is filed pursuant to this Code or the Northbrook Subdivision and Development Code (1991) as a companion to an application for waiver under this Subsection, and such application requires a Plan Commission hearing, the public hearing on the application for waiver shall be conducted by the Plan Commission.

      ii. If the application for waiver is submitted without any companion requests which require a Plan Commission hearing, the public hearing shall be conducted by the Board of Trustees.

5. **Off-Street Parking Reduction for Bicycle Parking.**

   a. **Applicability.** This provision is applicable to all land uses except single-family detached and duplex residential uses.

   b. **Off-Street Parking Reduction.** A reduction in the number of off-street vehicle parking specified in Section 10-102-D shall be permitted for the provision of bicycle parking provided that:

      i. No fee is required for using the bicycle parking made available;

      ii. When calculation of the maximum number of reduced parking spaces results in a fraction, the resulting number shall be rounded to the next highest integer.

   c. **Reduction Allowed.**

      i. The number of off-street vehicle parking spaces may be reduced by no more than one space for every two bicycle parking spaces, but no more than five percent of the total required spaces.

      ii. The allowed reduction in off-street vehicle parking spaces shall apply for all bicycle parking provided above the minimum quantity of bicycle parking required per Section 10-104-C.

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10-103. Off-Street Loading

A. **General Provisions**.

1. **Purpose**. The purpose of the Off-Street Loading requirements is to ensure adequate loading spaces and areas are provided to ensure efficient loading and unloading activity and to minimize negative traffic and aesthetic impacts on the Village.

2. **Applicability**. The Off-Street Loading standards established in this section shall apply as detailed in Table 10-103-A.

Table 10-013-A: Off-Street Loading Standards Applicability Overview

Key: ● = Standards apply to entire development site ○ = Standards apply to portion of site or building(s) impacted by development activity Blank = Standards do not apply		*New development*	*Major redevelopment*	*Intermediate redevelopment*	*Minor redevelopment*	*Change of use*
Standard	Reference					
Loading Space and Loading Area Location Standards	###	●	○	○	○	
Loading Space and Loading Area Design and Maintenance	###	●	○	○	○	
Required Loading Spaces	###	●	●	●	●	●
Allowed Adjustments to Vehicle Loading Standards	###	●	●	●	●	●

B. **Loading Spaces**. Loading spaces include dedicated areas for the unloading and loading of vehicles that qualify as Class 6 or heavier truck classes.

1. **Required Loading Spaces.** All properties containing commercial, industrial or vehicle related, utilities and infrastructure use as specified in Section ##-##-## shall provide at least one loading space subject to the standards of this Section.

2. **Location on Same Lot Required.** Loading spaces shall be located on the same lot as the use they serve.

3. **Location on Lot.** All loading spaces shall comply with the yard requirements applicable to principal uses in the district in which they are located. Open loading spaces may be in a required rear yard.

4. **Location Near Intersections.** No loading space shall be located within 50 feet of the nearest point of intersection of any two public or private streets.

5. **Location Near Public Right-of-Ways.** No loading space shall be located closer to any public right-of-way than the facade of the building facing such right-of-way.

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6. **Building Facades.** No loading space in a mixed use, commercial, or office district shall open onto any building facade facing a public right-of-way.

7. **Arrangement.** All loading spaces shall be located and arranged to provide logical and convenient access thereto from the use they serve.

8. **Access to Street.**

    a. Loading spaces shall be designed and arranged to provide access to a street or alley in a manner that will create the least possible interference with through traffic movements.

    b. No curb cut across public property shall exceed 40 feet in width without the written approval of the Village Manager.

9. **Maneuvering Space.**

    a. In all Districts except for Industrial Districts, every loading space shall be provided with sufficient maneuvering space on the lot where it is located to allow vehicles to access and exit the space without having to make any backing movement on or into any public or private street.

    b. On properties in the Industrial Districts, loading spaces may be designed to enable vehicles to back onto a public or private street if the Village Manager and Village Engineer determine that the arrangement would provide for adequate safety.

10. **Surface, Drainage and Markings.** Every loading space shall be faced with an asphalt or Portland cement binder pavement providing an all-weather, durable and dustless surface, and all such construction shall meet the minimum standards for structural materials established by the Village.

11. **Lighting.** Lighting used to illuminate an off-street loading area shall meet the standards of Section 10-109.

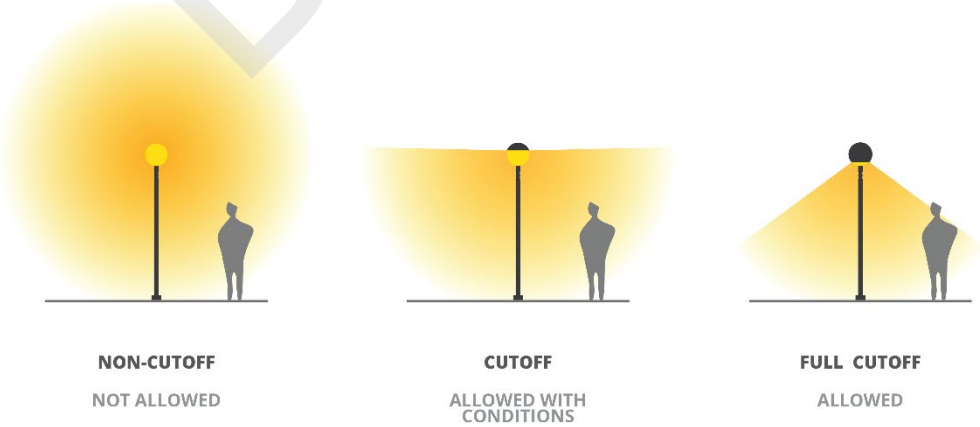

Figure 2 Off-Street Loading Area Lighting

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12. **Loading Areas.** Loading areas include areas on a site where the loading and unloading of a vehicle that qualifies as Class 5 or a lighter truck class can be accommodated without impeding the flow of traffic or access to parking spaces regulated per section 10-102.

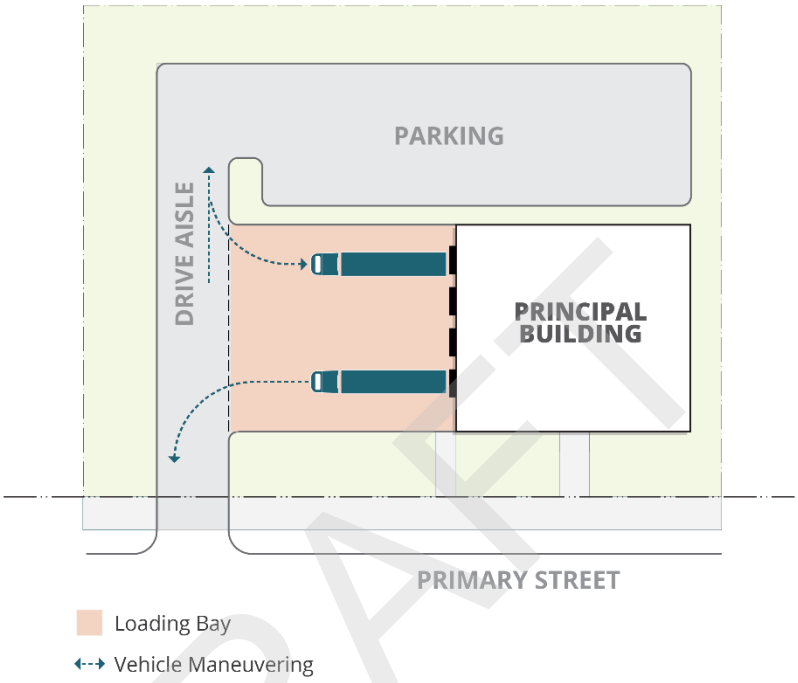

Figure 3 Loading Areas

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10-104. Off-Street Bicycle Parking

A. **General Provisions**.

1. **Purpose**. The purpose of the Off-Street Bicycle Parking requirements is to ensure sufficient bicycle parking exists in the Village to support and encourage this mode of transportation.

2. **Applicability**. The Off-Street Bicycle Parking standards established in this section shall apply as detailed in Table 10-104-A.

Table 10-104-A: Off-Street Bicycle Parking Standards Applicability Overview

Key:
● = Standards apply to entire development site
○ = Standards apply to portion of site or building(s) impacted by development activity
Blank = Standards do not apply

Standard	Reference	*New development*	*Major redevelopment*	*Intermediate redevelopment*	*Minor redevelopment*	*Change of use*
Allowed Bicycle Parking Area Locations	10-104-B	●	○			
Short-Term Bicycle Parking Facilities Standards	10-104-B-5	●	○	○	○	
Long-Term Bicycle Parking Facilities Standards	10-104-B-6	●	●			
Parking Structures	10-104-B-7	●	●			
Minimum Short-Term Bicycle Parking Requirements	10-104-C-1	●	●	○	○	○
Minimum Long-Term Bicycle Parking Requirements	10-104-C-2	●	●	○	○	○

B. **Allowed Bicycle Parking Area Locations**.

1. **Access and Safety.** Bicycle racks shall be located in designated areas which minimize pedestrian and vehicle conflicts. If located within a parking lot, the bicycle racks shall be clearly designated and located as close to a building entrance as possible. Bicycle racks provided adjacent to a pedestrian walkway shall allow sufficient passage (five feet minimum) for pedestrians.

2. **Visibility.** Bicycle racks shall be located such that they are highly visible, with adequate lighting, from the street or building entrance(s) from where bicyclists approach.

3. **Installation Requirements.** Bicycle racks shall conform to such standards as may be established by the Village Engineer. A hard surface parking area is required. Bicycle racks must be securely anchored to a supporting surface. Installation of bicycle racks shall

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conform to the requirements set forth by the bicycle rack manufacturer and as established by the Village Engineer.

4. **Theft Prevention.** Bicyclists must be able to lock their bicycles to the bicycle rack with the rack supporting the bicycle in an upright position. Bicycle racks shall be installed with adequate space beside the parked bicycle so that bicyclists will be able to reach and operate their locking mechanisms.

5. **Short-Term Bicycle Parking Facilities Standards**.

   a. If provided outdoors, short-term bicycle parking facilities shall be sited within 50 feet of the main entrance of a building.

   b. If provided indoors, short-term bicycle parking facilities shall be located within an easily accessible common area designated for secure bicycle storage.

   c. Short-term bicycle parking facilities adjacent to a pedestrian walkway shall be sited to ensure that a minimum five-foot walkway clearance is maintained.

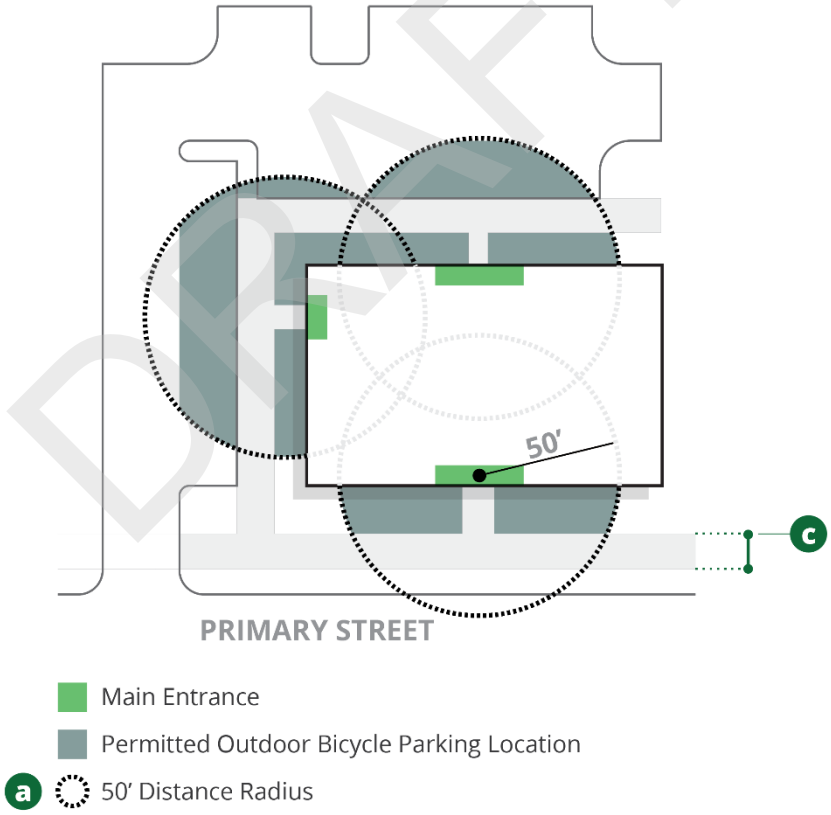

Figure 4 Short-Term Bicycle Parking

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6. **Long-Term Bicycle Parking Facilities Standards**.

   a. Long-term bicycle parking shall be covered and weather resistant.

   b. Long-term bicycle parking shall be located near the building entrance it is intended to serve.

   c. Long-term bicycle parking may be located within an internal area accessible by the public (such as bike locker rooms) or located in stairwells, as long as the storage is compliant with all other applicable Village codes.

   d. Storage within a dwelling unit shall not be considered a long-term bicycle parking space.

7. **Parking Structures**.

   a. Parking structures shall provide bicycle parking within the structure.

   b. Bicycle parking shall be located on the level closest to the street or a primary building entrance.

C. **Required Bicycle Parking**.

1. **Minimum Short-Term Bicycle Parking Requirements.** The minimum short-term bicycle parking requirements established in Table 10-104-C(1) shall apply to nonresidential developments only.

Table 10-104-C(1): Minimum Short-Term Bicycle Parking Requirements	
District	Number of Required Vehicle Parking Spaces per Vehicle Parking Spaces
VGRC, RLC, MFRC, C-2, C-3, O-4	1 per 20 vehicle parking spaces or 5, whichever is greater
C-4, C-5, O-1, O-2, O-3	1 per 40 vehicle parking spaces or 5, whichever is greater
O-5, IB, ICS, I-1, I-2	1 per 80 vehicle parking spaces or 3, whichever is greater

2. **Minimum Long-Term Bicycle Parking Requirements.** The minimum long-term bicycle parking requirements established in Table 10-104-C(2) shall apply to multifamily and mixed use developments only.

Table 10-104-C(2): Minimum Long-Term Bicycle Parking Requirements	
District	Number of Required Vehicle Parking Spaces per Vehicle Parking Spaces
Multifamily Districts	1 per 10 vehicle parking space or 10, whichever is greater

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10-105. On-Site Pedestrian Walkways

A. **General Provisions**.

1. **Purpose**. The purpose of the On-Site Pedestrian Walkway requirements is to ensure pedestrians have a safe means of navigating within and between development sites to promote and encourage this mode of transportation.

2. **Applicability**. The On-Site Pedestrian Walkway standards established in this section shall apply as detailed in Table 10-105-A.

Table10-105-A: On-Site Pedestrian Walkway Standards Applicability Overview

Key: ● = Standards apply to entire development site ○ = Standards apply to portion of site or building(s) impacted by development activity Blank = Standards do not apply		*New development*	*Major redevelopment*	*Intermediate redevelopment*	*Minor redevelopment*	*Change of use*
Standard	Reference					
Required On-Site Pedestrian Walkway Locations	10-105-B	●	○			
On-Site Pedestrian Walkway Design	10-105-B	●	○	○	○	○
Allowed Adjustments to Pedestrian Walkway Standards	10-105-C	●	●	●	●	●

B. **Required On-Site Pedestrian Walkway Locations**.

1. On-site, pedestrian walkways shall connect all buildings on the site to one another and provide connections to parking areas.

2. On-site, pedestrian walkways shall connect each building on a development site to greenways, parks, open space, and community space located within the developments or adjacent to the development site.

3. On-site, pedestrian walkways shall connect building entrances to transit stops on the same property.

4. On-site, pedestrian walkways shall connect each building entrance to adjacent public sidewalks along direct routes of travel.

C. **On-Site Pedestrian Walkway Design.** Where driveways, parking, and loading entrance and exits cross pedestrian walkways, the pedestrian walkway shall be designed with minimal disruptions to safe, continuous pedestrian connectivity.

D. **Allowed Adjustments to Pedestrian Walkway Standards**. The Village Manager, may, as an Administrative Adjustment (Section 2-104), grant exceptions to the requirements of this section

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when either the site's topography or the presence of natural resources prohibits the provision of pedestrian walkways that meet the standards of this Section.

10-106. Landscape

A. **General Provisions**.

1. **Purpose**. The purpose of the Landscape requirements is to preserve and enhance Northbrook's character; improve air quality, conserve water, manage stormwater and urban heat islands, and mitigate climate change; and to minimize negative off-site impacts including but not limited to noise, glare, and views to parking, service and loading areas.

2. **Applicability**. The Landscape standards established in this section shall apply as detailed in Table 10-106-A.

Table 10-106-A: Landscape Standards Applicability Overview

Key:
● = Standards apply to entire development site
○ = Standards apply to portion of site or building(s) impacted by development activity
Blank = Standards do not apply

Standard	Reference	*New development*	*Major redevelopment*	*Intermediate redevelopment*	*Minor redevelopment*	*Change of use*
Building Foundation Landscape Area	10-106-B-1	●	○	○		
Parking Lot Perimeter Landscape Area	10-106-B-1	●	●	●	○	
Parking Lot Interior Landscape Area	10-106-B-1	●	●	○		
Transition Landscape Area	10-106-B-4	●	○	○	○	●

B. **Establishment of Required Landscape Areas.**

1. **Building Foundation Landscape Area**.

a. **Purpose**. The purpose of the building foundation landscape area is to provide a softening effect and improve the appearance of multifamily, mixed use, and nonresidential buildings, with the exception of those in the ICS, I-1, or I-2 Districts, as viewed from the public right-of-way.

b. **Location**. Building foundation landscape shall be located at the base of front and corner side yards facing building facades.

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2. **Parking Lot Perimeter Landscape Area**.

    a. **Purpose**. The purpose of the parking lot perimeter landscape area is to screen vehicle bumpers and headlights from the public right-of-way, while maintaining views from the public right-of-way into parking areas for safety purposes.

    b. Location. Parking lot perimeter landscape shall be located between parking areas and public rights-of-way.

3. **Parking Lot Interior Landscape Area**.

    a. **Purpose**. The purpose of the parking lot interior landscape area is to improve on-site stormwater management, combat urban heat island effects, and provide shade within parking areas.

    b. **Location**. Parking lot interior landscape shall be located within off-street vehicle parking areas.

4. **Transition Landscape Area**.

    a. **Purpose**. The purpose of the transition landscape area is to protect residential areas from incompatible uses to ensure privacy and the peaceful enjoyment of Northbrook neighborhoods.

    b. **Location**. Transition landscape shall be located on the subject property along the interior side or rear property line adjacent to a residential use or property zoned in the R-1, R-2, R-3, R-4, or R-5 districts

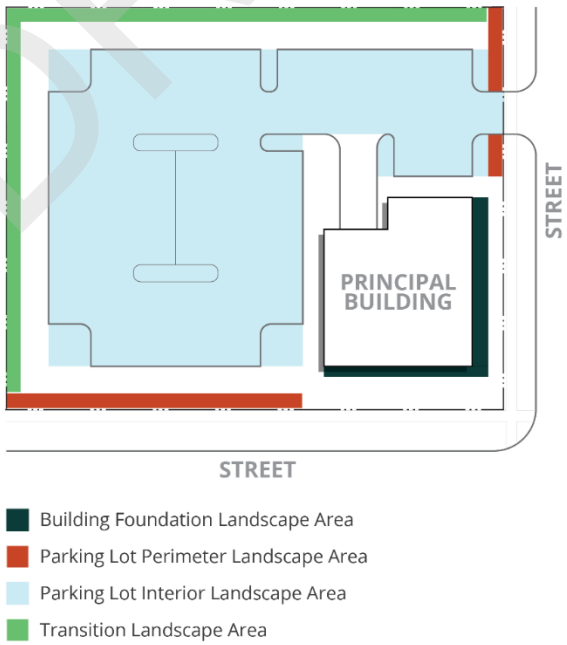

Figure 5 Transition Landscape Area

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C. **Establishment of Landscape Elements**.

1. **Canopy Trees**. A woody plant (deciduous or evergreen) having not less than a two and one-half inch caliper with single central axis which typically reaches a mature height of not less than 40 feet and a mature spread of not less than 15 feet.

2. **Understory Trees**. A woody plant having not less than a one and one-half inch caliper, or six feet tall for multiple stem species, that normally attains a mature height of at least 15 feet.

3. **Evergreen Trees**. A tree having foliage that persists and remains green throughout the year and has a height of not less than six feet at installation and maturing to a height of not less than 20 feet.

4. **Shrubs**. A woody plant (deciduous or evergreen) of low to medium height characterized by multiple stems continuous from its base and having a height of not less than two feet, unless classified as a shrub by the State of Illinois.

5. **Native Grasses**. Grasses that are native to the State of Illinois, not including noxious weeds.

6. **Herbaceous Perennials**. Plants with non-woody stems whose above-ground growth largely or totally dies back during winter months but whose underground plant parts (roots, bulbs, etc.) survive.

7. **Groundcover**. Spreading herbaceous plants, other than turf grass, or prostrate shrubs, or woody vines normally reaching an average maximum height of 18 inches at maturity.

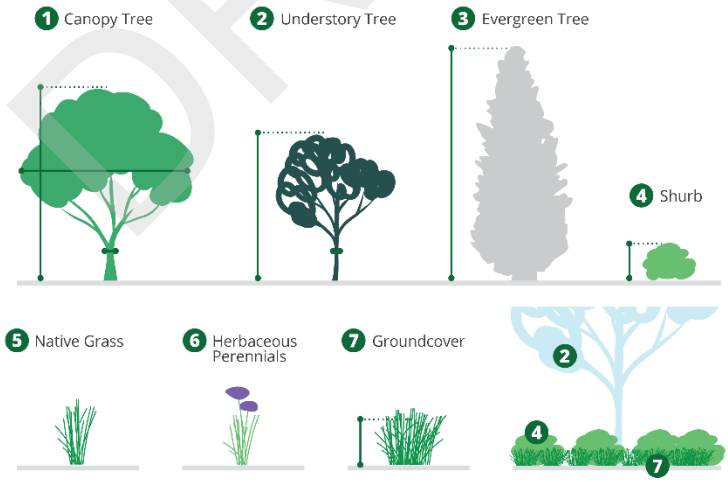

Figure 6 Landscape Elements

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D. **Building Foundation Landscape Area Design**.

1. **Area Required.**

a. **Width.**

i. Building foundation landscape area width shall be:

a) A minimum width of 10 feet when the building height is more than the lesser of three stories or 35 feet,

b) A minimum width of five feet when the building height is less than the lesser of three stories or 35 feet.

ii. The minimum width of a building foundation landscape area shall be measured from the edge of the building.

b. **Length**. The building foundation landscape area shall extend for a minimum length equal to 50 percent of the length of each applicable façade.

c. **Location**. The building foundation landscape area shall be located at the base of the front and street-facing building facades.

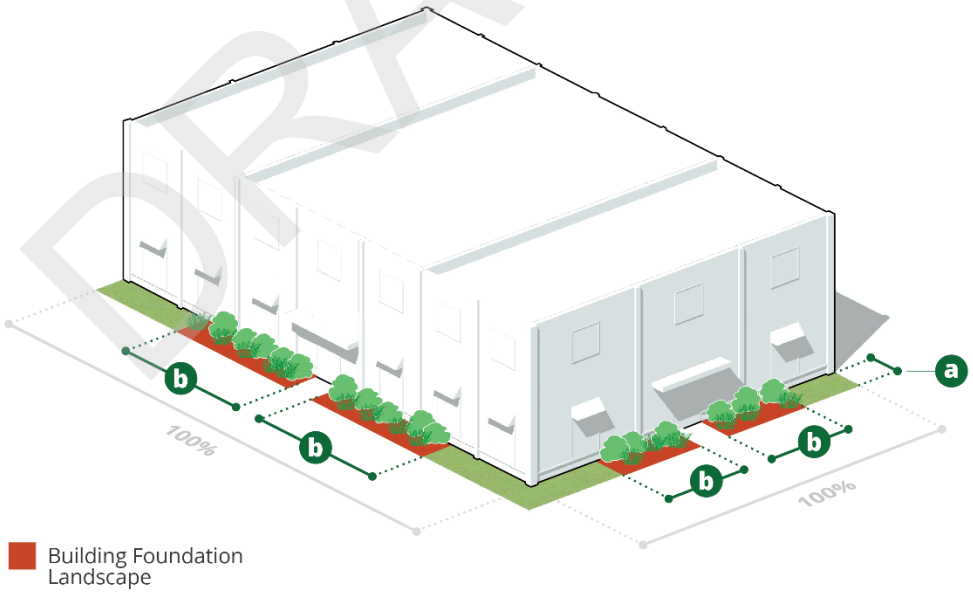

Figure 7 Building Foundation Landscape

2. **Plant Materials Required.** Building foundation landscape areas shall contain any combination of the landscape elements specified in Section 10-106-C as deemed appropriate for the site by the Village Manager and applicant. All areas adjacent to a building or structure

that are not paved and not otherwise landscaped as required by this Subsection shall be sodded and maintained with groundcover meeting the standards of Section 10-106-C(7).

3. **Design.** Building foundation landscape areas shall be designed to:

   a. Provide visual relief along large expanses of building walls and accent building entrances and architectural features; and

   b. Enhance walkways, entrances, outdoor seating areas, and other pedestrian areas.

4. **Exception.** The building foundation landscape area requirement shall not apply in the Village Green Overlay District, where the Form-Based Code allows for a zero setback.

E. **Parking Lot Perimeter Landscape Area Design**.

1. **Area Required**.

   a. **Depth**. Parking lot perimeter landscape area width shall be a minimum of seven feet, as measured from the back of curb of the off-street parking area outward toward the right-of-way.

   b. **Length**. The parking lot perimeter landscape area shall extend the full length of the portion of the parking area adjacent to the public right-of-way, excluding curb cuts and pedestrian walkways.

2. **Plant Materials Required**.

   a. **Option 1 - Traditional**.

      i. One canopy tree shall be planted every 40 feet of parking lot perimeter landscape area length.

         a) Where a canopy tree is required and overhead utility lines exist, two understory trees shall be substituted with the approval of the Village Manager.

      ii. One shrub or native grass shall be planted every four feet of parking lot perimeter landscape area length.

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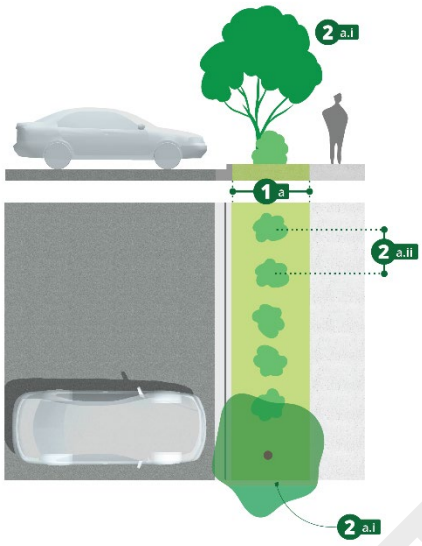

Figure 8 Parking Lot Perimeter Option 1

b. **Option 2 – Rain Garden**. If a rain garden is utilized, it may be credited towards required stormwater management in accordance with Article XIII of the Northbrook Municipal Code.

   i. A curb shall be utilized to separate the parking area perimeter landscape from the parking area. One curb cut or inlet structure shall be located in the curb line every 40 feet of parking lot perimeter landscape area length.

   ii. A vegetated ponding area with a minimum width of six feet and a minimum depth of 18 inches below the surface of the parking area shall be provided and shall meet the following standards:

      a) **Top Layer**. The top layer of the vegetated ponding area shall be planted with native flowers, grasses, and shrubs and have a four-inch-thick layer of hardwood mulch.

      b) **Middle Layer**. The middle layer of the vegetated ponding area shall consist of a 24-inch layer of highly permeable mixture of engineered soil including sand and compost.

      c) **Bottom Layer**. The bottom layer of the vegetated ponding area shall consist of 36 inches of gravel.

      d) **Underdrain**. An underdrain, consisting of a perforated pipe running along the bottom of the vegetated ponding area at the top of the bottom layer and connecting to an adjacent sewer inlet shall be provided at the discretion of the Village Engineer.

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iii. A perimeter with a minimum width of two feet shall be provided on either side of the vegetated ponding area which shall be planted.

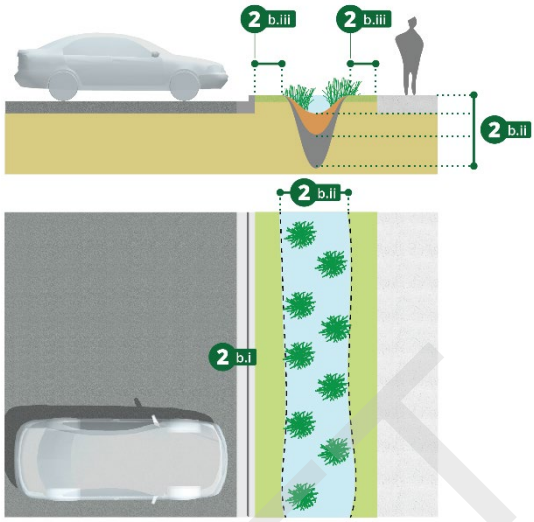

Figure 9 Parking Lot Perimeter Option 2

F. **Parking Area Interior Landscape Area**.

1. **Parking Lot Interior Landscape Area Element Requirements**. The number and type of required parking area interior landscape elements shall be determined by the location of the off-street parking area as detailed below.

   a. **Off-Street Parking Areas in Front or to Side of Principal Buildings**. Off-street vehicle parking areas in front or to the side of principal buildings, except for commercial buildings with detached outlot / liner buildings along 60 percent or more of the street frontage, shall include the following landscape elements.

      i. **Parking Area End Caps**. A parking area end cap shall be located at the end of every bay of parking.

      ii. **Parking Area Medians**. Parking area medians shall be placed between every other bay of parking.

      iii. **Parking Area Islands**. Parking area islands shall be located on every parking bay. Parking area islands shall be spaced not more than 90 feet or 10 continuous spaces apart.

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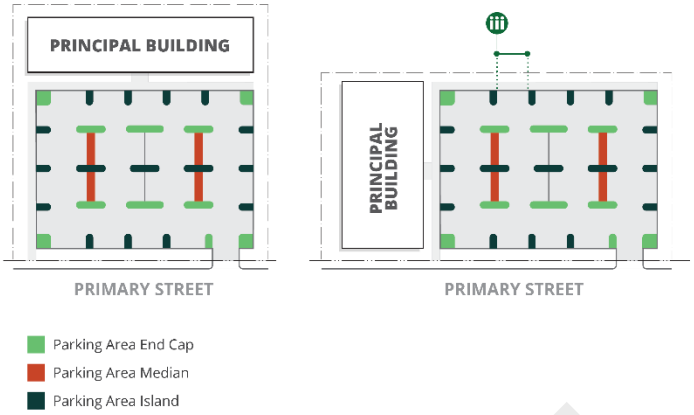

Figure 10 Parking Area Interior Landscape, Front-Side

b. **Off-Street Parking Areas in Rear of Principal Building**. Off-street parking areas to the rear of principal buildings or located between large lot commercial buildings with detached outlot / liner buildings along 60 percent or more of the street frontage, shall include the following landscape elements.

   i. **Parking Area Medians**. Parking area medians shall be placed between every third bay of parking.

   ii. **Parking Area Islands**. Parking area islands shall be located on every parking bay. Parking area islands shall be spaced not more than 180 feet or 20 continuous spaces apart

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2. **Parking Lot Interior Landscape Area Element Standards.**

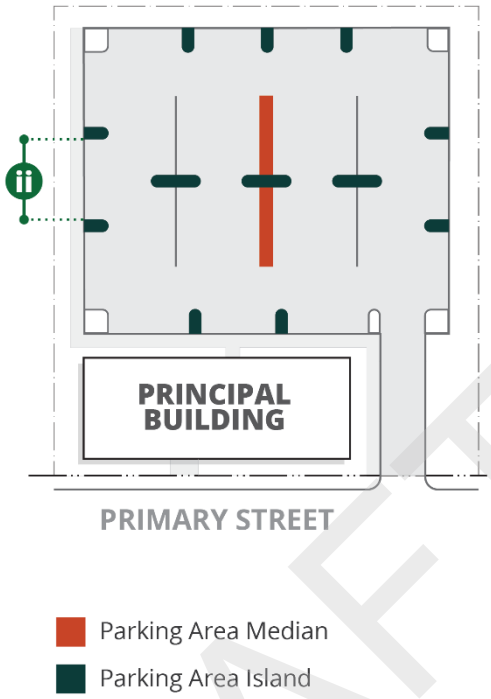

Figure 11 Parking Area Interior Landscape, Rear

a. **Parking Area End Cap Standards.**

i. **Area Required**.

a) **Width**. Parking area end caps shall have a minimum width of 10 feet.

b) **Length**. Parking area end caps shall have a minimum length of 18 feet.

ii. **Required Plant Materials**.

a) A minimum of one canopy tree and three shrubs or native grasses shall be provided for every parking area end cap.

b) If the end cap extends the width of a double bay, then two canopy trees and six shrubs or native grasses shall be provided.

iii. **Design**.

a) Double rows of parking shall provide parking area end caps opposite one another to form a continuous single end cap.

b) A minimum of two cubic feet of soil volume per one square foot of projected tree canopy at maturity shall be provided per canopy tree.

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c) Parking area end caps shall be protected with concrete curbing or other suitable barriers approved by the Village Engineer.

d) Parking area end caps shall be properly drained and irrigated as appropriate to the site conditions to ensure survivability of plant materials or proper stormwater management function.

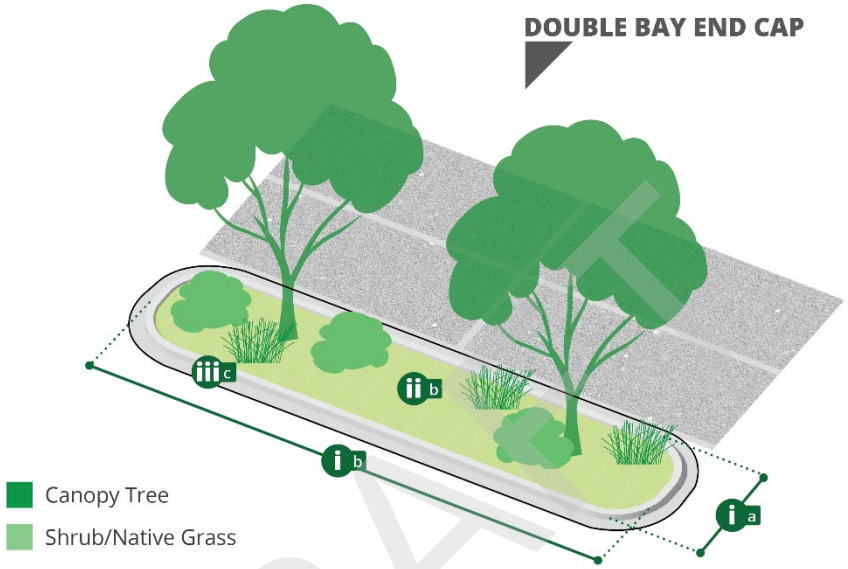

Figure 12 End Cap Standards

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b. **Parking Area Median Standards**.

i. **Option 1 – Traditional.**

a) **Area Required**.

(i) **Width**. Traditional parking area medians shall have a minimum width of 10 feet.

(ii) **Length**. Traditional parking medians shall extend the full length of a parking row, excluding end caps.

b) **Plant Materials Required**.

(i) A minimum of one canopy tree and 20 shrubs or native grasses shall be planted for every 50 linear feet of parking area median.

c) **Design**.

(i) Traditional parking area medians shall have minimum soil depth of 48 inches.

(ii) A minimum of two cubic feet of soil volume per one square foot of projected tree canopy at maturity shall be provided per canopy tree.

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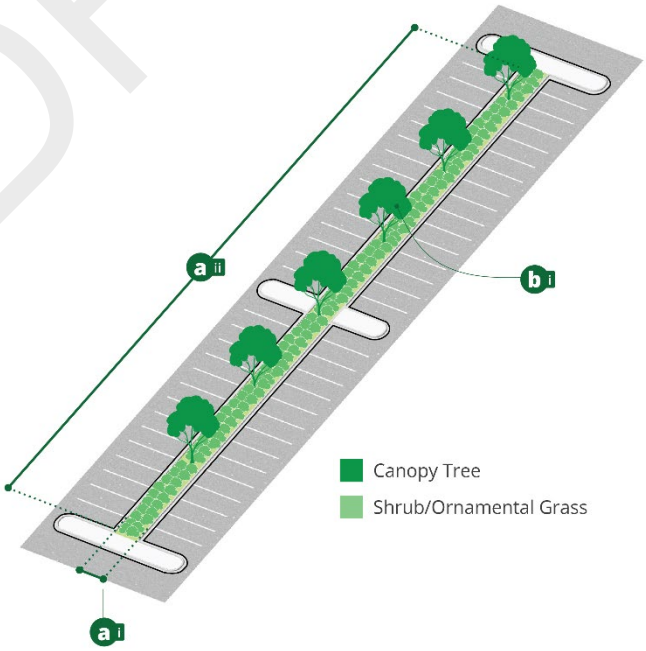

Figure 13 Median Standards Option 01

c. **Option 2 – Rain Garden**. If a rain garden is utilized, it may be credited towards required stormwater management in accordance with Article XIII of the Northbrook Municipal Code.

a) A curb shall be utilized to separate the parking area median from the parking area. One curb cut or inlet structure shall be located in the curb line every 40 feet of parking area perimeter landscape length.

b) A vegetated ponding area with a minimum width of six feet and a minimum depth of 18 inches below the surface of the parking area shall be provided and shall meet the following standards:

(i) **Top Layer**. The top layer of the vegetated ponding area shall be planted with native flowers, grasses, and shrubs and have a four-inch-thick layer of hardwood mulch.

(ii) **Middle Layer**. The middle layer of the vegetated ponding area shall consist of a 24- inch layer of highly permeable mixture of engineered soil including sand and compost.

(iii) **Bottom Layer**. The bottom layer of the vegetated ponding area shall consist of 36 inches of gravel.

(iv) **Underdrain**. An underdrain, consisting of a perforated pipe running along the bottom of the vegetated ponding area at the top of the bottom layer and

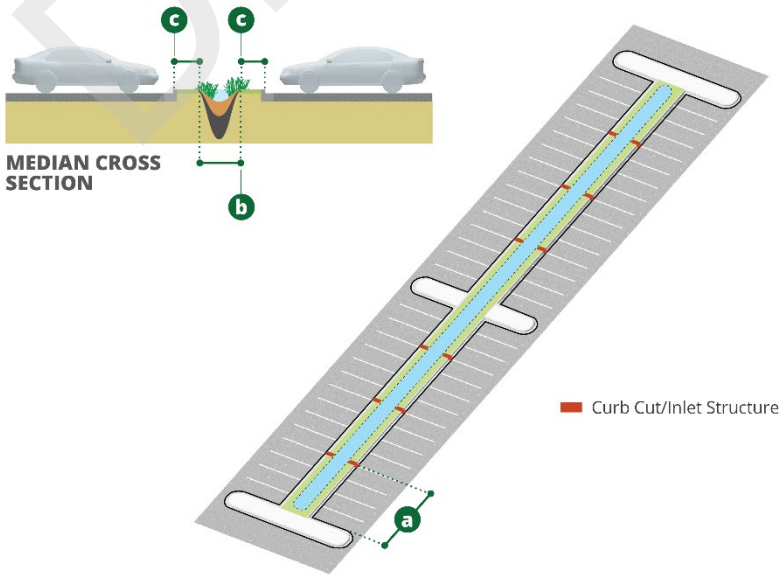

Figure 14 Median Standards Option 02

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connecting to an adjacent sewer inlet shall be provided at the discretion of the Village Engineer.

c) A perimeter with a minimum width of two feet shall be provided on either side of the vegetated ponding area which shall be planted in native, living groundcover, not including turf grass.

d. **Parking Area Island Standards**.

i. **Area Required**.

a) **Width**. Parking area islands shall have a minimum width of 10 feet.

b) **Length**. Parking area islands shall have a minimum length of 18 feet.

ii. **Required Plant Materials**.

a) A minimum of one canopy tree shall be provided for every parking area island.

b) If the island extends the width of a double bay, then two canopy trees shall be provided.

iii. **Design**.

a) Double rows of parking shall provide parking area islands opposite one another to form a continuous single island.

b) A minimum of two cubic feet of soil volume per one square foot of projected tree canopy at maturity shall be provided per canopy tree.

c) Parking area islands shall be protected with concrete curbing or other suitable barriers approved by the Village Engineer.

iv. Parking area islands shall be properly drained and irrigated as appropriate to the site conditions to ensure survivability of plant materials or proper stormwater management function.

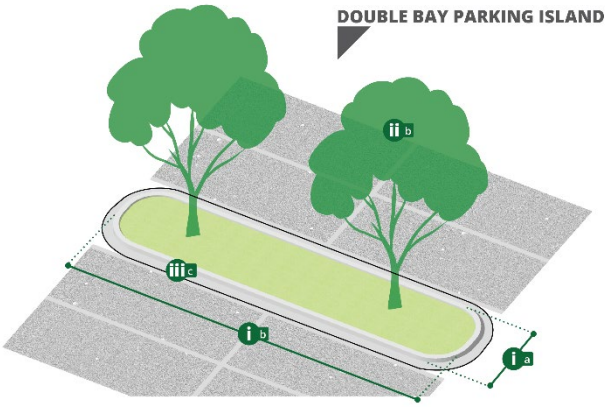

Figure 15 Island Standards

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3. **Parking Area Interior Landscape Area Relation to On-Site Pedestrian Walkways**.

    a. On-site pedestrian walkways, as required in the interior of off-street vehicle parking areas in Section 10-102 shall be located along parking area medians in a manner that does not require people to step over or around landscape materials to access the walkway.

    b. The Village Manager may waive or modify this requirement on determining that locating on-site pedestrian walkways along parking area medians is impractical due to site conditions or undesirable because it would create unsafe conditions.

G. **Transition Landscape Area**.

1. **Transition Landscape Area Type Establishment**.

    a. **Type A**. The intent of the Type A transition landscape area is to create a completely opaque buffer, having no horizontal openings from the ground to a height of six feet within two years of planting.

    b. **Type B**. The intent of the Type B transition landscape area is to create a semi-opaque buffer, having only seasonal horizontal openings, not to exceed 10 percent of the total width, from the ground to a height of six feet within two years of planting.

    c. **Type C**. The intent of the Type C transition landscape area is to create a semi-opaque buffer, having only seasonal horizontal openings, not to exceed 25 percent of the total width, from the ground to a height of six feet within two years of planting.

2. **Transition Landscape Area Type Requirements**. The transition landscape area types shall be required based on the district and land use of the subject lot as compared to the district and land use of the adjacent lot in accordance with Table 10-106-G(2). If the adjacent lot is undeveloped, the more stringent buffer requirement applicable to the district shall apply.

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Table 10-106-G(2): Transition Landscape Area Type Requirements							
Subject Lot Land Use	*Residential - R-1, R-2, R-3, R-4, R-5 Districts*	*Residential -R-6, R-7, R-8, RS, MFRC, VGRC Districts*	*Public and Institutional*	*Commercial*	*Industrial and Vehicle Related*	*Utilities and Infrastructure*	*Agriculture and Animal Related*
Residential - R-1, R-2, R-3, R-4, R-5 Districts	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Residential -R-6, R-7, R-8, RS, MFRC, VGRC Districts	C	n/a	C	C	C	C	C
Public and Institutional	C	C	n/a	C	C	C	C
Commercial	A	B	B	n/a	C	C	C
Industrial and Vehicle Related	A	A	A	A	n/a	B	B
Utilities and Infrastructure	A	A	A	B	C	n/a	C
Agriculture and Animal Related	A	A	A	B	C	C	n/a

3. **Transition Landscape Area Type Standards.**

   a. **Type A Standards**. If a Type A transition landscape area is required, the standards established for one of the options detailed in Table 10-106-G(3) shall be met.

Table 10-106-G(3)(a). Transition Landscape Area Type A Requirements				
Specification		**Option 1**	**Option 2**	**Option 3**
a.	Minimum Width [1]	50 feet	30 feet	30 feet
b.	Fence/Wall [2]	optional	optional	required
c.	Berm [3]	optional	required	optional
Minimum Number of Landscape Elements per 100 Linear Feet of Landscape Area Length				
d.	Evergreen Tree	10	3	3
e.	Canopy Tree	6	3	3
f.	Understory Tree	6	6	6
g.	Shrubs/Native Grasses [4]	48	36	36
Notes				
[1] Required yard setbacks may be utilized for perimeter buffer landscape on the same property.				
[2] Fences/walls shall meet the standards established in Section 10-108.				
[3] Berms shall meet the standards of Section 10-108 and shall be installed, excluding the planting of required landscape material, at the time of site grading and prior to the commencement of any construction activity.				
[4] 50 percent of required shrubs/ornamental grasses shall be evergreen.				

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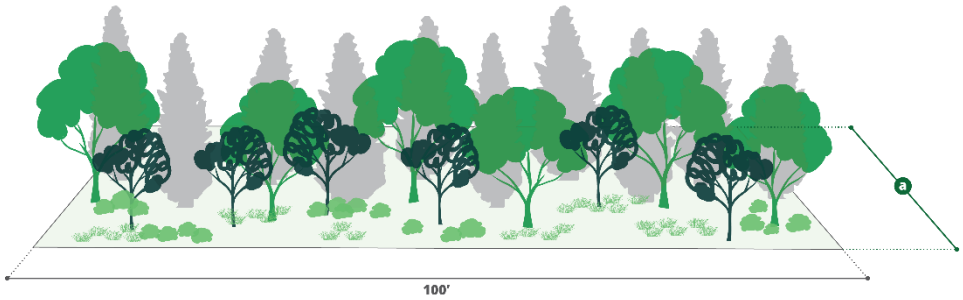

Figure 16 Type A Option 01

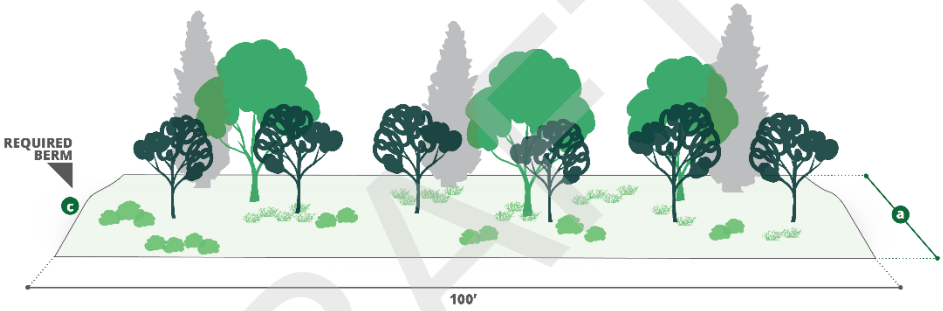

Figure 17 Type A Option 02

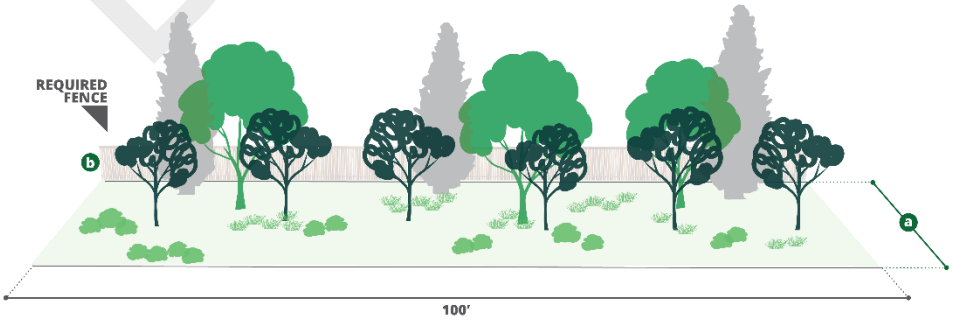

Figure 18 Type A Option 03

Evergreen Tree
Canopy Tree
Understory Tree
Shrubs/Native Grasses

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b. **Type B Standards**. If a Type B transition landscape area is required, the standards established for one of the options detailed in Table 10-106-(3)(b) shall be met.

Table 10-106-G(3)(b). Transition Landscape Area Type B Requirements			
Specification		**Option 1**	**Option 2**
a.	Minimum Width [1]	30 feet	20 feet
b.	Fence [2]	optional	required
c.	Berm [3]	optional	optional
Minimum Number of Landscape Elements per 100 Linear Feet of Landscape Area Length			
d.	Evergreen Tree	3	3
e.	Canopy Tree	2	2
f.	Understory Tree	3	2
g.	Shrubs/Native Grasses [4]	36	24
Notes			
[1] Required yard setbacks may be utilized for perimeter buffer landscape.			
[2] Fences/walls shall meet the standards established in Section 10-108.			
[3] Berms shall meet the standards of Section 10-108 and shall be installed, excluding the planting of required landscape material, at the time of site grading and prior to the commencement of any construction activity.			
[4] 50 percent of required shrubs/ornamental grasses shall be evergreen.			

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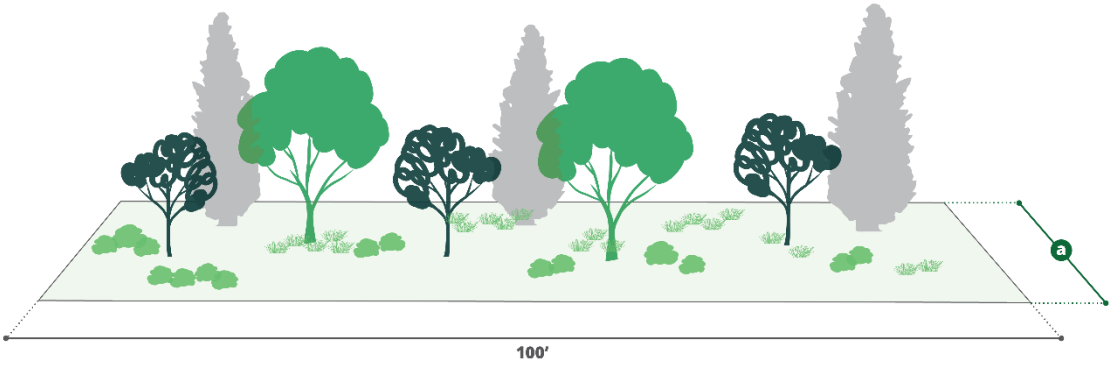

Figure 19 Type B Option 01

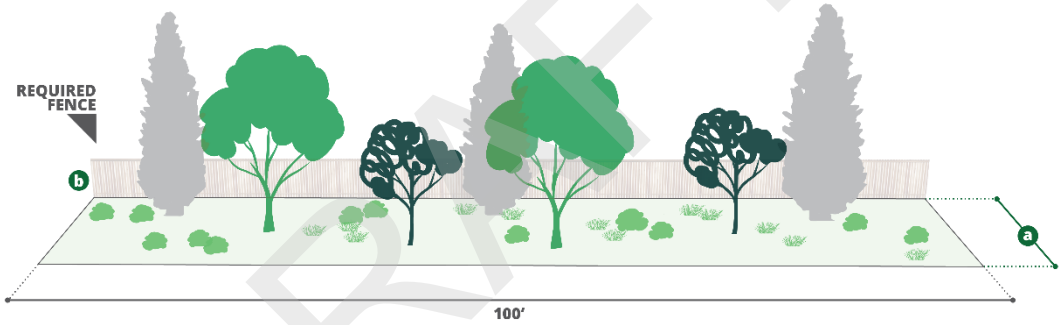

Figure 20 Type B Option 02

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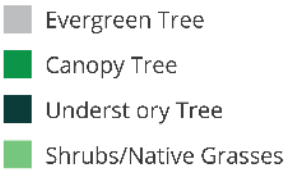
Evergreen Tree
Canopy Tree
Understory Tree
Shrubs/Native Grasses

c. **Type C Standards**. If a Type C transition landscape area is required, the standards established for one of the options detailed in Table 10-106-(3)(c) shall be met.

Table 10-106-G(3)(c). Transition Landscape Area Type C Requirements			
Specification		**Option 1**	**Option 2**
a.	Minimum Width [1]	20 feet	15 feet
b.	Fence/Wall [2]	optional	required
c.	Berm [3]	optional	optional
Minimum Number of Landscape Elements per 100 Linear Feet of Landscape Area Length			
d.	Evergreen Tree	3 [4]	3 [4]
e.	Canopy Tree	2	2
f.	Understory Tree	1	0
g.	Shrubs/Native Grasses	36	20
Notes			
[1] Required yard setbacks may be utilized for perimeter buffer landscape.			
[2] Fences/walls shall meet the standards established in Section 10-108.			
[3] Berms shall meet the standards of Section 10-108 and shall be installed, excluding the planting of required landscape material, at the time of site grading and prior to the commencement of any construction activity.			



Figure 21 Type C Option 01



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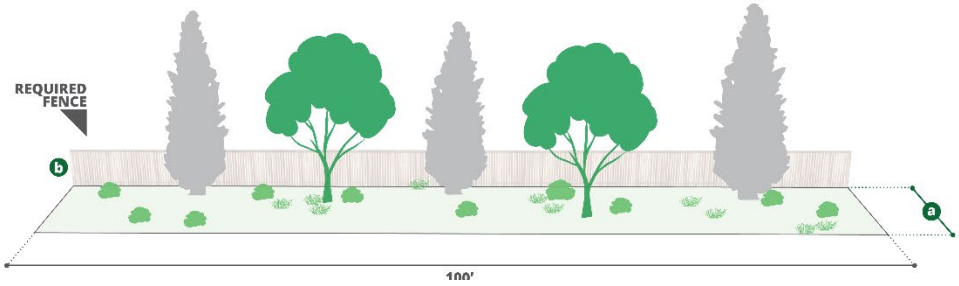

Figure 22 Type C Option 02

H. **Landscape Area Installation and Maintenance.**

1. **Appearance Standards**. Except for accessory uses expressly permitted to be located in required yards, all yards and open space between and about structures and off-street parking and loading areas and lots shall be landscaped with living vegetation and kept free of accumulations of garbage, trash, refuse, debris and other unsightly or nuisance-creating materials.

2. **Maintenance Required**. All landscaping shall be continually maintained by the owner or other person responsible for maintenance of the premises, and all planting areas shall be kept free of weeds. Undeveloped areas shall be mowed and kept free of accumulations of garbage, trash, refuse, debris and other unsightly or nuisance-creating materials until developed.

3. **Adherence to Approved Plans**. Developed areas shall be maintained in compliance with all site plans and landscaping plans approved pursuant to the Code, and all buffers and landscaping shall be maintained and replaced in accordance with such plans.

I. **Allowed Adjustments to Landscape Standards**. The Village Manager may approve an Administrative Adjustment to the landscape requirements of this section if one of the following circumstances is met:

1. **Generally**. The adjustment is required to accommodate tree preservation.

2. **Building Foundation Landscape Area**.

a. The building foundation landscape area standards can be waived if the use is prohibited from having landscape at the base of the building by the US Food and Drug Administration or other regulatory body.

b. The Village Manager may approve an Administrative Adjustment to the minimum width of a building foundation landscape area if site conditions, out of the control of the developer, would prevent the minimum width from being achieved.

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3. **Parking Area Perimeter Landscape Area**.

   a. The Village Manager may approve an Administrative Adjustment to the minimum width of a parking area perimeter landscape area if site conditions, out of the control of the developer, would prevent the minimum width from being achieved.

   b. The Village Manager may waive the minimum required landscape elements if a masonry wall with a minimum height of three feet and a maximum height of four feet is provided.

4. **Parking Area Interior Landscape Area**. The Village Manager may approve an Administrative Adjustment to the minimum number of parking area islands if site conditions, out of the control of the developer, would prevent the minimum number of parking spaces and minimum number of landscape islands to be accommodated.

5. **Transition Landscape Area**. The transition landscape area standards can be waived if the subject lot and adjacent lot are a part of a common development site.

10-107. Screening

A. **General Provisions**.

1. **Purpose**. The purpose of the Screening requirements is to preserve and enhance Northbrook's character and to minimize negative off-site impacts including but not limited to noise, glare, and views to service and loading areas.

2. **Applicability**. The Screening standards established in this section shall apply as detailed in Table 10-107-A.

Table 10-107-A: Screening Standards Applicability Overview

Key:
● = Standards apply to entire development site
○ = Standards apply to portion of site or building(s) impacted by development activity
Blank = Standards do not apply

Standard	Reference	*New development*	*Major redevelopment*	*Intermediate redevelopment*	*Minor redevelopment*	*Change of use*
Waste Receptacle Screening	10-107-B	●	●	●	●	●
Ground / Wall Mounted Equipment Screening	10-107-C	●	●	○	○	
Roof Mounted Equipment Screening	10-107-D	●	●	○	○	
Off-Street Loading Space and Truck Parking Area Screening	10-107-E	●	○	○	○	○

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B. **Waste Receptacle Screening**.

1. **Screening**. All waste receptacles in multifamily, mixed use, and nonresidential districts shall be enclosed by a screening fence (but not including chain link fences), wall or densely planted evergreen hedge of a height sufficient to screen such containers or storage areas from view from adjoining properties and public or private streets.

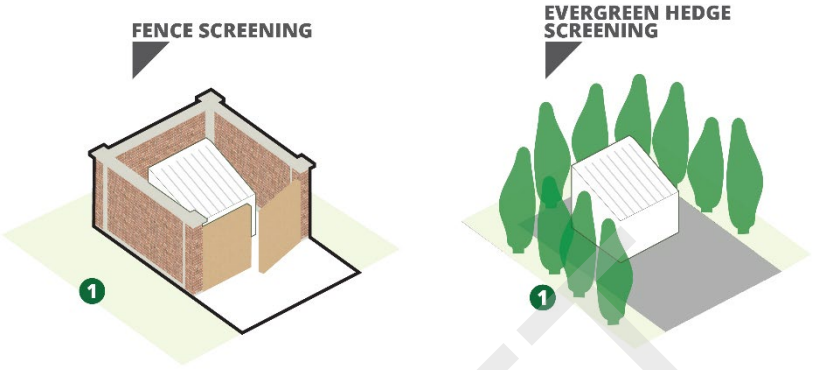

Figure 23 Waste Receptacle Screening

2. **Location**. No refuse containers or storage areas shall be located between any principal structure and either its front or corner side lot line.

3. **Exemptions**. The requirements of Section 10-107 hereof shall not apply to standard receptacles permitted for use by single family dwellings or to receptacles accessory to schools. None of the requirements of this Subsection shall apply to receptacles placed and maintained for use by the general public to avoid littering or to receptacles temporarily placed on construction sites for the purpose of collecting construction debris.

C. **Ground / Wall Mounted Equipment Screening.**

1. **Screening**.

a. Screening shall be provided for all ground or wall-mounted building equipment in multifamily, mixed use, and nonresidential districts, that are visible from any public right-of-way or adjacent property including, but not limited to, the following:

i. generators,

ii. air-conditioning condensers,

iii. heat pumps,

iv. ventilation units,

v. transformers, and

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vi. backflow preventers.

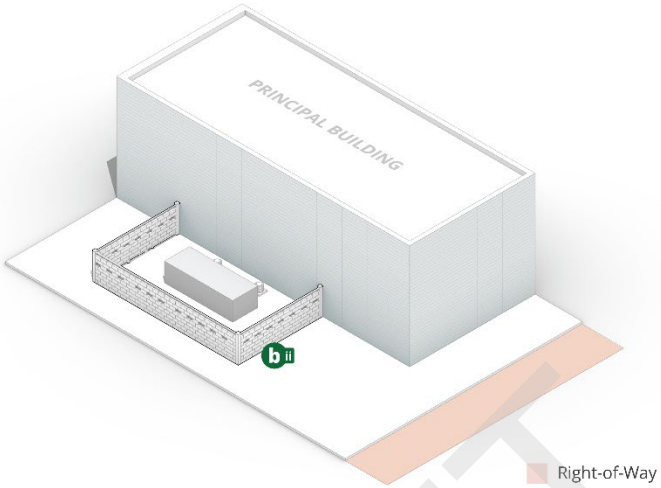

Figure 24 Ground-Wall Mounted Equipment Screening

b. **Screening Materials**.

i. Materials used for screening shall be a minimum of 80 percent opaque, as measured in Section ###, Measurement.

ii. Evergreen hedges or non-transparent walls such as stone masonry shall be allowed.

iii. Evergreen shrubs installed to meet the opacity requirements outlined above and with a minimum height to screen the equipment may be utilized.

iv. Chain-link fence or slats in chain-link fence shall not be used to meet this requirement.

2. **Location**.

a. Ground or wall mounted equipment is prohibited within the front or corner side yard, regardless of whether screening is provided.

b. Screening shall meet all setback standards of the district.

3. **Exemptions**.

a. Equipment that is located in an interior side or rear yard and is otherwise screened by landscaping, a fence, a building, or distance so that it is not visible from the right-of-way or adjacent property shall not require additional screening.

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b. If, due to site constraints or utility provider restrictions, it is not possible to screen ground or wall mounted building equipment in accordance with the requirements above, the Village Manager may approve an alternative screening method such as but not limited to painting equipment to match or complement the building façade.

D. **Roof Mounted Equipment Screening**.

1. **Screening**.

a. Except for antennae mounted on roofs pursuant to the provisions of this Code, all mechanical equipment located on the roof of any building shall be fully screened from the public right-of-way and adjacent property by a parapet wall or other screening structure.

b. **Screening Materials**. The materials used for the screening wall shall be constructed of materials compatible with the principal building facade to the height of such equipment.

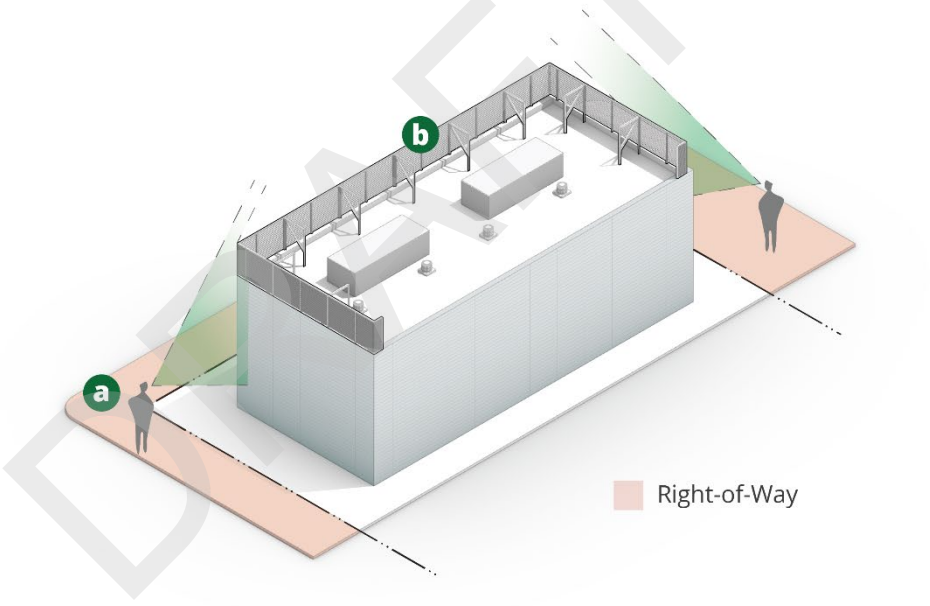

Figure 25 Roof Mounted Equipment Screening

2. **Exemptions**. The Village Manager may approve, as an Administrative Adjustment (Section 2-104) alternative screening methods or an exemption from roof mounted equipment screening requirements when the applicant provides a sight line drawing demonstrating that the roof mounted equipment would not be visible from a public right-of-way or adjacent property.

E. **Off-Street Loading Space and Truck Parking Area Screening**. Loading docks and truck parking areas adjacent to any residential use or located in an office or commercial district and visible from a public right-of-way shall be screened with a Type A perimeter buffer as detailed in Section 10-106-G(3) .

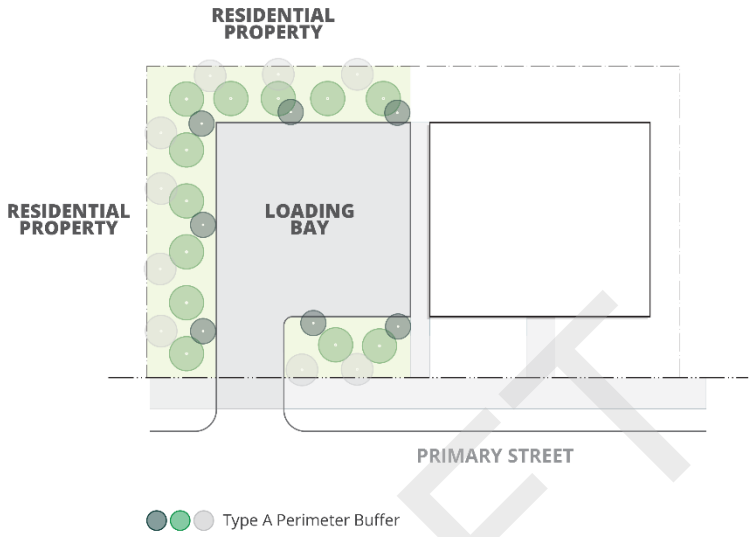

Figure 26 Off-Street Loading

10-108. Fence, Wall, and Berm Standards

A. **General Provisions**.

1. **Purpose**. The purpose of the Fence, Wall, and Berm requirements is to regulate the location, design, and maintenance of fences, walls, and berms to allow their use for safety, security, privacy, and screening while preserving Northbrook's natural topography, maintaining visual harmony, and enhancing community appearance.

2. **Applicability**. The Fence, Wall, and Berm standards established in this section shall apply as detailed in Table 10-108-A.

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Table 10-108-A: Fence, Wall, and Berm Standards Applicability Overview						
Key: ● = Standards apply to entire development site ○ = Standards apply to portion of site or building(s) impacted by development activity Blank = Standards do not apply		*New development*	*Major redevelopment*	*Intermediate redevelopment*	*Minor redevelopment*	*Change of use*
Standard	Reference					
Allowed Fence and Wall Locations	10-108-B-1	●	●	○	○	
Fence and Wall Design	10-108-B-2	●	●	○	○	
Fence and Wall Installation and Maintenance	10-108-B-3	●	●	●	●	●
Berm Standards	10-108-B-C	●	●	●	○	

B. **Fence and Wall Standards**.

1. **Allowed Fence and Wall Locations**. Fences and walls may be located anywhere within or along property lines, except:

   a. Within clear sight triangles as detailed in Section 10-110,

   b. In a manner that inhibits the function or inspection of stormwater conveyance measures,

   c. Within public or private stormwater easements and any public easement, including, but not limited to, drainage, utility, and tree easements unless written permission by the easement holder is received to place a fence or wall on or within the easement.

      i. Written approval must be submitted to the Village of Northbrook with a fence permit application, unless a gate or access is provided to access the easement area.

      ii. The Village shall not be responsible for damage to, the repair of, or the replacement of fences or walls that must be removed to access such easements if installed within an easement.

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2. **Fence and Wall Design**.

   a. **Height**. The maximum height of fences or walls shall be as detailed per use and yard in Table 10-108-A-2(a). Measurement of height is outlined in Section 14-109.

Table 10-108-A-2(a) Maximum Fence and Wall Height						
Property Line	**District**					
	R-1, R-2 Districts	*R-3, R-4, R-5 Districts*	*R-6, R-7, R-8, RS, MFRC, VGRC Districts*	*O-1, O-2, O-3, O-4, C-2, C-3, C-4, C-5 Districts*	*ICS, I-1, I-2 Districts*	*I-B, OS Districts*
Front	5 feet [2]	4 feet	4 feet	prohibited	6 feet [3]	6 feet [4]
Corner Side [1]	5 feet [2]	4 feet	4 feet	prohibited	6 feet [3]	6 feet [4]
Interior Side	6 feet [4]	6 feet [4]	6 feet	8 feet	8 feet	8 feet [3] [4]
Rear	6 feet [4]	6 feet [4]	6 feet	8 feet	8 feet	8 feet [3] [4]
Notes						
[1] If facing the front yard of a residential lot(s) across the street, front yard standards shall apply.						
[2] Driveway gates installed within the fence may be up to 8 feet in height.						
[3] Fence or wall shall be setback a minimum of five feet from the property line and materials shall be restricted to architectural block, masonry, stone, or stucco on masonry only.						
[4] The Village Manager may approve, as an Administrative Adjustment (Section 2-104) an increase in fence height up to 12 feet to accommodate outdoor recreation areas. Sport courts with a 12 foot fence shall be set back a minimum of 10 feet from all lot lines.						

   b. **Materials**. Allowed fence or wall materials shall be as detailed per district in Table 10-108-A-2(b).

Table 10-108-A-2(b) Allowed Fence Materials per District					
Key: ● = Allowed; ○ = Allowed by Approval of A Special Permit; Blank = Not Allowed					
Fence Material	*R-1, R-2, R-3, R-4, R-5 Districts*	*R-6, R-7, R-8, RS, MFRC, VGRC Districts*	*O-1, O-2, O-3, O-4, C-2, C-3, C-4, C-5 Districts*	*ICS, I-1, I-2 Districts*	*I-B, OS Districts*
Architectural Block	●	●	●	●	●
Barbed Wire / Concertina Wire [1]				○	○
Cementitious Fiber Board	●	●	●	●	●
Vinyl Coated Chain Link	●[2][3]			●	● [2]
Curved/Spear Tip				●	●
Decorative Metal	●	●	●	●	●
Chicken Wire, Deer, and other Temporary Fence Materials					

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Table 10-108-A-2(b) Allowed Fence Materials per District					
Key: ● = Allowed; ○ = Allowed by Approval of A Special Permit; Blank = Not Allowed					
Fence Material	*R-1, R-2, R-3, R-4, R-5 Districts*	*R-6, R-7, R-8, RS, MFRC, VGRC Districts*	*O-1, O-2, O-3, O-4, C-2, C-3, C-4, C-5 Districts*	*ICS, I-1, I-2 Districts*	*I-B, OS Districts*
Masonry	●	●	●	●	●
Particle Board or Plywood					
Stone	●	●	●	●	●
Stucco on Masonry	●	●	●	●	●
Vinyl/PVC	●	●	●	●	●
Waste Materials					
Wood Composite	●	●	●	●	●
Notes					
[1] Barbed wire shall be at least 6 feet above grade and shall not project beyond the property line.					
[2] Fences around the perimeter of an athletic court meeting all other standards of this Zoning Code may utilize black vinyl-coated chain link fence, without slats or inserts, and with a maximum height of 12 feet.					
[3] Fence material is permitted around the perimeter of an athletic court meeting all other standards of this Zoning Code, only.					

c. **Opacity.** The maximum opacity of fences or walls shall be as detailed per district and yard in Table 10-108-A-2(c).

Table 10-108-A-2(c): Maximum Fence and Wall Opacity						
Property Line	**District**					
	R-1, R-2 Districts	*R-3, R-4, R-5 Districts*	*R-6, R-7, R-8, RS, MFRC, VGRC Districts*	*O-1, O-2, O-3, O-4, C-2, C-3, C-4, C-5 Districts*	*ICS, I-1, I-2 Districts*	*I-B, OS Districts*
Front	50%	50%	50%	N/A	100%	100%
Corner Side [1]	100%	50%	100%	N/A	100%	100%
Interior Side	100%	100%	100%	100%	100%	100%
Rear	100%	100%	100%	100%	100%	100%
Notes						
[1] If facing the front yard of a residential lot(s) across the street, front yard standards shall apply.						

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3. **Fence and Wall Installation and Maintenance**.

   a. The finished side of a fence shall face the exterior of the property.

   b. Fences and walls shall be maintained in good repair, clean of visible mold and mildew, and in a safe condition.

   c. Maintenance of fences and walls includes the replacement of missing, decayed, or broken elements and the repair of deteriorated or damaged materials, including sagging sections and posts that lean more than ten degrees from vertical.

C. **Berm Standards**.

1. The slope shall not exceed a 3:1 ratio (horizontal to vertical), shall have a top width at least one-half the berm height, and shall have a maximum height of eight feet above the toe of the berm.

2. All berms regardless of size, shall be stabilized in accordance with Northbrook Standards and Specifications. Topsoil brought in for mounds are to be mixed with native soil to avoid interfacing problems.

3. Berms shall be tapered appropriately to allow for maintenance.

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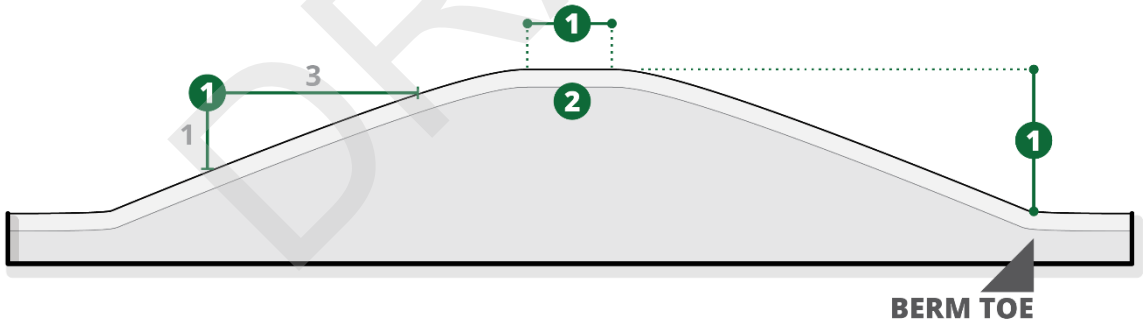

Figure 27 Berm Standards

10-109. Outdoor Lighting

A. **Purpose and Applicability**.

1. **Purpose**. The standards of this Section are designed to regulate the physical effects of lighting and minimize the negative impact that lighting may have on surrounding properties. It is the intent of this section to:

   a. Minimize light pollution, such as glare and light trespass.

   b. Conserve energy and resources.

   c. Maintain night-time safety and utility.

   d. Improve the night-time visual environment.

2. **Applicability**. The Outdoor Lighting standards established in this section shall apply as detailed in Table 10-109-A.

Table 10-109-A: Outdoor Lighting Standards Applicability Overview

Key: ● = Standards apply to entire development site ○ = Standards apply to portion of site or building(s) impacted by development activity Blank = Standards do not apply		*New development*	*Major redevelopment*	*Intermediate redevelopment*	*Minor redevelopment*	*Change of use*
Standard	Reference					
Outdoor Lighting Standards	10-109-B	•	•	•	•	•

B. **Outdoor Lighting Standards**.

1. Outdoor lighting fixtures shall be so designed, arranged and operated as to prevent direct rays of light from being cast onto any adjacent property or street.

2. No exterior light located on a lot in an office, commercial, industrial, or institutional district shall be so designed, arranged or operated to produce an intensity of light exceeding one-half foot candle at any residential lot line. Streetlights shall be exempt from this standard.

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10-110. Sight Triangles

A. **General Provisions**.

1. **Purpose**. The purpose of the Sight Triangle requirements is to protect public safety by limiting development activity at intersections in a manner that minimizes sight obstructions.

2. **Applicability**. The Sight Triangle standards established in this section shall apply as detailed in Table 10-110-A.

Table 10-110-A: Sight Triangle Standards Applicability Overview

Key: ● = Standards apply to entire development site ○ = Standards apply to portion of site or building(s) impacted by development activity Blank = Standards do not apply		*New development*	*Major redevelopment*	*Intermediate redevelopment*	*Minor redevelopment*	*Change of use*
Standard	Reference					
All Sight Triangle Standards	###	●	●	●	●	●

B. **Required Locations**. A sight triangle shall be required at:

a. The intersection of any driveway and a right-of-way/internal access drive (Section 10-102-C).

b. The intersection of two or more rights-of-way/internal access drives (Section 10-102-C).

C. **Sight Triangle Design and Maintenance**.

1. A sight triangle shall be measured perpendicular to and starting at the back of curb of each intersecting right-of-way or driveway.

2. The minimum length of each sight triangle leg shall be 45 feet in length.

3. No building or structure shall be located within the clear sight triangle.

4. The maximum height of any landscaping or berms within the clear sight triangle shall be two and one-half feet.

5. Existing trees within the sight triangle shall be pruned to provide a minimum clearance of six feet from grade to the bottom of the canopy.

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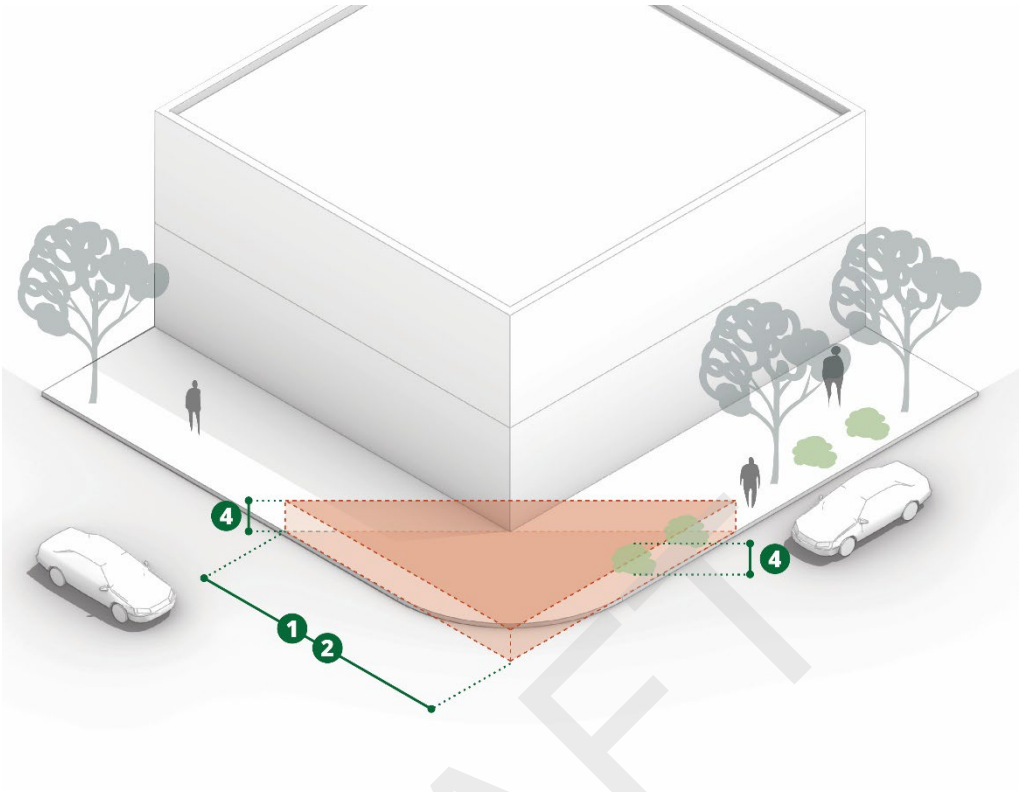

Figure 28 Sight Triangle Design

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Article 11. Sign Standards

11-101. General Provisions

11-102. Permitted and Allowed Sign Types by District

11-103. Prohibited Signs

11-104. General Sign Standards

11-105. Permanent Building Sign Standards

11-106. Permanent Ground Sign Standards

11-107. Temporary Attached Sign Standards

11-108. Temporary Freestanding Sign Standards

11-109. IB District Temporary Sign Plan

11-110. Maintenance and Abandonment

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11-101. General Provisions

A. **Purpose**. The regulation of signs by this Article is intended to promote and protect the public health, safety and welfare by:

1. Reducing the depreciation of property values caused by signs that are incompatible with surrounding land uses;
2. Creating a more attractive economic and business climate within the office, commercial and manufacturing areas of the Village;
3. Enhancing and protecting the physical appearance of all areas of the Village;
4. Reducing the distractions, obstructions and hazards to pedestrian and auto traffic caused by the indiscriminate placement and use of signs.

B. **Applicability.** The standards of this Article shall govern all outdoor signs, advertising structures or devices with respect to location, safety, size, construction, erection, attachment, support, anchorage and maintenance.

11-102. Permitted and Allowed Sign Types by District

A. **Definitions.** The sign types established in this Article shall be defined as established below.

1. **Awning Sign.** A sign that is applied to an awning as defined in Section 14-102.
2. **Attention Getting Device.** Any pennant, flag, valance, banner, propeller, spinner, streamer, searchlight, balloon and similar device or ornamentation designed for purposes of promotion or advertising or attracting attention.
3. **Drive-Through Sign.** A sign appurtenant to a drive-through facility as defined in Section 14-105.
4. **Ground Mounted Banner Sign.** A sign consisting of non-rigid, flexible, fabric-like materials enclosed in a rigid frame attached and secured to the ground.
5. **Light Pole Banner Sign.** A sign made of cloth, fabric, or other lightweight material with only material for backing and designed for hanging from light poles or light posts.
6. **Monument Sign.** A freestanding sign supported primarily by an internal structural framework or integrated into landscaping or other solid structural features other than support poles. This definition does not include neighborhood entryway signs. An address number shall be provided on all monument signs in adherence to the Village of Northbrook Fire Code, as adopted.
7. **Mounted Banner Sign.** A temporary sign made of fabric or other similar nonrigid material with no enclosing framework or electrical components that is supported or anchored on two or more edges or at all four corners.
8. **Rotating, Moving, or Animated Sign.** Any sign or part of a sign that intentionally changes physical position by any movement or rotation or through the use of an attention-getting device or that gives the visual impression of such movement.
9. **Neighborhood Entry Sign.** A freestanding sign that is located at a vehicular entrance to a residential subdivision that is supported primarily by an internal structural framework or integrated into landscaping or other solid structural features other than support poles.
10. **Off-Premises Identification Signs.** A sign which directs attention to or advertises a use, business, commodity, service or activity not conducted, sold, or offered upon the premises where the sign is located. This term also includes those signs commonly known as advertising signs, billboards and poster panels.
11. **On-Site Circulation Safety Sign.** A sign which conveys information to drivers, cyclists, and pedestrians that is pertinent to protect public safety, including, but not limited to, signs that identify one-way drive-aisles and access points, areas of low clearance, and the location of drive-through lanes.

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12. **Post and Panel Sign.** A sign, the face of which is affixed to a minimum of two posts installed on the ground without footings.

13. **Post Sign, Permanent.** A freestanding sign affixed to the ground with one or no more than two wood stakes or poles with an arm from which the sign hangs.

14. **Post Sign, Temporary.** A temporary freestanding sign affixed to the ground with one or no more than two wood stakes or poles with an arm from which the sign hangs.

15. **Projecting Sign.** A sign that is wholly or partially dependent upon a building for support, that projects more than twelve inches from such building, and whose face is perpendicular to the façade of the building upon which it is attached.

16. **Pylon Sign.** A sign that is mounted on a freestanding pole or another support that is 50 percent or less of the width of the sign face.

17. **Roof Sign.** A sign that is mounted or painted on the roof of a building, or that is wholly dependent upon a building for support and where the entirety of the sign structure projects above the highest point of a building with a flat roof, the eave line of a building with gambrel, gable or hip roof or the deck line of a building with a mansard roof.

18. **Sandwich Board Sign.** A temporary or movable sign not secured or attached to the ground or surface upon which it is located and constructed in such a manner as to form an "A" or a tentlike shape with each angular face held at an appropriate distance by a supporting member and which may or may not be hinged at the top.

19. **Sign.** An object, device, display or structure or part thereof which is used to advertise, identify, display, direct or attract the attention to an object, person, institution, organization, business, project, service, event or location by any means including words, letters, figures, designs, symbols, fixtures, colors, motion illumination or projected images.

20. **Sign Copy.** A combination of letters, numerals, words, symbols, pictures, emblems or other characters that constitute a message in either permanent or removable form.

21. **Sign, Temporary.** A sign constructed of cloth, canvas, fabric, paper, plywood or other light material and intended to be displayed for a specified duration of time.

22. **Wall Sign.** A sign attached to the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and whose face is parallel to the façade of the building upon which it is attached.

23. **Window Sign, Permanent.** A permanent sign that is applied or attached to the exterior or interior of a window or located within the interior of a structure and intended for its copy to be read from the exterior of the structure. Window film, decals, and clings which are more than fifty percent opaque or contain sign copy shall be considered a window sign.

24. **Window Sign, Temporary.** A temporary sign that is applied or attached to the exterior or interior of a window or located within the interior of a structure so that its copy can be read

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from the exterior of the structure. Window film, decals, and clings which are more than fifty percent opaque or contain sign copy shall be considered a window sign.

25. **Yard Sign.** A freestanding, moveable sign on a wire or plastic frame, wood stake or similar support.

B. **Permitted and Allowed Sign Types Interpretation.** The following key is to be used in the interpretation of Table 11-102-C.

1. **Sign Types Requiring a Permit**. Sign types marked as "●" in the table shall be allowed subject to all applicable regulations of this Zoning Code and only after the issuance of a Sign Permit as detailed in Table 11-102-C.

2. **Sign Types Not Requiring a Permit.** Sign types marked as "○" in the tables shall be allowed subject to all applicable regulations of this Zoning Code and do not require a Signsign .

3. **Prohibited Sign Types**. A blank space in the table indicates that a sign type is prohibited in the respective district.

4. **Interpretation of Similar Sign Type**. If a proposed sign is not listed in the table, the Village Manager shall determine if the sign is substantially similar to a sign listed in the table, per the criteria established in Section 11-104. If it is, the standards applied to the proposed sign shall be the standards applicable to the similar sign. If not, the sign shall be regarded as prohibited.

C. **Permitted and Allowed Sign Types by Single-Family, Multifamily, and Mixed-Use District.**

Table 11-102-C: Permitted and Allowed Sign Types by Single-Family, Multifamily, and Mixed-Use District

Key: ● = Sign Allowed, Permit Required; ○ = Sign Allowed, No Permit Required Blank = Sign Prohibited	**Reference**	**R-1**	**R-2**	**R-3**	**R-4**	**R-5**	**R-6**	**R-7**	**R-8**	**RS**	**MFRC**	**RLC**	**VGRC**
Permanent Building Sign Standards													
Awning Sign [1]	11-102-A-1										●	●	●
Projecting Sign [1]	11-102-A-15									●	●	●	●
Wall Sign	11-102-A-22	●	●	●	●	●	●	●	●	●	●	●	●
Window Sign, Permanent [1]	11-102-A-23										●	●	●
Permanent Ground Sign Standards													
Drive Through Sign	11-102-A-3												

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Table 11-102-C: Permitted and Allowed Sign Types by Single-Family, Multifamily, and Mixed-Use District													
Key: ● = Sign Allowed, Permit Required; ○ = Sign Allowed, No Permit Required Blank = Sign Prohibited	**Reference**	**R-1**	**R-2**	**R-3**	**R-4**	**R-5**	**R-6**	**R-7**	**R-8**	**RS**	**MFRC**	**RLC**	**VGRC**
On-Site Circulation Safety Sign [1]	11-102-A-11	●	●	●	●	●	●	●	●	●	●	●	●
Monument Sign [1]	11-102-A-6	●	●	●	●	●	●	●	●	●	●	●	●
Neighborhood Entry Sign	11-102-A-9	●	●	●	●	●	●	●	●	●	●	●	●
Post Sign, Permanent [1]	11-102-A-13						●	●	●	●	●	●	●
Pylon Sign	11-102-A-16												
Temporary Attached Signs													
Light Pole Banner Sign [1]	11-102-A-5						●	●	●	●	●	●	●
Mounted Banner Sign [1]	11-102-A-7	●	●	●	●	●	●	●	●	●	●	●	●
Window Sign, Temporary	11-102-A-24										●	●	●
Temporary Freestanding Signs													
Ground Mounted Banner Sign [1]	11-102-A-4	●	●	●	●	●	●	●	●	●	●	●	●
Post and Panel Sign [1]	11-102-A-12										●	●	●
Post Sign, Temporary	11-102-A-14	○	○	○	○	○	○	○	○	○	○	○	○
Sandwich Board Sign	11-102-A-18										○	○	○
Yard Sign	11-102-A-25	○	○	○	○	○	○	○	○	○	○	○	○
Notes													
[1] Shall be allowed only on portion of a property or on a tenant space containing a nonresidential use only.													

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D. **Permitted and Allowed Sign Types by Office, Commercial, Industrial, and Institutional and Open Space District.**

Table 11-102-D: Allowed Sign Types per Office, Commercial, Industrial, and Institutional District														
Key: ● = Sign Allowed, Permit Required; ○ = Sign Allowed, No Permit Required Blank = Sign Prohibited	**References**	**O-1**	**O-2**	**O-3**	**O-4**	**C-2**	**C-3**	**C-4**	**C-5**	**ICS**	**I-1**	**I-2**	**IB**	**OS**
Permanent Building Sign Standards														
Awning Sign	11-102-A-1	●	●	●	●	●	●	●	●	●	●	●	●	●
Projecting Sign	11-102-A-15	●	●	●	●	●	●	●	●	●	●	●	●	
Wall Sign	11-102-A-22	●	●	●	●	●	●	●	●	●	●	●	●	●
Window Sign, Permanent	11-102-A-23	●	●	●	●	●	●	●	●	●	●	●	●	●
Permanent Ground Sign Standards														
Drive-Through Sign	11-102-A-3		●	●	●	●	●	●	●					
On-Site Circulation Safety Sign	11-102-A-6	●	●	●	●	●	●	●	●	●	●	●	●	●
Monument Sign	11-102-A-9	●	●	●	●	●	●	●	●	●	●	●	●	●
Neighborhood Entry Sign	11-102-A-13													
Post Sign, Permanent	11-102-A-16	●	●	●	●	●	●	●	●	●	●	●	●	●
Pylon Sign	11-102-A-11	●	●	●	●	●	●	●	●	●	●	●	●	●
Temporary Attached Signs														
Light Pole Banner Sign	11-102-A-5	●	●	●	●	●	●	●	●	●	●	●	●	●
Mounted Banner Sign	11-102-A-7	●	●	●	●	●	●	●	●	●	●	●	●	●
Window Sign, Temporary	11-102-A-24	●	●	●	●	●	●	●	●	●	●	●	●	●
Temporary Freestanding Signs														
Ground Mounted Banner Sign	11-102-A-4	●	●	●	●	●	●	●	●	●	●	●	●	●
Post and Panel Sign	11-102-A-12	●	●	●	●	●	●	●	●	●	●	●	●	●

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Table 11-102-D: Allowed Sign Types per Office, Commercial, Industrial, and Institutional District														
Key: ● = Sign Allowed, Permit Required; ○ = Sign Allowed, No Permit Required Blank = Sign Prohibited	**References**	**O-1**	**O-2**	**O-3**	**O-4**	**C-2**	**C-3**	**C-4**	**C-5**	**ICS**	**I-1**	**I-2**	**IB**	**OS**
Post Sign, Temporary	11-102-A-14	○	○	○	○	○	○	○	○	○	○	○	○	○
Sandwich Board Sign	11-102-A-18	○	○	○	○	○	○	○	○	○	○	○	○	○
Yard Sign	11-102-A-25												○	
Notes														
[1] Shall be allowed in portions of the district contained within the VGO District														

11-103. Prohibited Signs

A. **Signs Specifically Prohibited in All Districts.** The following signs, as well as all other signs not expressly permitted by this Section, are prohibited in all districts and shall not be erected, maintained or, except as provided in Section 10-106 of this Code, permitted to continue in any district:

1. Attention-getting devices.
2. Off-premises identification signs.
3. Rotating signs, moving signs, or animated signs, except public service signs as expressly authorized in this Section.
4. Portable signs, unless otherwise allowed by this Article.
5. Projecting signs, unless otherwise allowed by this Article.
6. Roof signs.
7. Temporary signs, unless otherwise allowed by this Article, and except when approved in connection with a temporary use permit (Section 2-113).
8. Any sign on a tree or utility pole, whether on public or private property.
9. Any sign on public property, except governmental signs authorized in this Section.
10. Any sign painted directly on a wall, roof, or fence.

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11-104. General Sign Standards

A. **Sign Measurement**.

1. **Area to be Included.** The supporting structure or bracing of a sign shall be omitted in measuring the area of the sign unless such structure or bracing is made part of the message or face of the sign. Where a sign has more than one display face, only one face shall be included in determining the area of the sign.

2. **Area of Signs With Backing.** The area of all signs with backing shall be measured by computing the area of the sign backing.

3. **Area of Signs Without Backing.** The area of all signs without backing shall be measured by computing the area of the smallest regular geometric figures that can separately encompass all words, figures, emblems and other elements of the sign message.

4. **Area of Signs With and Without Backing.** If a sign includes elements both with and without backing, the elements with backing shall be measured per subsection 2 above and the elements without backing shall be measured per subsection 3 above. The resulting figures shall be added together to determine the total sign area.

B. **Allowed Location**.

1. All signs regulated by this Article shall be located:

   a. Outside of any easements, except for sign easements,

   b. Outside the public right-of-way, except where encroachments are specifically permitted by this Article. If an encroachment into the public right-of-way is proposed, an encroachment agreement must be granted by the authority having jurisdiction over the public right-of-way.

   c. Outside required sight triangles, and

   d. So as to not obstruct building or site ingress, egress, or public safety features, such as fire hydrants and standpipes.

2. A sign easement shall be required when a sign serving a common development site is located on a property not owned by the homeowner's/property owner's association. The easement shall allow use and access for maintenance of the sign.

C. **Installation and Structural Standards**.

1. **Structural Elements.** The construction and structural components of all signs shall be in accordance with the standards and regulations of Chapter 6 of the Northbrook Municipal Code. All permanent signs shall be constructed of fire-resistant materials and shall be capable of withstanding wind pressures of at least 30 pounds per square foot of surface area and of receiving dead loads based on the actual weight of the structure. In no case shall the structural elements of a pylon sign extend above the top of the sign face.

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2. **Minimum Elevation of Certain Signs.** The bottom of every awning, canopy, marquee, wall and pylon sign shall be elevated at least eight feet above grade. Whenever possible wall signs on the same facade shall maintain the same top and bottom elevations above grade.

D. **Illumination**.

1. **Location and Design of Light Source.** Whenever an external artificial light source is used for a sign, such source shall be located, shielded and directed so as not to be directly visible from any public street or private residence. No receptacle or device housing a permitted light source for a sign shall protrude more than 12 inches from the face of the sign or building to which it is attached; provided, however, that a receptacle or device housing a permitted light source for a sign may be located more than 12 inches from the face of the sign if such light source is ground mounted, locked in place, and cannot be redirected.

2. **Level of Illumination.** In no event shall the illumination of any sign, resulting from any internal or external artificial light source, exceed 175-foot candles when measured with a standard light meter held perpendicular to the sign face at a distance equal to the narrowest dimension of such sign face. All artificial illumination shall be so designed, located, shielded, and directed as to prevent the casting of glare or direct light upon adjacent property or streets.

3. **Signs Adjacent to Residential Areas.** Any illuminated sign located on a lot abutting or across a street from, and visible from, any residentially zoned area shall not be illuminated between the hours of 11:00 p.m. and 7:00 a.m. except that such sign may remain illuminated during such time as the activity to which the sign pertains is open for business so long as such sign is not a public or private nuisance.

4. **Flashing Lights Prohibited.** Except for permanent public service signs, institutional bulletin boards with electronic message board displays, and business signs with electronic message board displays expressly permitted by this Section, no flashing, blinking or intermittent lights shall be permitted.

E. **Electronic Message Boards**. Electronic message boards shall only be allowed in the following Districts and subject to the standards established below.

1. **C-2 District.** Signs with electronic message boards shall be allowed only as follows.

   a. Upon the issuance of a special permit pursuant to Section 2-113 of this Code;

   b. In the C-2 District; and

   c. Subject to the following conditions:

      i. An electronic message board may display multi-color images, including text, and may change the displayed image by intermittent lighting changes, provided that such changes may not exceed two changes per day. The displayed image may not flash or be animated.

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ii. All electronic message boards must comply with the general standards for illumination set forth in subparagraph 11-104-D of this Code.

iii. An electronic message board display may only be a monument sign and must include a landscape area equal in size to the electronic message board around the sign base. One shrub/native grass (Section 10-106) shall be planted for every three square feet of landscape area.

iv. No more than one sign with an electronic message board display shall be permitted on a single lot.

v. In no event may a sign with an electronic message board be located closer than 1,000 lineal feet from any other sign with any electronic message board, regardless whether the signs are located on separate lots.

vi. No sign with an electronic message board may be located within 350 feet of a residential dwelling.

vii. Signs with any electronic message board must satisfy all Illinois Department of Transportation (IDOT) requirements for outdoor advertising.

2. **I-1 District.** Electronic message boards shall be allowed in the I-1 District only as follows.

a. Upon the issuance of a special permit pursuant to section 2-113 of this Code;

b. In the I-1 district;

c. On a lot abutting the right-of-way of the I-94 Edens Spur, and

d. Subject to the following conditions:

i. An electronic message board may display multi-color images, including text, and may change the displayed image by intermittent lighting changes, provided that that such changes shall not exceed one change every 10 seconds. The displayed image shall not flash.

ii. All electronic message boards must comply with the general standards for illumination set forth in subparagraph 11-104-D of this Code; provided, however, that hours of operation of the electronic message board shall not extend beyond 7:00 AM to 11:00 PM, regardless of the hours of operation of the business on the premises on which the sign is located.

iii. A sign with an electronic message board shall be a monument sign and must include a landscape area equal in size to the electronic message board around the sign base. One shrub/native grass (Section 10-106) shall be planted for every three square feet of landscape area.

iv. A sign with an electronic message board, shall be located along that portion of a lot that is within 30 feet of the right-of-way of the I-94 Edens Spur.

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v. No more than one sign with an electronic message board shall be permitted on a single lot irrespective of the number of businesses that may be located on that lot.

vi. No sign with an electronic message board shall be located within 1,000 lineal feet of any other sign with an electronic message board.

vii. No sign with an electronic message board display shall be located within 350 feet of a residential dwelling.

viii. Signs with an electronic message board display must satisfy all Illinois Department of Transportation (IDOT) requirements and regulations for outdoor advertising.

3. **IB and OS District.** Electronic message boards in the IB and OS zoning districts and shall be subject to the following conditions:

a. Signs that incorporate electronic message board displays may only be permitted if they are constructed as monument signs with landscaping around the sign base approved by the Village Manager.

b. Electronic message boards shall be permitted if restricted to a single color for the entire message screen consisting of only white or amber light. The use of full-color content, in text or graphics, provided that all messaging is static and the message changes are to be instantaneous without scrolling, sweeping, dissolves, or other such animations shall be allowed in the IB District by Special Permit only. The illumination of the electronic message sign shall be automated to dim in conjunction with the ambient lighting at various times of the day.

c. The electronic message board component may comprise no more than 60 percent of the sign's total area.

d. The message shall not flash. The displayed message may be changed by intermittent lighting changes, but such changes shall not exceed six per minute.

e. All signs with an electronic display shall comply with the restrictions on hours and intensity of illumination established in Section 11-104-D of this Code.

f. No more than one electronic message board display shall be permitted on any one lot provided, however, that lots in the IB or OS zoning districts that exceed 200 acres in size and have frontage on more than one public street may have up to two electronic message board displays so long as such displays are:

i. Separated by a minimum of 1,000 linear feet; and

ii. Located on separate public street frontages.

g. In addition to the above conditions, any sign with an electronic display that is to be located within 250 feet of a principal residential structure shall also require the issuance of a Special Permit pursuant to Section 2-113 of this Code.

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11-105. Permanent Building Sign Standards

A. **Awning Sign**.

1. **Maximum Area.** Awning signs shall have a maximum area of 50 percent of the area of the awning.
2. **Maximum Number of Signs.** The following standards apply unless otherwise required by state law or regulation, such as the Illinois Municipal Code (65 ILCS 5/11-13-1).
    a. **Single-Tenant and Common Entrance Buildings.** A maximum of one awning sign per property shall be allowed. For any building having more than one frontage, a maximum of one awning sign shall be allowed per frontage.
    b. **Multi-Tenant Buildings.** A maximum of one awning sign per tenant space shall be allowed. For any tenant space having more than one frontage, a maximum of one awning sign shall be allowed per frontage.
3. **Minimum Elevation Above Grade.** Awning signs shall have a minimum elevation above grade of eight feet.
4. **Maximum Number of Sign Faces.** Awning signs shall have a maximum of one sign face.
5. **Illumination.** Awning signs shall be externally illuminated only.
6. **Location.** Awning signs shall be located on awnings that extend over ground floor windows or doors only.

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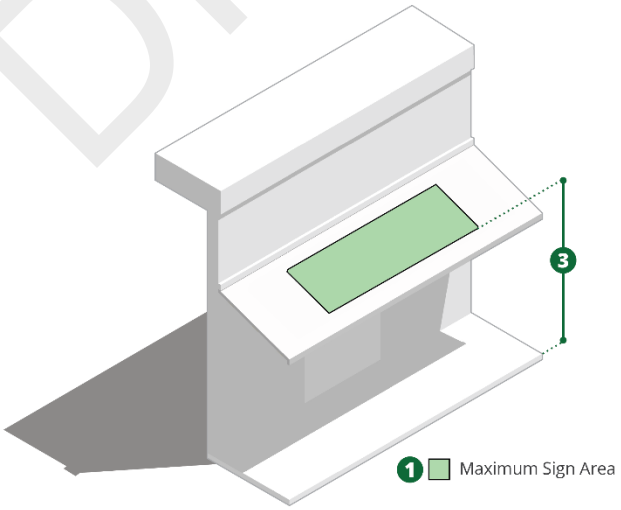

Figure 1 Awning Sign

B. **Projecting Sign**.

1. **Maximum Area.**

   a. **Building-Mounted Projecting Sign.** Building mounted projecting signs shall have a maximum area of 25 square feet.

   b. **Canopy-Mounted Projecting Sign.** Canopy mounted projecting signs shall have a maximum area of four square feet.

2. **Maximum Height.** A projecting sign shall not extend above the roofline of the building to which it is attached.

3. **Maximum Projection.** A projecting sign shall have a maximum projection of four feet from the building or canopy to which it is attached.

4. **Maximum Height Above Grade.** Projeting signs shall have a maximum height above grade of 8 feet above grade.

5. **Maximum Number of Signs.** The following standards apply unless otherwise required by state law or regulation, such as the Illinois Municipal Code (65 ILCS 5/11-13-1).

   a. **Single-Tenant and Common Entrance Buildings.** A maximum of one projecting sign shall be allowed per property.

   b. **Multi-Tenant Buildings.** A maximum of one projecting sign shall be allowed per tenant space.

6. **Maximum Number of Sign Faces.** Projecting signs shall have a maximum of two sign faces.

7. **Illumination.** Projecting signs shall be externally illuminated only.

8. **Location.** Projecting signs shall be mounted on a building or canopy only.

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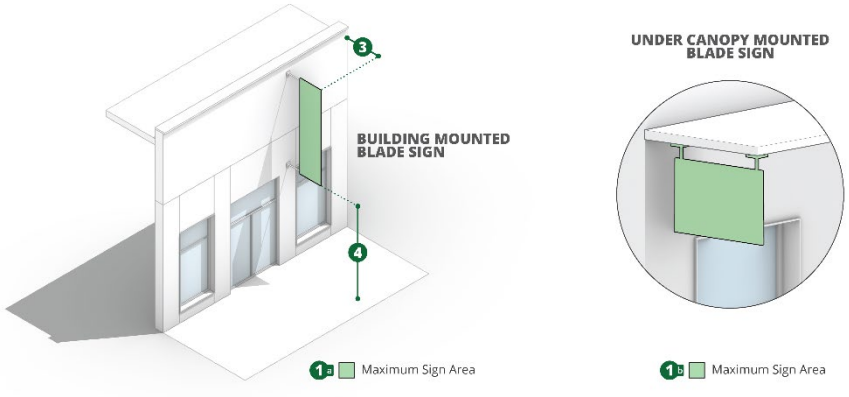

Figure 2 Projecting Sign

C. **Wall Sign**.

1. **Maximum Area**.

   a. **C-1, VGRC, MFRC, and RLC Districts.** Wall signs shall not exceed 25 square feet per sign face or covering more than 5 percent of the wall to which it is affixed, whichever is less.

   b. **Office Districts.**

      i. Walls signs shall not exceed 100 square feet or 5 percent of the wall to which it is affixed, whichever is less.

      ii. In the O-3 and O-4 District, wall signs exceeding 5 percent of the wall to which they are affixed may be approved through a Special Permit as specified in Section 2-112.

   c. **C-4 District.**

      i. Wall signs for tenant spaces in buildings in the C-4 District shall not exceed one hundred (100) square feet in sign face.

      ii. Wall signs at Mall Building entrances shall not exceed one hundred fifty (150) square feet in sign face.

2. **Maximum Height.** Wall signs shall not extend above the tallest point of the facade upon which the sign is placed.

3. **Projection.** Wall signs shall not project more than 12 inches from the face of the structure on which they are located.

4. **Minimum Elevation of Certain Signs.** Whenever possible wall signs on the same facade shall maintain the same top and bottom elevations above grade.

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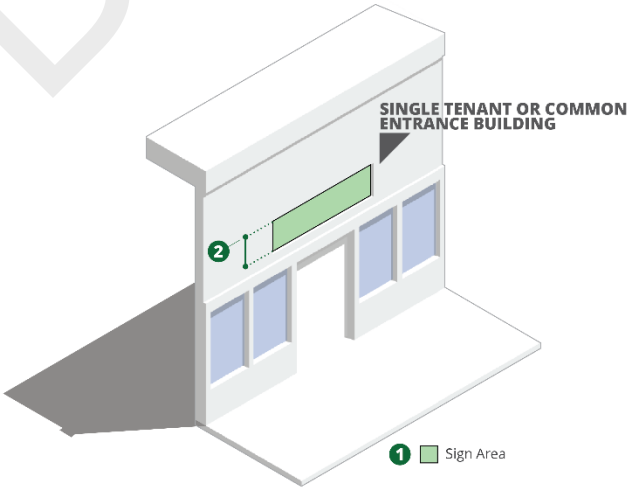

Figure 3 Wall Sign

D. **Window Sign, Permanent**.

1. **Maximum Area**. Permanent window signs shall have a maximum area of 50 percent of the square footage of the individual window on which the sign shall be located.
2. **Sign Copy.** Permanent window signs shall be applied vinyl only.
3. **Illumination.** Illumination of permanent window signs is prohibited.
4. **Location.** Permanent window signs may be located on ground floor or upper floor windows.

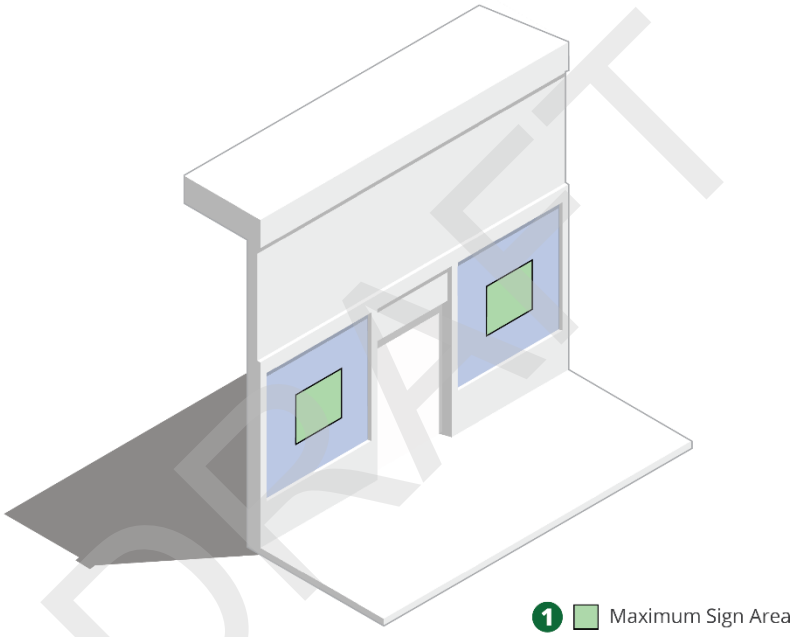

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Figure 4 Window Sign, Permanent

11-106. Permanent Ground Sign Standards

A. **Drive-Through Sign**.

1. **Total Maximum Area**. Drive-through signs shall have a total maximum area of 80 square feet.

2. **Maximum Area Per Sign**. Drive-through signs shall have a maximum area per sign of 40 square feet.

3. **Maximum Number of Signs.** The following standards apply unless otherwise required by state law or regulation, such as the Illinois Municipal Code (65 ILCS 5/11-13-1).

   a. **Maximum Number of Signs per Drive-Through Lane**. A maximum of two drive-through signs per drive-through lane shall be permitted.

4. **Maximum Number of Sign Faces per Sign.** A maximum of one sign face per drive-through sign shall be permitted.

5. **Sign Copy.** A drive-through sign may be comprised 100 percent of an electronic message board, meeting all requirements of Section 11-102-D.

6. **Illumination.** Drive-through signs shall be internally illuminated only.

7. **Location.**

   a. Drive-through signs shall be located within five feet of the drive-through lane(s).

   b. Drive-through signs shall be set back a minimum of five feet from all property lines.

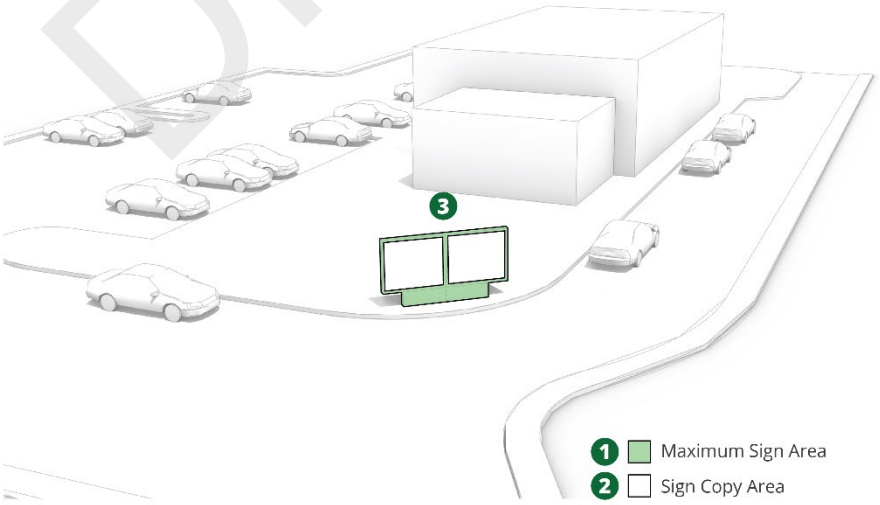

Figure 5 Drive-Through Sign

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B. **On-Site Circulation Safety Sign**.

1. **Maximum Area**. On-site circulation safety signs shall have a maximum area of six square feet.
2. **Maximum Height**. On-site circulation safety signs shall have a maximum height of four feet.
3. **Maximum Number of Signs**. The following standards apply unless otherwise required by state law or regulation, such as the Illinois Municipal Code (65 ILCS 5/11-13-1).
    a. A maximum number of two on-site circulation safety signs per site entrance/exit and two per drive aisle, internal access drive, or drive through lane intersection shall be permitted.
4. **Maximum Number of Sign Faces**. A maximum of two sign faces per on-site circulation safety sign shall be permitted.
5. **Illumination**. On-site circulation safety signs shall be illuminated only as deemed necessary by the Village Manager.
6. **Location**. On-site circulation safety signs shall be set back a minimum of five feet from all property lines.

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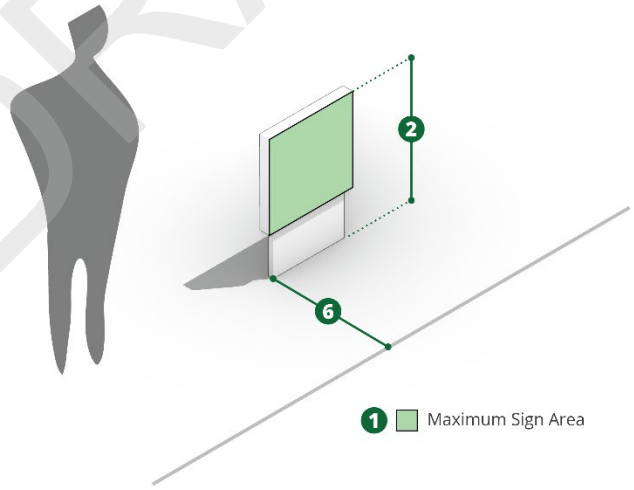

Figure 6 On-Site Circulation Safety Sign

C. **Monument Sign.**

1. **Single-tenant Monument Signs.**

a. **Maximum Area**.

i. **Single-Family, Multifamily, and Mixed-Use Districts.**

a) **MFRC, RLC, and VGRC Districts.** Single-tenant monument signs shall have a maximum area of 50 square feet.

b) **All Other Districts.** Single-tenant monument signs shall have a maximum area of 25 square feet.

ii. **Office, Commercial, Industrial, and Institutional and Open Space Districts.** Single-tenant monument signs shall have a maximum area of 100 square feet.

b. **Maximum Height**.

i. **Single-Family, Multifamily, and Mixed-Use Districts.**

a) **MFRC, RLC, and VGRC Districts.** Single-tenant monument signs shall have a maximum height of eight feet.

b) **All Other Districts.** Single-tenant monument signs shall have a maximum height of six feet.

ii. **Office, Commercial, Industrial, and Institutional Districts.** Single-tenant monument signs shall have a maximum height of eight feet.

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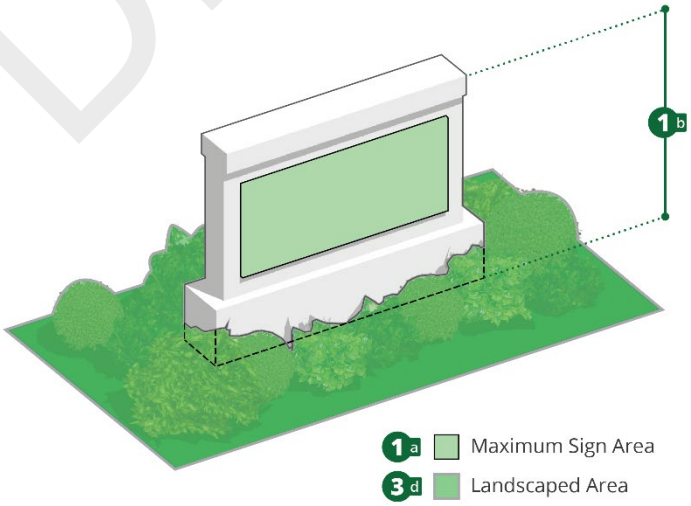

Figure 7 Single-Tenant Monument Sign

2. **Multi-Tenant Monument Signs.**

   a. **Maximum Area**.

      i. **Single-Family, Multifamily, and Mixed-Use Districts.**

         a) **MFRC, RLC, and VGRC Districts.** Multi-tenant monument signs shall have a maximum area of 75 square feet.

         b) **All Other Districts.** Multi-tenant monument signs shall have a maximum area of 25 square feet.

      ii. **Office, Commercial, Industrial, and Institutional Districts.** Multi-tenant monument signs shall have a maximum area of 100 square feet.

   b. **Maximum Height**.

      i. **Single-Family, Multifamily, and Mixed-Use Districts.**

         a) **MFRC, RLC, and VGRC Districts.** Multi-tenant monument signs shall have a maximum height of eight feet.

         b) **All Other Districts.** Multi-tenant monument signs shall have a maximum height of six feet.

      ii. **Office, Commercial, Industrial, and Institutional Districts.** Multi-tenant monument signs shall have a maximum height of eight feet.

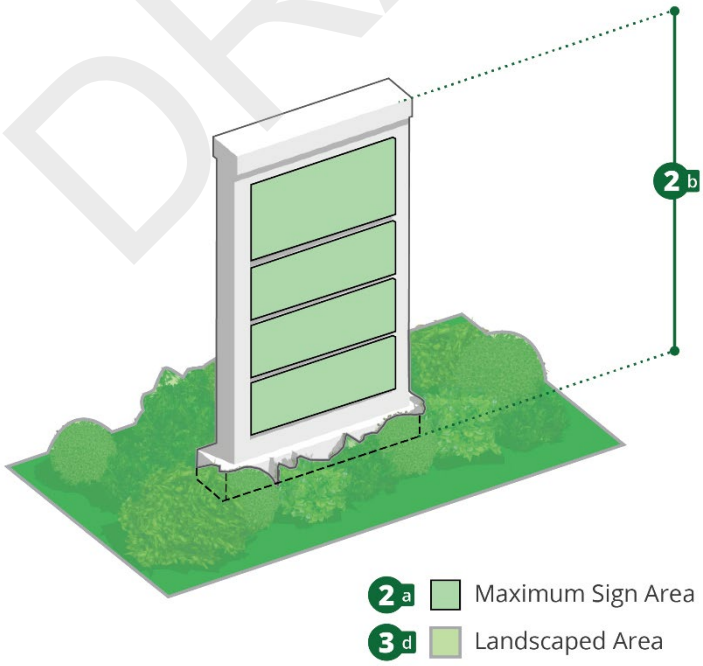

Figure 8 Multi-Tenant Monument Sign

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3. **All Monument Signs.**

    a. **Maximum Number.**

        i. **RS, VGRC, Residential Portions of the MFRC and RLC Districts.** A maximum of one monument sign shall be allowed per 300 feet of lot frontage. Each monument sign shall be at least 300 feet from a monument sign on the same lot.

        ii. **C-2 District.** A maximum of one monument sign shall be allowed per 200 feet of lot frontage. Each monument sign shall be located at least 200 feet from a monument sign on the same lot.

        iii. **All Other Districts.** A maximum of one multi-tenant monument sign shall be allowed per parcel.

    b. **Sign Copy.**

        i. One-hundred percent of any monument sign may be individually affixed letters, raceway letters, applied vinyl, or be printed, etched, or otherwise incorporated directly on the sign's backing plate.

        ii. If channel letters are mounted on a raceway, the sign shall be designed in a manner that minimizes the visibility of the raceway.

    c. **Illumination.** Internal or external illumination of monument signs is permitted.

    d. **Landscape**.

        i. A landscape area at the base of any monument sign shall be required to be planted and maintained by the property owner.

        ii. The minimum size of the landscape area shall be equal to half of the square footage of the sign area of the associated sign.

        iii. Landscape areas shall be planted with shrubs, native grasses, annuals, and/or perennials at a rate of one planting per three square feet of required landscape area.

    e. **Location**. Monument signs shall be set back a minimum of 6 feet from all property lines.

D. **Neighborhood Entry Sign.**

1. **Maximum Area.** Neighborhood entry signs shall have a maximum area of 25 square feet.

2. **Maximum Height.** Neighborhood entry signs shall have a maximum height of six feet.

3. **Maximum Number of Signs**. The following standards apply unless otherwise required by state law or regulation, such as the Illinois Municipal Code (65 ILCS 5/11-13-1).

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a. **Maximum Number of Signs per Development Site Frontage Adjacent to Street Right of Way.** A maximum of one sign per development site frontage adjacent to street right-of-way is permitted.

b. **Maximum Number of Sign Faces.** Neighborhood entry signs shall have a maximum of two sign faces.

4. **Sign Copy.**

   a. Neighborhood entry signs shall be individually affixed letters, applied vinyl, or be printed, etched, or otherwise incorporated directly on the sign's backing plate.

   b. Box/cabinet signs are prohibited.

5. **Illumination.** Neighborhood entry signs shall be externally or backlight illuminated only.

6. **Landscape.**

   a. A landscape area at sign base shall be required to be planted and maintained by the property owner in perpetuity.

   b. The minimum size of the landscape area shall be equal to half of the square footage of the sign area of the associated sign.

   c. Landscape areas shall be planted with shrubs, native grasses, annuals, and/or perennials at a rate of one planting per three square feet of required landscape area.

7. **Location.** Shall be located at residential subdivision entryways and neighborhood gateways and shall meet all location and encroachment standards as detailed in Section 11-104-B.

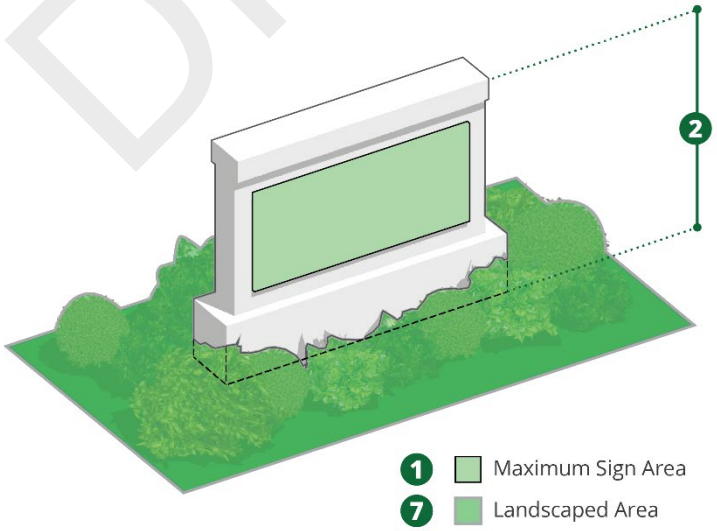

Figure 9 Neighborhood Entry Sign

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E. **Post Sign, Permanent.**

1. **Maximum Area.** Permanent post signs shall have a maximum area of six square feet.
2. **Maximum Height.** Permanent post signs shall have a maximum height of four feet.
3. **Maximum Number of Signs**. The following standards apply unless otherwise required by state law or regulation, such as the Illinois Municipal Code (65 ILCS 5/11-13-1).
    a. **Maximum Number of Signs per Property.** A maximum of one permanent post sign per property is permitted.
4. **Maximum Number of Sign Faces.** Permanent post signs shall have a maximum number of two sign faces.
5. **Materials.**
    a. Sign face shall be made of durable vinyl, plastic, or comparable material.
    b. Frames shall be made of metal, PVC, wood, or a similarly durable material purpose made for outdoor display.
6. **Illumination.** Permanent post signs shall not be illuminated.
7. **Location.** Permanent post signs shall be set back a minimum of six feet from the front and corner side lot lines.

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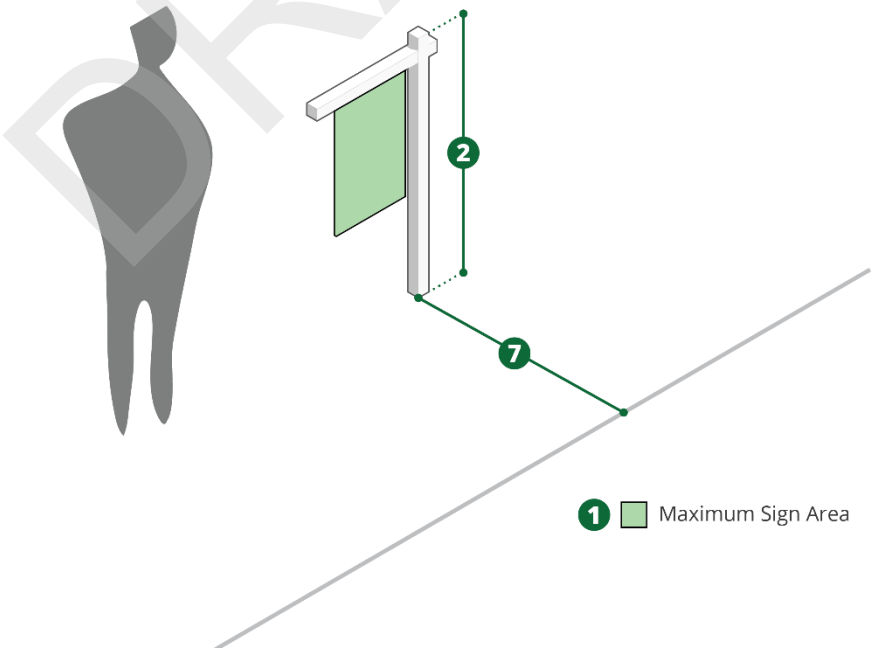

Figure 10 Post Sign

F. **Pylon Sign.**

1. **Maximum Area.** Pylon signs shall have a maximum area of 75 square feet.
2. **Maximum Height.** Pylon signs shall have a maximum height of 20 feet.
3. **Maximum Number of Signs**. The following standards apply unless otherwise required by state law or regulation, such as the Illinois Municipal Code (65 ILCS 5/11-13-1).
    a. **Maximum Number of Signs per Lot.** A maximum of one pylon sign per 300 feet of lot frontage per lot is permitted.
4. **Maximum Number of Sign Faces.** Pylon signs shall have a maximum number of two sign faces.
5. **Illumination.** Pylon signs shall internally illuminated only.
6. **Location.** Pylon signs shall be set back a minimum of 15 feet from all property lines.

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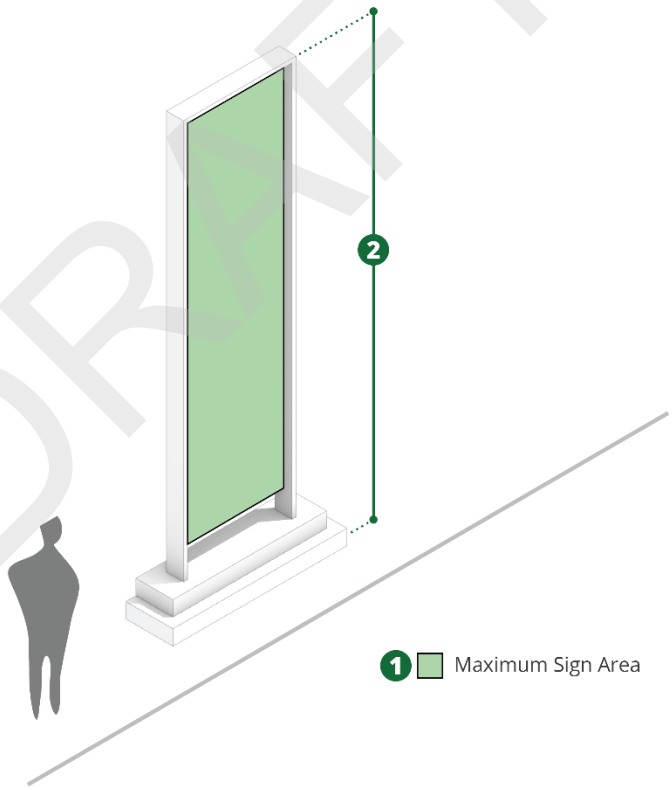

Figure 11 Pylon Sign

11-107. Temporary Attached Sign Standards

A. **Light Pole Banner Sign**.

1. **Maximum Height.** Light pole banner signs shall have a maximum height of 12 feet.
2. **Maximum Width.** Light pole banner signs shall have a maximum width of two and one-half feet.
3. **Minimum Clearance.**
    a. A light pole banner attached to a light pole owned/leased by a power company along a public street shall have a minimum clearance of eight feet.
    b. A light pole banner attached to a light pole owned/leased by a power company in any other location shall have a minimum clearance of eight feet.
    c. A light pole banner attached to a privately owned light pole shall have a minimum clearance of eight feet.
4. **Maximum Number of Signs per Light Pole.** The following standards apply unless otherwise required by state law or regulation, such as the Illinois Municipal Code (65 ILCS 5/11-13-1).
    a. **Single-Family, Multifamily, and Mixed-Use Districts.** A maximum of one light pole banner sign per light pole shall be permitted.
    b. **Office, Commercial, Industrial, Institutional, and Open Space Districts**. A maximum of two light pole banner signs per light pole shall be permitted.
5. **Maximum Number of Sign Faces.** Light pole banner signs shall have a maximum of two sign faces.
6. **Illumination.** Light pole banner signs shall not be illuminated.
7. **Location.**
    a. Light pole banner signs shall be attached to functioning light poles only.
    b. Light pole banner signs shall not be attached to wooden poles.
8. **Duration of Display.** The following standards apply unless otherwise required by state law or regulation, such as the Illinois Municipal Code (65 ILCS 5/11-13-1).
    a. Light pole banner signs shall not be limited in duration of display so long as all maintenance requirements are met (Section 11-110).

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9. **Other Provisions.**

   a. Light pole banner signs shall have wind flaps or utilize wind deflecting mounting brackets.

   b. Brackets shall be painted to match the color of the light pole and shall be removed when the light pole banner is removed.

   c. The applicant shall be required to provide a release or hold harmless to the owner of the light pole and the Village prior to the display of a light pole banner in a public right-of-way.

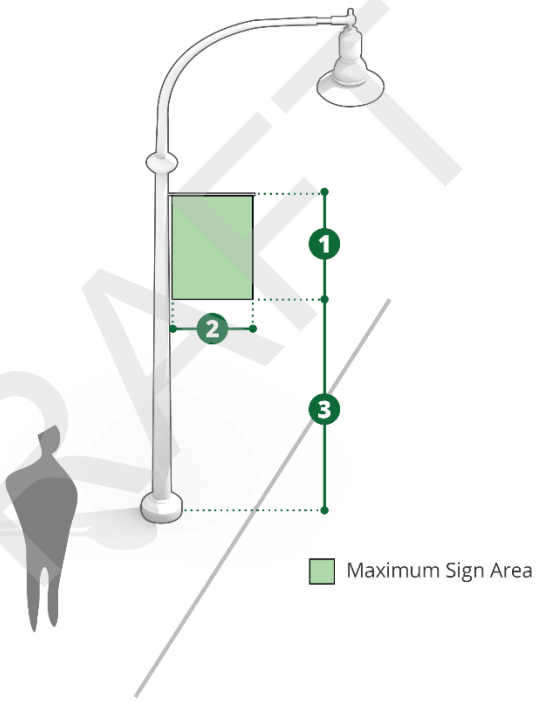

Figure 12 Light Pole Banner Sign

B. **Mounted Banner Sign**.

1. **Single Tenant Or Common Entrance Building.** The following standards apply unless otherwise required by state law or regulation, such as the Illinois Municipal Code (65 ILCS 5/11-13-1).

   a. **Maximum Number of Signs per Wall**. A maximum of one mounted banner sign shall be allowed per wall.

   b. **Duration of Display**.

      i. Mounted banner signs shall have a duration of display of a maximum of 30 days.

ii. A maximum of two mounted banner signs shall be displayed per calendar year.

2. **Multi-Tenant Building.** The following standards apply unless otherwise required by state law or regulation, such as the Illinois Municipal Code (65 ILCS 5/11-13-1).

   a. **Maximum Number of Signs.** A maximum of one mounted banner sign shall be permitted per tenant space.

   b. **Duration of Display**.

      i. Multi-tenant building mounted banner signs shall have a duration of display of a maximum of 30 days.

      ii. One mounted banner sign shall be in use per multi-tenant building concurrently.

      iii. Multi-tenant building mounted banner signs shall be limited to one per tenant space per calendar year.

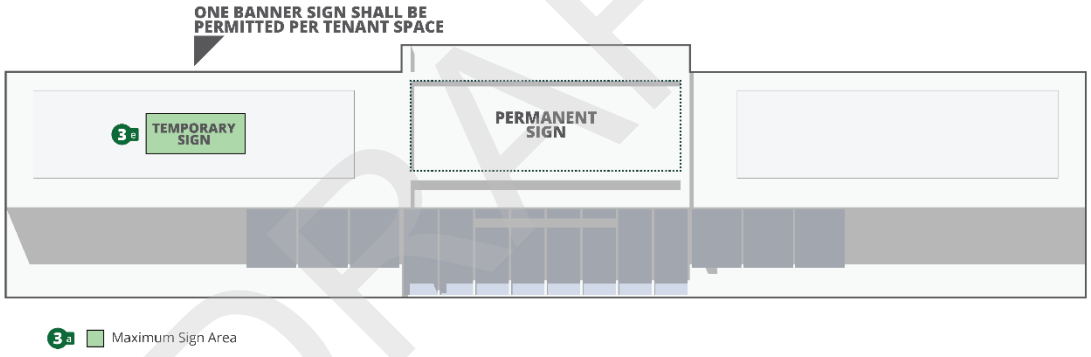

Figure 13 Mounted Banner Sign

3. **All Mounted Banner Signs.**

   a. **Maximum Area.**

      i. **Single-Family, Multifamily, and Mixed-Use Districts.**

         a) **MFRC, RLC, and VGRC Districts.** Mounted banner signs shall have a maximum area of 25 square feet.

         b) **All Other Districts.** Mounted banner signs are not permitted.

      ii. **Office, Commercial, Industrial, Institutional, and Open Space Districts.** Mounted banner signs shall have a maximum area of 25 square feet.

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b. **Maximum Projection.** Mounted banner signs shall be affixed flat against the building or fence to which it is mounted.

c. **Maximum Number of Sign Faces.** The following standards apply unless otherwise required by state law or regulation, such as the Illinois Municipal Code (65 ILCS 5/11-13-1).

i. Mounted banner signs shall have a maximum of one sign face.

d. **Illumination.** Mounted banner signs shall not be illuminated.

e. **Location**.

i. Mounted banner signs shall be located on a building wall, meeting the location standards for permanent wall signs (Table 11-102-D).

ii. Mounted banner signs shall be located on a fence meeting all standards of Section 10-108.

C. **Window Sign, Temporary**.

1. **Maximum Area**. Temporary window signs shall have a maximum area of 50 percent of the square footage of the individual window on which the sign shall be located.

2. **Location**. Temporary window signs shall be located on ground floor windows or door only.

3. **Illumination**. Temporary window signs shall not be illuminated.

4. **Duration of Display**. The following standards apply unless otherwise required by state law or regulation, such as the Illinois Municipal Code (65 ILCS 5/11-13-1).

a. The duration of display of temporary window signs shall not be limited so long as all maintenance requirements are met (Section 11-110)

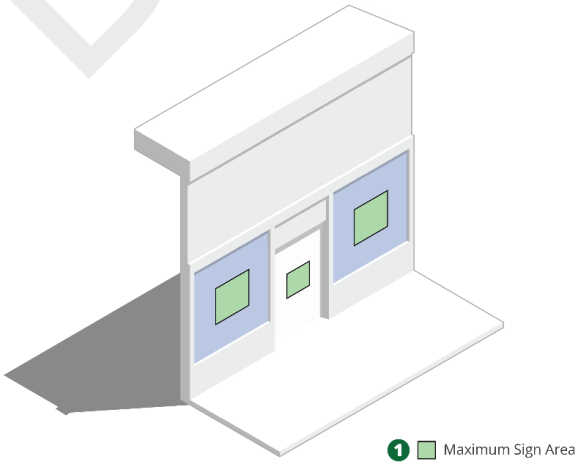

Figure 14 Window Sign, Temporary

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11-108. Temporary Freestanding Sign Standards

A. **Ground Mounted Banner Sign**.

1. **Single Tenant Or Common Entrance Building.**

a. **Duration of Display.** The following standards apply unless otherwise required by state law or regulation, such as the Illinois Municipal Code (65 ILCS 5/11-13-1).

i. Single tenant or common entrance building ground mounted banner signs shall have a duration of display of a maximum of 30 days.

ii. Single tenant or common entrance building ground mounted banner signs shall have a duration of display of two per calendar year.

2. **Multi-Tenant Building.**

a. **Duration of Display**. The following standards apply unless otherwise required by state law or regulation, such as the Illinois Municipal Code (65 ILCS 5/11-13-1).

i. Multi-tenant building ground mounted banner signs shall have a duration of display of a maximum of 30 days.

ii. The property owner shall be responsible for determining which tenants may display.

iii. Multi-tenant building ground mounted banner signs shall have a duration of display of one per tenant space per calendar year.

3. **All Ground Mounted Banner Signs.**

a. **Maximum Area.** Ground mounted banner signs shall have a maximum area of 32 square feet.

b. **Maximum Height.** Ground mounted banner signs shall have a maximum height of eight feet.

c. **Maximum Number of Signs per Property.** The following standards apply unless otherwise required by state law or regulation, such as the Illinois Municipal Code (65 ILCS 5/11-13-1).

i. A maximum of one ground mounted banner sign per property shall be permitted.

d. **Maximum Number of Sign Faces.**

i. **MFRC, RLC, and VGRC Districts.** Ground mounted banner signs shall have a maximum of one sign face.

ii. **Office, Commercial, Industrial, Institutional, and Open Space Districts.** Ground mounted banner signs shall have a maximum of two sign faces.

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e. **Sign Materials.**

i. Ground mounted banner sign banners shall be made of cloth, canvas, vinyl, or other similarly durable material purpose made for outdoor display.

ii. Ground mounted banner sign bases and frames shall be made of vinyl, steel, or other similarly durable material purpose made for outdoor display with a minimum width of three inches.

f. **Illumination.** Ground mounted banner signs shall not be illuminated.

g. **Location**. Ground mounted banner signs shall be set back a minimum of six feet from all property lines.

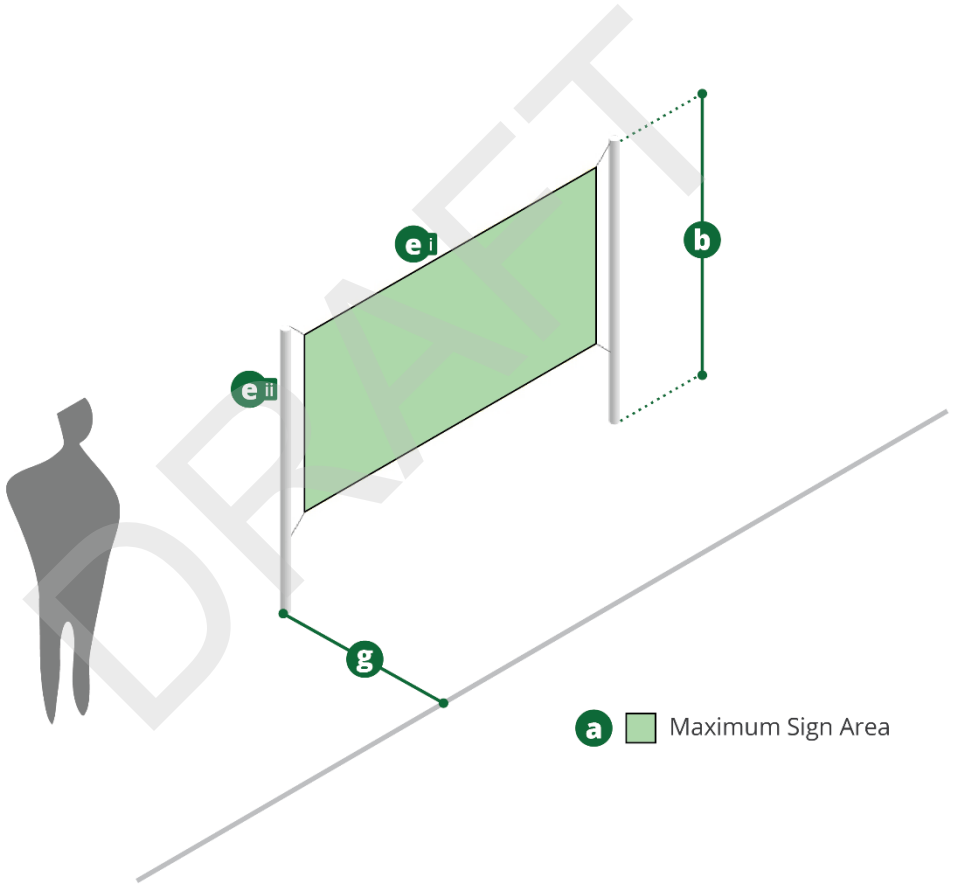

Figure 15 Ground Mounted Banner Sign

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B. **Post and Panel Sign**.

1. **Maximum Area.** Post and panel signs shall have a maximum area of 12 square feet.
2. **Maximum Height.** Post and panel signs shall have a maximum height of eight feet.
3. **Maximum Number of Signs per Development Site Frontage Adjacent to Street Right-Of-Way.** The following standards apply unless otherwise required by state law or regulation, such as the Illinois Municipal Code (65 ILCS 5/11-13-1).
    a. A maximum of one post and panel sign per development site frontage adjacent to street right-of-way shall be permitted.
4. **Maximum Number of Sign Faces.**
    a. **MFRC, RLC, and VGRC Districts.** Post and panel signs shall have a maximum of one sign face.
    b. **Office, Commercial, Industrial, Institutional, and Open Space Districts.** Post and panel signs shall have a maximum of two sign faces.
5. **Sign Materials.**
    a. Post and panel sign faces shall be made of durable vinyl, plastic, or comparable material.
    b. Post and panel sign frames shall be made of metal, PVC, wood, or a similarly durable material purpose made for outdoor display.
6. **Illumination.** Post and panel signs shall not be illuminated.
7. **Location**. Post and panel signs shall be set back a minimum of six feet from all property lines.
8. **Duration of Display.** The following standards apply unless otherwise required by state law or regulation, such as the Illinois Municipal Code (65 ILCS 5/11-13-1).
    a. Post and panel signs shall have a duration of display of a maximum of 30 days.
    b. If the property on which the sign shall be placed is actively marketed for sale or lease the duration of display shall be until the property is no longer actively marketed for sale or lease so long as all maintenance requirements are met (Section 11-110).
    c. Post and panel signs shall have a duration of display of up to one per calendar year.

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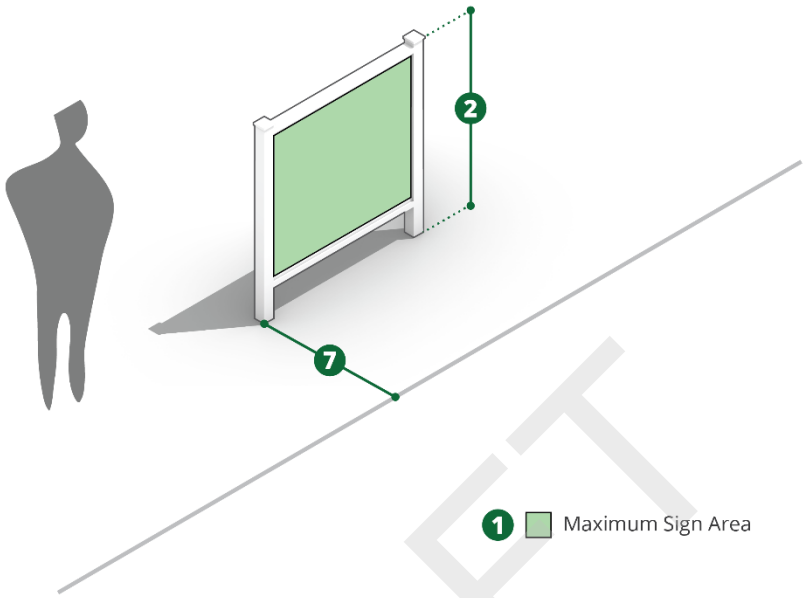

Figure 16 Post and Panel Sign

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C. **Post Sign, Temporary**.

1. **Maximum Area.** Temporary post signs shall have a maximum area of six square feet.
2. **Maximum Height.** Temporary post signs shall have a maximum height of four feet.
3. **Maximum Number of Signs**. The following standards apply unless otherwise required by state law or regulation, such as the Illinois Municipal Code (65 ILCS 5/11-13-1).
    a. **Maximum Number of Signs per Property.** A maximum of one temporary post sign per property shall be permitted.
    b. **Maximum Number of Sign Faces.** Temporary post signs shall have a maximum of two sign faces.
4. **Materials.**
    a. Temporary post sign faces shall be made of durable vinyl, plastic, or comparable material.
    b. Temporary post sign frames shall be made of metal, PVC, wood, or a similarly durable material purpose made for outdoor display.
5. **Illumination.** Temporary post signs shall not be illuminated.
6. **Location**. Temporary post signs shall be set back a minimum of six feet from all property lines.
7. **Duration of Display.** The following standards apply unless otherwise required by state law or regulation, such as the Illinois Municipal Code (65 ILCS 5/11-13-1).
    a. **Single-Family, Multifamily, and Mixed-Use Districts.**
        i. Temporary post signs shall have a duration of display of a maximum of 30 days.
        ii. Temporary post signs shall have a duration of display of two per calendar year.
    b. **Office, Commercial, Industrial, Institutional, and Open Space Districts.**
        i. **Single Tenant or Common Entrance Building.**
            a) Temporary post signs shall have a duration of display of a maximum of 30 days.
            b) Temporary post signs shall have a duration of display of two per calendar year.
        ii. **Multi-Tenant Building.**
            a) Temporary post signs shall have a duration of display of a maximum of 30 days.
            b) The property owner shall be responsible for determining which tenants may display temporary post signs.

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c) Temporary post signs shall have a duration of display of one per tenant space per calendar year.

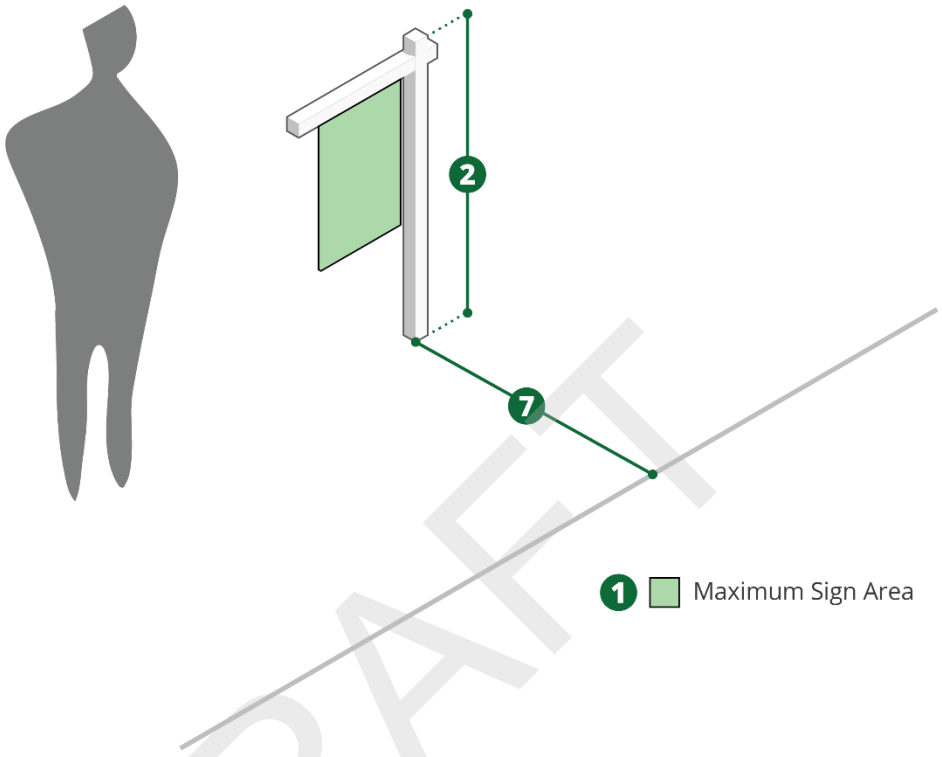

Figure 17 Post Sign, Temporary

D. **Sandwich Board Sign**.

1. **Maximum Area.** Sandwich board signs shall have a maximum area of six square feet.
2. **Maximum Height.** Sandwich board signs shall have a maximum height of four feet.
3. **Maximum Number of Signs**. The following standards apply unless otherwise required by state law or regulation, such as the Illinois Municipal Code (65 ILCS 5/11-13-1).

    a. **Maximum Number of Signs per Single Tenant or Common Entrance Building Frontage Adjacent to Street ROW.** A maximum of one sandwich board sign per single tenant or common entrance building frontage adjacent to street right-of-way shall be permitted.

    b. **Maximum Number of Signs per Multi-Tenant Space with Frontage Adjacent to Public Sidewalk or Internal Pedestrian Walkway.** A maximum of one sandwich board sign per multi-tenant space with frontage adjacent to public sidewalk or internal pedestrian walkway shall be permitted.

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c. **Maximum Number of Sign Faces.** Sandwich board signs shall have a maximum of two sign faces.

4. **Materials.**

   a. Sandwich board sign faces shall be made of vinyl, plastic, chalkboard, marker board, or comparable material.

   b. Sandwich board sign frames shall be made of metal, plastic, or a similarly durable material purpose made for outdoor display.

5. **Illumination.** Sandwich board signs shall not be illuminated.

6. **Location**.

   a. Sandwich board signs shall be separated from any other sidewalk signs by at least 15 feet.

   b. Sandwich board signs shall be placed in a manner to preserve a continuous sidewalk width of a minimum of five feet.

   c. Sandwich board signs shall not block points of ingress or egress.

   d. Sandwich board signs shall be placed no more than six feet from the building entrance of the building or tenant space of a building to which the sign is associated.

7. **Duration of Display.** The following standards apply unless otherwise required by state law or regulation, such as the Illinois Municipal Code (65 ILCS 5/11-13-1).

   a. Sandwich board signs shall be displayed during the operating hours of the use to which the sign is associated.

8. **Other Limitations.**

   a. The property owner shall be required to provide a release or hold harmless to the Village prior to the display of a freestanding sandwich board sign in a public right-of-way.

   b. Sandwich board signs shall be securely anchored into the ground or secured in a portable base designed for such function.

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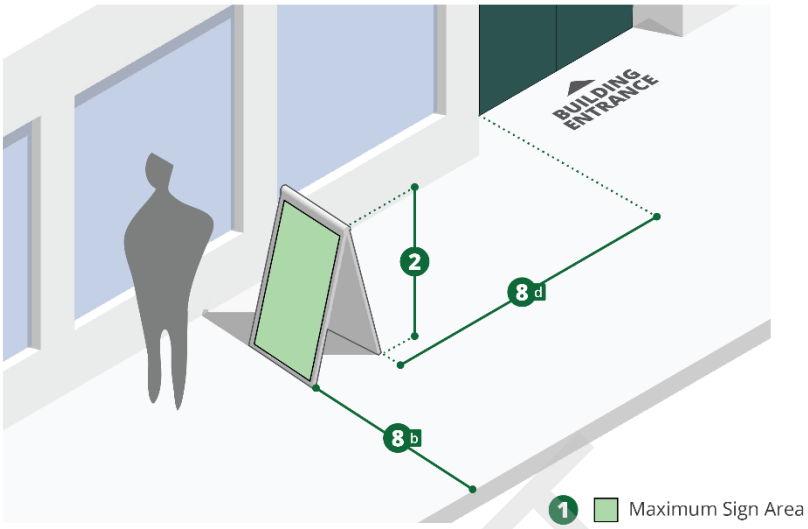

Figure 18 Sandwich Board Sign

E. **Yard Sign**.

1. **Maximum Area.** Yard signs shall have a maximum area of six square feet.
2. **Maximum Height.** Yard signs shall have a maximum height of four feet.
3. **Maximum Number of Signs**. The following standards apply unless otherwise required by state law or regulation, such as the Illinois Municipal Code (65 ILCS 5/11-13-1).
    a. In the IB District, a maximum of one yard sign may be displayed for every 100 feet of lot frontage.
    b. The maximum number of yard signs shall not be restricted in other districts in which the sign type is allowed.
4. **Maximum Number of Sign Faces.** Yard signs shall have a maximum of two sign faces.
5. **Animation or Automatically Changing Graphics.** Yard signs shall not incorporate animated or automatically changing graphics.
6. **Illumination.** Yard signs shall not be illuminated.
7. **Location**.Yard signs shall be set back a minimum of six feet from all property lines.
8. **Secure Anchoring Required.** Yard signs shall be securely anchored into the ground with a metal, plastic, or wood stake.

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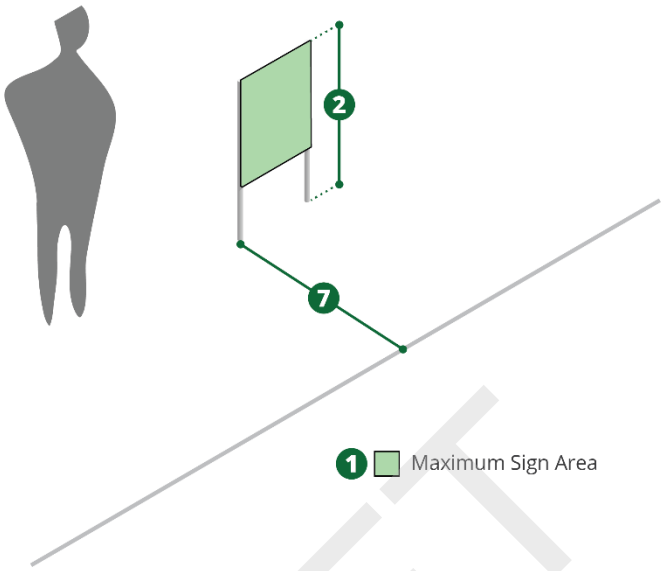

Figure 19 Yard Sign

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11-109. IB District Temporary Sign Plan

Uses in the IB District may submit a temporary sign plan to the Village Manager for review and approval. The temporary sign plan shall:

A. Be approved annually,

B. Account for all temporary signs utilized on the subject property. Temporary sign permits shall not be issued for temporary signs not identified in the temporary sign plan,

C. Allow for deviations in the minimum or maximum number of days allowed per display period,

D. Allow for deviations in the minimum required separation between display periods,

E. Not allow standards not otherwise mentioned in subsections C and D above to be modified or exceeded, and

F. Temporary signs displayed for a period of 48 hours or less per week shall be exempt from the requirements of this Section and may be included in the temporary sign plan.

11-110. Maintenance and Abandonment

A. **Sign Maintenance**. The owner of a sign and the owner of the premises on which such sign is located shall be jointly and severally liable to maintain such sign, including its illumination sources, in compliance with this Code and all applicable laws, in a safe and secure condition, and in a neat and orderly condition and good working order at all times, and to prevent the development of any rust, corrosion, rotting or other deterioration in the physical appearance or safety of such sign. The premises around ground and pylon signs shall be kept clean and free of all rubbish and weeds.

B. **Sign Abandonment**.

1. Any sign, whether existing on or erected after the effective date of this Article, which is associated with a use no longer established on the premises on which the sign is located, shall be removed within 60 days.

2. If a sign which is associated with a use no longer established on the premises on which the sign is located has not been removed within 60 days, it shall be deemed abandoned and written notice shall be given to the owner, agent, or person having the beneficial interest in the building or the premises on which such sign is located.

3. Removal of the sign shall be completed within 30 days after receipt of the notice from the Village Manager. If such sign is not removed after the conclusion of such 30-day period, the Village Manager is hereby authorized to cause the sign to be removed per subsection 2-119-C-4.

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Article 12. Nonconformities

12-101. General Provisions

12-102. Inventories and Certificates of Nonconformity

12-103. Nonconforming Uses of Land and Nonconforming Uses in Structures Designed for a Permitted Use

12-104. Nonconforming Uses in Structures not Designed for a Permitted Use

12-105. Nonconforming Accessory Uses and Structures

12-106. Nonconforming Lots of Record

12-107. Nonconforming Signs

12-108. Pre-Code Structures

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12-101. General Provisions

A. **Purpose**.

1. This Article regulates and limits the continued existence of uses, structures, including pre-Code structures in Section 12-108, lots and signs that were established prior to the effective date of this Code and do not conform to its current regulations in the applicable zoning district.

2. The zoning districts established by this Code are intended to regulate the future use of land within the Village, promoting the development and maintenance of desirable residential, commercial, office, and industrial areas with compatible uses. This helps protect and enhance public health, safety, and welfare. The continued existence of nonconformities often conflicts with the goals of these districts, so their gradual elimination is generally preferred.

B. **Applicability**.

1. Separate restrictions are established for:

   a. Nonconforming uses of land,

   b. Nonconforming uses of structures designed for a permitted use,

   c. Nonconforming uses of structures not designed for a permitted use,

d. Nonconforming "pre-Code" structures,

e. Nonconforming lots of record, and

f. Nonconforming signs.

2. The restrictions for each category of nonconformity generally corresponds to how incompatible it is with permitted uses and the amount of investment associated with that type of nonconformity. When practical difficulties arise, relief from certain restrictions in this Article may be granted through a Variance (Section 2-114).

3. Nonconforming uses of land, nonconforming uses within structures designed for permitted uses, and nonconforming signs are often significantly incompatible, involve smaller investments, and have shorter economic lifespans. In such cases, the standards for addressing the nonconformity are more stringent.

4. With nonconforming uses in structures not designed for any conforming use, the degree of incompatibility is often significant, but the investment and economic lifespan are also typically substantial. In such cases, while eventual elimination is required, a longer period is allowed to amortize the investment. While this Article allows such nonconformities to continue without specific limitation of time, it restricts further investments that would make the nonconformity more permanent in inappropriate districts.

C. **Exceptions for Repairs Pursuant to Public Order**. This Article does not prohibit strengthening or restoring a structure to a safe condition if ordered by a public official who is responsible for public safety, provided the structure has been deemed unsafe. However, such restoration must comply with this Article's provisions that restrict the repair or restoration of partially damaged or destroyed structures or signs.

12-102. Inventories and Certificates of Nonconformity

A. **Burden of Owner to Establish Legality of Nonconformity**. The burden of establishing that any nonconformity is lawfully existing under the provisions of this Article shall, in all cases, be upon the owner of such nonconformity and not upon the Village.

B. **Certificate of Occupancy for Legal Nonconformities**.

1. The owner, or any person receiving notice, of any nonconforming use, structure, lot or sign may at any time apply to the Village Manager for a Certificate of Occupancy to confirm the legality of such nonconformity as of a specified date. Such application shall be filed and processed pursuant to the provisions of Section 2-101 of this Code.

2. Any person receiving notice of a nonconforming use or sign pursuant to Paragraph B-1 above shall apply to the Village Manager for a Certificate of Occupancy for the identified nonconformity within 60 days of receiving the notice. If no appeal is filed against the Village Manager's determination in the notice, the application must include an affidavit

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acknowledging the determination. Such affidavits shall be kept on file by the Village Manager and shall be a matter of public record.

3. If, upon reviewing an application for a Certificate of Occupancy for a nonconformity, the Village Manager finds that the use, structure, lot, or sign in question was lawfully existing when the provision creating the nonconformity was adopted, remains lawful except for the nonconformity, and any required affidavit is complete, they will issue a Certificate of Occupancy. This certificate will confirm these facts, describe the nonconformity, and specify any termination date. If these conditions are not met, the Village Manager will deny the certificate and declare the item in violation of this Code.

12-103. Nonconforming Uses of Land and Nonconforming Uses in Structures Designed for a Permitted Use

A. **Authority to Continue**.

1. Any lawfully existing nonconforming use not involving the use of a structure, involving only a structure that is accessory to a nonconforming land use, or is located in a structure designed for a use permitted in the district in which it is located may be continued so long as it remains otherwise lawful, subject to the regulations contained in Subsections B through G of this Section, and in Section 12-102 and 12-105.

2. For purposes of this Section, any structure that is used in connection with a nonconforming use of land and that has an assessed value of less than $5,000 on the effective date of this Code or any amendment hereto creating such nonconformity shall be considered an accessory structure to the nonconforming use of land.

B. **Ordinary Repair and Maintenance**. Normal maintenance, minor repairs, and updates such as replacing or moving non-bearing walls, non-bearing partitions, fixtures, wiring, or plumbing may be performed on any structures accessory to a nonconforming land use or designed for a permitted use but partially or fully used for a nonconforming purpose. However, this does not permit any violations of Subsections C through G of this Section.

C. **Structural Alteration and Enlargement**.

1. Structural alterations are not allowed for any structure accessory to a nonconforming land use or designed for a permitted use but partially or fully devoted to a nonconforming use unless the structure's use is brought into compliance with the zoning district's use regulations.

2. Structures that are accessory to a nonconforming land use or designed for a permitted use but partially or fully devoted to a nonconforming use may not be enlarged or expanded in any matter, including adding interior floor space, unless their use is changed to conform to the zoning district's use regulations.

3. Alterations or expansions must not create new nonconformities in parking, loading, bulk, yard, or space requirements or increase any existing nonconformities.

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D. **Extension of Use**. A nonconforming use of land, a structure that is accessory to a nonconforming use of land, or a nonconforming use in a structure designed for a permitted use shall not be extended, expanded, enlarged or increased in intensity. Such prohibited activity shall include, without limitation:

1. An extension of such use, including any accessory uses, to any structure or land area not occupied by the nonconforming use on the effective date of this Code or any amendment that made the use nonconforming;

2. An extension of such use, including its accessory uses, within a building or other structure to any portion of the floor area that was not occupied by such nonconforming use on the effective date of this Code or any amendment that made the use nonconforming; and

3. An extension of the hours of operation of such use beyond the normal hours of operation on the effective date of this Code, or any amendment that made the use nonconforming.

E. **Moving**. A structure accessory to a nonconforming land use, or one designed for a permitted use but partially or fully devoted to a nonconforming land use shall not be moved in whole or in part, and regardless of distance to another location on the same or a different lot unless the structure and its use fully comply with all zoning district regulations after the move. Similarly, a nonconforming land use may not be relocated in whole or in part to another location on the same or a different lot unless it fully conforms to all zoning district regulations after the move.

F. **Change in Use**. A nonconforming use of land not involving a structure or involving only a structure that is accessory to the nonconforming use of land, or a nonconforming use in a structure designed for a use permitted in the district in which it is located shall not be changed to any use other than a use permitted in the zoning district. When such a nonconforming use has been changed to a permitted use, it shall not thereafter be changed back to any non-permitted use. For purposes of this Subsection F, a use shall be deemed to have been so changed when a permitted use has commenced and continued for at least five days. Any change of use in violation of this Subsection shall be deemed an abandonment of the lawfully existing nonconforming use.

G. **Damage or Destruction**.

1. Any structure that is accessory to a nonconforming land use or designed for a permitted use but partially or fully devoted to a nonconforming use that is damaged or destroyed by more than 25 percent of its replacement cost shall not be restored unless the structure complies with the zoning district's use regulations. Additionally, restoration must not create any new parking, loading, bulk, yard, or space nonconformities or increase the degree of any existing nonconformities.

2. If a structure is damaged or destroyed by circumstances beyond the owner's control to an extent of 25 percent or less of its replacement cost, repairs or restoration may proceed. However, such work must not create new nonconformities in parking, loading, bulk, yard, or space requirements or increase any existing nonconformities. Additionally, repairs or restoration must comply with the zoning district's regulations, require a Certificate of Zoning

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Compliance, and begin within one year of the damage or destruction. The restoration must also be diligently pursued to completion.

3. In no event shall any damage or destruction to such a structure by means within the control of the owner be repaired or restored except in accordance with Subsections B and C of this Section.

12-104. Nonconforming Uses in Structures not Designed for a Permitted Use

A. **Authority to Continue**. Any lawfully existing nonconforming use located in a structure not designed or intended for any use permitted in its district may be continued so long as it remains otherwise lawful. It must also follow the regulations contained in Subsections B through G of this Section, and in Section 12-102 and 12-105.

B. **Ordinary Repair and Maintenance**. Normal maintenance, minor repairs or replacements, and the installation or relocation of non-bearing walls, non-bearing partitions, fixtures, wiring, or plumbing are allowed for any structure used fully or partially for a nonconforming use and not designed for a permitted use in its district. However, this does not permit any violations of Subsections C through G of this Section.

C. **Structural Alteration and Enlargement**.

1. Structural alterations are not allowed for any structure used fully or partially for a nonconforming use and not designed for any permitted use in its district unless the structure's use is brought into compliance with the zoning district's use regulations.

2. Structures that are used fully or partially for a nonconforming use and not designed for any permitted use in its district may not be enlarged or expanded in any matter, including adding interior floor space, unless the use is changed to conform to the zoning district's use regulations.

3. Alterations or expansions must not create new nonconformities in parking, loading, bulk, yard, or space requirements or increase any existing nonconformities.

D. **Extension of Use**.

1. **Prohibited Extensions**. A nonconforming use in a structure not designed or intended for any use permitted in the district in which such structure is located shall not be extended, expanded, enlarged or increased in intensity by:

a. An extension of such use to any structure or land area other than that occupied by such nonconforming use on the effective date of this Code, or any amendment hereto that causes such use to become nonconforming; or

b. An extension of the hours of operation of such use beyond the normal hours of operation on the effective date of this Code or any amendment hereto that causes such use to become nonconforming.

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2. **Permitted Extensions**. A structure used fully or partially for a nonconforming use and not designed for any permitted use in its district may be extended to any part of the structure that legally existed on the effective date of this Code, or any amendment hereto that causes such use to become nonconforming. However, such an extension is only allowed if the required off-street parking and loaded spaces are provided as per Section 10-102 and 10-103 of this Code.

E. **Moving**. A structure used fully or partially for a nonconforming use and not designed for any permitted use in its district shall not be moved in whole or in part, regardless of distance to another location on the same or a different lot unless the structure and its use fully comply with all zoning district regulations after the move. Similarly, a nonconforming land use may not be relocated in whole or in part to another location on the same or a different lot unless it fully conforms to all zoning district regulations after the move.

F. **Change in Use**. A nonconforming use in a structure not designed or intended for use permitted in the district in which such structure is located shall not be changed to any use other than a use permitted in the zoning district. When such a nonconforming use has been changed to a permitted use, it shall not thereafter be changed back to any non-permitted use. For purposes of this Subsection F, a use shall be deemed to have been so changed when a permitted use has commenced and continued for at least five days. Any change of use in violation of this Subsection shall be deemed an abandonment of the lawfully existing nonconforming use.

G. **Damage or Destruction**.

1. Any structure used fully or partially for a nonconforming use and not designed for any permitted use in its district is damaged or destroyed by more than 25 percent of its replacement cost shall not be restored unless the structure complies with the zoning district's use regulations. Additionally, restoration must not create any new parking, loading, bulk, yard, or space nonconformities or increase the degree of any existing nonconformities.

   If a structure is damaged or destroyed by circumstances beyond the owner's control to an extent of 25 percent or less of its replacement cost, repairs or restoration may proceed. However, such work must not create new nonconformities in parking, loading, bulk, yard, or space requirements or increase any existing nonconformity. Additionally, repairs or restoration must comply with the zoning district's regulations, require a Certificate of Zoning Compliance, and begin within one year of the damage or destruction. The restoration must also be diligently pursued to completion.

2. In no event shall any damage or destruction to such a structure by means within the control of the owner be repaired or restored except in accordance with Subsections B and C of this Section.

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12-105. Nonconforming Accessory Uses and Structures

No use, structure or sign that is accessory to a principal nonconforming use or structure shall continue after such principal use or structure has been terminated, unless it shall thereafter conform to all the regulations of the zoning district in which it is located.

12-106. Nonconforming Lots of Record

A. **Authority to Utilize Dwellings**. In any district in which dwellings are a permitted use, notwithstanding the regulations imposed by any other provisions of this Code, a dwelling permitted for that district may be built on a legal nonconforming lot of record or on any parcel created by real estate tax divisions prior to November 13, 1979. This is allowed even if the lot does not meet the district's area and width requirements, as long as it complies with all other regulations, including lot coverage and yard requirements.

B. **Other Uses of Nonconforming Lots**. In any district in which dwellings are not permitted, a legal nonconforming lot of record may be used for any use permitted in the district in which it is located if, but only if, the development of such lot meets all requirements of the district in which it is located, except lot area, width and depth requirements.

12-107. Nonconforming Signs

A. **Authority to Continue**. Except as provided in Subsection F of this Section, any lawfully existing nonconforming sign may be continued so long as it otherwise remains lawful, subject to the regulations contained in Subsections B through E of this Section and in Section 12-102 and 12-105.

B. **Ordinary Repair and Maintenance**. Normal maintenance and incidental repair or replacement of non-bearing sign elements and electrical wiring and fixtures may be performed on any sign. Any repair or replacement shall, whenever possible eliminate or reduce any nonconformity in the element being repaired or replaced. Furthermore, this Subsection B shall not be deemed to authorize any violation of Subsections C through F of this Section.

C. **Alteration, Enlargement, Moving**. No nonconforming sign shall be changed or altered in any manner that would increase the degree of its nonconformity; be enlarged or expanded; be structurally altered to prolong its useful life; or be moved in whole or in part to any other location where it would remain nonconforming. A change in sign message that does not otherwise violate the provisions of this Code shall not be prohibited by this Subsection.

D. **Change of Sign**. A nonconforming sign that has been changed to eliminate its nonconformity, or any element of its nonconformity, shall not thereafter be changed to restore such nonconformity or nonconforming element.

E. **Damage or Destruction**. Any nonconforming sign, or any nonconforming element of a sign that can be altered or discontinued independently, and that is damaged or destroyed by any means

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to 35 percent or more of its replacement cost, shall not be restored but shall be removed or brought into compliance with the provisions of this Code.

F. **Termination of Certain Signs**.

1. **Immediate Termination**. The following nonconforming signs, or sign features, shall be terminated within 30 days after the effective date of this Code by removal of the sign or by alteration of the sign to eliminate the specified feature:

   a. Attention-getting devices.

   b. Moving or animated signs.

   c. Portable signs.

   d. Temporary signs, except as expressly permitted by Section 9-106 of this Code.

   e. Any sign that advertises, identifies or pertains to a business no longer conducted, or a product no longer sold, on the premises where such sign is located.

   f. Any sign on a tree or utility pole, whether on public or private property.

   g. Any sign on public property, except governmental signs authorized in Section 9-106 of this Code.

   h. Any sign that violates any provision or requirement of Section 11-104.

   i. Any sign constructed or erected without a valid permit.

2. **Termination by Abandonment**.

   a. Any nonconforming sign that remains unused for 30 consecutive days, regardless of intent to resume or abandon its use, shall be considered abandoned and may not be reestablished or resumed. Such signs must be promptly removed or brought into compliance with the provisions of this Code.

   b. Any period of discontinuance caused by government actions, strikes, material shortages or acts of God, and without any contributing fault by the nonconforming user, shall not be considered in calculating the length of discontinuance for purposes of this paragraph.

3. **Termination by Change of Business Ownership**. Any nonconforming sign advertising, identifying, or pertaining to a business on the premises on which it is located shall be terminated upon any change in the ownership or control of such business.

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12-108. Pre-Code Structures

A. **Authority to Continue**. Any pre-Code structure that is devoted to a use that is permitted in the zoning district in which it is located may be continued so long as it remains otherwise lawful, subject to the restrictions in Subsections B through E of this Section and in Section 12-102 and 12-105.

B. **Repair and Maintenance**. Normal maintenance and incidental repair may be performed on any pre-Code structure; provided, however, that this Subsection shall not be deemed to authorize any violation of Subsections C through E of this Section.

C. **Structural Alterations and Enlargements**.

1. **All Districts**. Any pre-Code structure may be altered or enlarged, provided that such alteration or enlargement conforms to all applicable height, yard, setback, and all other requirements of the zoning districts in which the structure is located.

2. **Exceptions for Single-Family Detached Dwellings in Single-Family Residential Districts**. The exceptions in this Section shall not apply to any alteration or enlargement of any pre-Code structure that requires the removal of more than 40 percent of the total linear feet of the existing exterior walls measured along the exterior perimeter of the structure.

D. **Moving**. No pre-Code structure shall be moved in whole or in part, for any distance whatsoever, to any other location on the same or any other lot unless the entire structure shall thereafter conform to the regulations of the zoning district in which it is located after being moved.

E. **Damage or Destruction**.

1. Any pre-Code structure that is damaged or destroyed, by any means not within the control of the owner thereof, to any extent, may be repaired or restored. However, no repair or restoration shall be made that would create any new nonconformity unless a Certificate of Zoning Compliance is obtained and restoration is actually begun within one year after the date of such damage or destruction and is diligently pursued to completion. Further, provided, that if such pre-Code structure is within the flood plain, it must comply with the requirements of Section 9-105 of Article 9 of this Code.

2. In no event shall any damage or destruction to such a structure by means within the control of the owner be repaired or restored except in accordance with Subsection C of this Section.

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Article 13. Inclusionary Housing in New Developments

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13-101. Purpose and Intent

The Inclusionary Housing standards in this Part are established for the purposes of implementing the goals, objectives and policies of the Northbrook Comprehensive Plan and the Village's Inclusionary Housing Plan. These standards are intended to promote the public health, safety, and welfare of the existing and future residents of Northbrook by requiring certain residential developments or mixed-use developments which contain a residential component to incorporate a specified percentage of dwelling units to be priced affordably for households with incomes at or below 120% of the Area Median Income (AMI), or to utilize other mechanisms that will promote inclusionary housing opportunities in the Village.

The Village recognizes the need to provide inclusionary housing to low-to-middle income households in order to increase housing opportunities for a diverse population and to provide housing for those who live or work in the Village. Without intervention, the trend toward increased housing prices will result in an inadequate supply of inclusionary housing, which will have a negative impact upon the ability of employers within the Village to maintain an adequate local work force and will otherwise be detrimental to the public health, safety, and welfare of the Village and its residents.

Since the remaining land appropriate for new residential development within the Village is limited, it is essential that a reasonable proportion of such land be developed into housing units inclusionary for low-to-middle income households and working families.

13-102. Definitions

A. The words and phrases used in this Part shall be interpreted to have the meanings ascribed to them in this Section 13-102. To the extent that words or phrases used in this Part are not defined in this section, but such words or phrases are defined in the Zoning Code, such words or phrases shall be deemed to have the meanings set forth in the Zoning Code.

B. **Definitions.**

1. **Inclusionary Housing.** Any housing that qualifies as inclusionary for the targeted households identified in this Part. For the purpose of this Part, "Inclusionary Housing" is divided into tiers based on availability to households at distinct income levels.

2. **Inclusionary Housing Plan.** That certain inclusionary housing plan prepared by the Village of Northbrook and adopted by the Village's Board of Trustees.

3. **Inclusionary Housing Compliance Plan.** A plan submitted by a developer or owner of a governed development describing how development will comply the requirements of this Part.

4. **Inclusionary Housing Trust Fund.** A trust fund to be established by the Village, pursuant to Article VII Section 19-185 of the Municipal Code of the Village, with the purpose of aggregating and providing financial resources to address the inclusionary housing needs of individuals and families in the Village.

5. **Inclusionary Housing Unit.** A dwelling unit that meets the criteria for Inclusionary housing.

6. **Inclusionary Owner-Occupied Units.** inclusionary housing units marketed and offered for sale to eligible households subject to an inclusionary unit covenant.

7. **Inclusionary Rental Units.** Inclusionary housing units marketed and offered for rent to eligible households subject to standard lease terms.

8. **Area Median Income (AMI).** The median income level for the Chicago-Naperville-Elgin, IL-IN-WI Metropolitan Statistical Area, as established and defined in the annual schedule published by the Secretary of Housing and Urban Development, and adjusted for household size.

9. **Base Density.** The number of dwelling units permitted to be constructed on a parcel in conformance with the requirements of the zoning district in which it is located, prior to applying any applicable density bonus.

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10. **Certificate of Qualification.** A certificate establishing a qualified household's eligibility to purchase or lease an inclusionary dwelling unit based on income eligibility using income and asset limits, in accordance with the Village's policies and procedures.

11. **Consumer Price Index (CPI).** Consumer price index for the Chicago-Naperville-Elgin area as published annually by the U.S. Department of Labor, Bureau of Labor Statistics.

12. **Conversion.** A change in a residential or mixed-use rental development to individual-owner residential condominium units.

13. **Developer.** The party responsible for obtaining approvals from the Village, including zoning, subdivision, and building permit approvals, for a governed development.

14. **Eligible Household.** For purposes of this Part, a household with an annual income less than 120% of the Area Median Income.

15. **Governed Development.** Any residential or mixed-use development with a residential component that is required to provide inclusionary housing units under provisions of this Part. Projects at one location undertaken in phases, stages or otherwise developed in distinct parts shall be considered a single-governed development.

16. **Housing Expenses.** a) For inclusionary rental units - rent and utilities; and b) For inclusionary owner-occupied units - principal and interest of any mortgages placed on the unit, property taxes, condominium or homeowner's association fees, if applicable, and insurance.

17. **Maximum Resale Price**. The maximum price an owner-occupied inclusionary unit may be sold to another eligible household at based on a valuation formula incorporating appraisal data, a maximum appreciation factor, and allowances for capital improvements, all as set forth in a schedule to be published by the Village on an annual basis.

18. **Market Rate Housing Units.** All owner-occupied or rental dwelling units in a governed development that are not classified as inclusionary housing units.

13-103. Administration

A. The provisions of this Part shall be administered by the Village Manager and the Department of Planning and Development. The Board of Trustees may designate the Plan Commission or another body to conduct reviews of inclusionary housing compliance plans for governed developments and make recommendations regarding their sufficiency to the Board of Trustees.

B. The Board of Trustees shall have the right, but not the obligation, to adopt, and to amend from time to time, administrative guidelines, procedures, and schedules to assist in the effective implementation of this Part; provided, however, that any administrative guidelines, procedures, and schedules adopted or amended pursuant to this Section 13-103 shall not be inconsistent with this Part, and that in the event of a conflict between the administrative guidelines and this Part, this Part shall control. Pursuant to this authority, the Board of Trustees may adopt guidelines for:

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1. Factoring in net worth and assets when determining qualification as an eligible household;
2. Calculating maximum permitted household expenses;
3. Setting a maximum resale price for an owner-occupied inclusionary unit;
4. Establishing limitations on renting or subletting an inclusionary housing unit; and
5. Other guidelines, procedures and schedules deemed necessary by the Board of Trustees to assist in administering this Part.

C. The Village Manager may, with the authorization of the Board of Trustees, enter into an agreement with a not-for-profit organization specializing in the management and operation of inclusionary housing programs to assist in the administration of portions of this Part, including, without limitation, performing assessments of households' certificate of qualification, managing waitlists for inclusionary housing units, marketing inclusionary housing units, verifying governed developments' ongoing compliance with the requirements of this Part, and advising on the administrative guidelines, procedures, and schedules authorized by this Section 13-103.

13-104. Applicability

A. **General.** The provisions of this Part shall apply to all developments that result in the addition of or contain six (6) or more residential dwelling units. Developments subject to the provisions of this Part shall be deemed governed developments and shall include, but are not limited to, the following:

1. A development that is new residential construction or new mixed-use construction with a residential component.
2. A development that is the renovation or reconstruction of an existing multiple family residential building that increases the number of residential dwelling units from the number of dwelling units in the original structure.
3. A development that will change the use of an existing building from non-residential to residential or that will change the class of residential use from single family to multi-family.
4. A development that includes the conversion of rental property to private ownership of individual dwelling units.

B. **Development on Multiple Parcels**. For purposes of this Part, a development that is constructed across multiple adjacent parcels under common ownership shall be considered a single development.

C. **Excluded Developments**. The requirements of this Part will not apply to the following housing types:

1. Any subdivision or development resulting in five (5) or fewer residential units;
2. The reconstruction of an individual dwelling unit that is rebuilt;

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3. A non-residential development;
4. Assisted living facilities; and
5. Nursing facilities.

13-105. Inclusionary Housing Requirements for Governed Developments

A. **Calculation of Required Inclusionary Units.** Unless an exception or alternative is approved pursuant to Section 13-106 of this Part, the developer of a governed development must satisfy the requirements of this Part by providing inclusionary housing units within the physical envelope of the development, in the amounts to be calculated as follows:

1. **General Requirement.** Fifteen percent (15%) of the total number of dwelling units in a governed development shall be marketed, offered, and maintained as inclusionary housing units. The total number of dwelling units in a development will include any units permitted above the base density pursuant to Section 13-107-A.

2. **Fractional Units**. When the application of the percentages specified above results in a number of required inclusionary housing units that includes a fraction, the fraction will be rounded up to the next whole number if the fraction is greater than 0.5. If the result includes a fraction equal to or less than 0.5, the developer will have the option of rounding up to the next whole number and providing the inclusionary housing units on-site, or providing the Village with a payment-in-lieu of providing an additional inclusionary housing unit. The fee in lieu fee shall be calculated in accordance with Section 13-105 B below.

    a. **Example:** A developer proposes to construct a 40-unit multiple family residential development:

    b. The developer will be required to offer 6 of the units as inclusionary housing units (15% of 40 = 6 Inclusionary Units and 34 Market Rate Units.)

    c. If the 6 Inclusionary units are provided, the developer may then receive an additional development density incentive set forth in Section 13-107, allowing the development to expend to 46 units, one additional unit for each inclusionary housing unit provided. A final round of calculations is performed to determine the total Inclusionary housing unit requirement: 15% of 46 units = 6.9. Since 6.9 includes a fraction greater than ½, the requirement is to provide 7 inclusionary now seven (7) inclusionary units in addition to the 40 market rate units.)

B. **Eligible Income Tiers and Maximum Prices.** Inclusionary units in governed developments may only be offered to eligible households from the income tiers and at the maximum price levels listed in the chart below.

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C. **Pricing Schedule.** The Village Manager shall publish a Housing Expenses Pricing Schedule of rental and sales prices for inclusionary housing units for each income tier designated in Subsection 13-305 B, which pricing schedule will be made publicly available and will be updated annually.

Table 13-105-C: Eligible Income Tiers and Maximum Prices

Inclusionary Rental Units	Proportion of Included Units	Eligible Income Tier	Maximum Rent Prices for Eligible Income Tiers
	At least 1/3 (33.33%)	Tier A: Households with income less than 50% of AMI	Attainable to household with income equal to 45% AMI
	At least 1/3 (33.33%)	Tier B: Households with income equal to or greater than 50% AMI but less than 80% AMI	Attainable to household with income equal to 65% AMI
	No more than 1/3 (33.33%)	Tier C: Households with income equal to or greater than 80% AMI but not exceeding 100% AMI	Attainable to household with income equal to 80% AMI
If three or less units offered	1	Households with income less than 80% AMI	Attainable to household with income equal to 65% AMI
Inclusionary Owner-Occupied Units	**Proportion of Included Units**	**Eligible Income Tier**	**Maximum Purchase Price for Eligible Income Tiers**
	1/2 (50%)	Tier 1: Households with income less than 80% AMI	Attainable to household with income equal to 65% AMI
	1/2 (50%)	Tier 2: Households with income equal to or greater than 80% AMI but less than 120% AMI.	Attainable to household with income equal to than 100% AMI

Notes:

[1] Eligible Income Tier: Units reserved for each income tier may only be offered to households with incomes that do not exceed the eligible income tiers.

[2] Housing Expenses: For inclusionary rental units, "housing expenses" equals the monthly sum of rent and utilities. For inclusionary owner-occupied units, "housing expenses" equals the monthly sum of principal and interest of any mortgages placed on the unit, property taxes, condominium or homeowner's association fees, if applicable, and insurance.

[3] Attainability of Housing Expenses: Maximum housing prices are based on spending 31% of monthly household income on housing expenses. Permitted housing expenses for rental and inclusionary owner-occupied units will be calculated based on the most current area median income levels published by HUD.

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13-106. Alternate Methods for Providing Required Inclusionary Housing Units

A. **Approval of Alternative Methods.** Any deviation from the minimum inclusionary housing requirement for governed developments may only be approved as part of the Village's review of the inclusionary housing compliance plan submitted for a governed development. None of the alternative methods for providing inclusionary housing units may be incorporated into a governed development unless such methods are first included in the approved final inclusionary housing compliance plan for the development and approved by the Village Board by resolution duly adopted.

B. **Units Provided Off-Site.** Rather than providing the inclusionary housing units required pursuant to this Part within a governed development, a developer may provide some or all of the required units at an alternate off-site location within the Village, but only upon a determination by the Village Board that provision of the required units at an alternate offsite location will create inclusionary housing opportunities in the Village to an equal or greater extent than including inclusionary units within the governed development. If provided off-site, the inclusionary units shall also be comparable to the surrounding market housing in quality, design, and general appearance. The Board of Trustees may determine in its sole discretion whether this alternative is appropriate on a case-by-case basis and shall consider whether or not the location of the units off-site would result in an undue concentration of inclusionary housing units in any one area. The Board of Trustees' determination will be made and incorporated into the Board's approval of the inclusionary housing compliance plan for the governed development.

C. **Dedication of Land.** Rather than providing the inclusionary housing units pursuant to the requirements of this Part, a developer may dedicate land within the corporate limits of the Village to the Village of Northbrook, but only if: (a) the Village Board determines that dedication of land will create inclusionary housing opportunities in the Village to an equal or greater extent than including inclusionary units in the governed development; and (b) the developer offers to dedicate a quantity of land sufficient to construct a quantity of inclusionary dwelling units that the developer would otherwise be required to provide within the governed development. The Village Board's determination and the developer's commitment will be incorporated into the Village's approval of the inclusionary housing compliance plan for the governed development.

D. **Payment-in-Lieu of Providing Inclusionary Units.**

1. **General Applicability.** A developer may make a cash payment-in-lieu of constructing some or all of the required inclusionary housing units otherwise required to be construct pursuant to this Part, but only if either:

   a. the governed development consists solely of 19 or fewer single-family detached dwelling units; or

   b. the Village Board approves such payment, and determines that such a payment will create inclusionary housing opportunities in the Village to an equal or greater extent than through the inclusion of inclusionary units in the governed development. Such

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determination will be made and incorporated into the Board of Trustees' approval of the inclusionary housing compliance plan for the governed development.

2. **Amount and Use of Payment-In-Lieu.** The amount of the payment-in-lieu per inclusionary housing unit will be set forth in the Village's Annual Fee Ordinance. The minimum per-unit payment-in-lieu shall be determined by the Village Board considering and factoring in the cost of constructing, operating, and maintaining an inclusionary housing unit, and shall be reviewed and modified periodically by the Village Board. All payment-in-lieu received pursuant to this Article shall be deposited directly into the Village Inclusionary Housing Trust Fund and reserved for authorized purposes.

3. **Calculation of Required Payment-in-Lieu.** For governed developments permitted to satisfy their inclusionary housing requirement through a full or partial payment-in-lieu, the payment-in-lieu amount due to the Village shall be equal to the per unit amount established in the Village's Annual Fee Ordinance multiplied by 15% of the total number of units proposed in the governed development, less the number of inclusionary housing units actually provided by the developer pursuant to this Part.

4. **Timing of Payment**. A developer will be required to submit the permitted payment-in-lieu for a governed development prior to the issuance of any building permits for the governed development. In the event that a governed development is being constructed in phases, the developer will only be required to submit a portion of the payment-in-lieu corresponding to the proportion of the full development that the phase being permitted consists of.

    a. **Example:** A developer applies for permits for half of a 200-unit development– 100 units; a payment-in-lieu for 15 units will be required upon initial permit submission for this phase of the development.

E. **Combination of Methods.** A developer may request that it be allowed to fulfill the inclusionary housing requirement for a governed development through a combination of the alternative methods set forth in this Section 13-106. However, no such options shall be allowed unless the Village Board determines that provision of the required units through a combination of alternative methods will create inclusionary housing opportunities in the Village to an equal or greater extent than including inclusionary units in the governed development. Such determination will be made and incorporated into the Board of Trustees' approval of the inclusionary housing compliance plan for the governed development.

13-107. Incentives for Development of Inclusionary Housing Units

Developers constructing governed developments incorporating the inclusionary housing units required on-site will be allowed to take advantage of the following incentives and development options. All incentives and options authorized by this Section 13-107 shall be proposed and memorialized in the inclusionary housing compliance plan for the governed development. Governed developments taking advantage of alternate methods of providing inclusionary units pursuant to Section 13-106 are not eligible for the incentives set forth in this Section 13-107 (with the exception of developments that chose to make a payment-in-lieu for a fractional required.

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A. **Additional development density.** Any governed development providing inclusionary housing units pursuant to this Part shall be entitled to an increase in the permitted residential density equal to one additional dwelling unit above that otherwise established by the zoning district in which the development is located for each inclusionary housing unit provided on-site. Governed developments will not receive an increase in permitted residential density for any units for which the payment-in-lieu is provided. The inclusionary housing compliance plan for the governed development must include a narrative describing how the design and orientation, as well as the increased density of the governed development will be compatible with the surrounding land use character, particularly with any surrounding residential parcels. The developer's narrative must address building size and massing, site layout and design, architectural characteristics, and landscaping, as well as any other aspects of development that the developer deems appropriate.

B. **Design flexibility.** Any governed development providing the minimum number of inclusionary housing units pursuant to this Part will be eligible to obtain greater flexibility in development design through application of the following options without need for special zoning relief, but only if such flexibility is necessary to accommodate the required inclusionary units within the physical envelope of the governed development:

1. **Choice of housing type.** inclusionary housing units required by this Part as well as any dwelling units allowed pursuant to the additional density incentive may be provided as (a) single family or two-family units within the R-1, R-2, R-3, R-4 and R-5 zoning districts, and (b) as single family, duplex, triplex, or townhouse units or as inclusionary owner-occupied units in a condominium, or multifamily residential structure, in other zoning districts, provided that the height, setbacks, massing and exterior appearance of the inclusionary units are consistent with other residential units within the governed development.

2. **Reduced setback and lot size requirements.** Dwelling units within governed developments (both inclusionary housing units and market rate units) will not be subject to the Code's minimum district yard and setback requirements, except for yards and setbacks adjacent to the perimeter of the governed development. Dwelling units within governed developments (both inclusionary housing units and market rate units) will not be subject to the Code's minimum lot size requirements. This exception will not apply to dwelling units located on the perimeter of a governed development directly abutting parcels outside of the governed development.

3. **Reduced buffering and screening requirements internal to the development.** inclusionary housing units within governed developments will not be subject to the Code's buffering and screening requirements implemented for purpose of mitigating incompatibility within the governed development. This exception will not apply to inclusionary housing units located on the perimeter of a governed development directly abutting parcels outside of the governed development.

4. **Increased Building Height.** In order to accommodate inclusionary housing units within a governed development, the Plan Commission may recommend, and the Board of Trustees

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may approve, a height increase of up to one story or 12 feet above district height limits in any zoning district other than single family zoning districts.

5. **Increased Lot and Building Coverage.** In order to accommodate inclusionary housing units within a governed development, the Plan Commission may recommend, and the Board of Trustees may approve, an increase in the otherwise applicable maximum building and lot coverage limit in a zoning district by up to 10 percent, provided, however, that in no event shall the increase in building coverage relieve the development from fully complying with all of the applicable stormwater management standards for development.

6. **Increased Floor Area Ratio.** In order to accommodate inclusionary housing units within a governed development, the Plan Commission may recommend and the Board of Trustees may approve an increase in the otherwise applicable Floor Area Ratio (FAR) limit by up to 10 percent.

7. **Reduced Off-street Parking Minimums.** In considering a proposed governed development with inclusionary housing units, the Plan Commission may recommend and the Board of Trustees may approve a reduction in the otherwise applicable off-street parking minimums for the inclusionary housing units. In considering the merits of such a reduction, the Village shall consider the availability of alternative means of transportation, including mass transit and bicycle facilities in the vicinity of the governed development and any unique transportation needs of the expected residents.

8. Notwithstanding the foregoing, the Village shall not be required to approve any request for a waiver, reduction, or modification of any development standard if the waiver, reduction, or modification would have a specific and foreseeable adverse impact upon health, safety, or the physical environment for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.

C. **Fee Waivers and Reductions.** Any governed development providing the minimum number of inclusionary housing units pursuant to this Part shall be eligible for a partial waiver of all of the otherwise applicable application fees, building permit fees, plan review fees, inspection fees, demolition permit fees, the Village's demolition tax, impact fees and such other development fees and costs which may be imposed by the Village, applicable to the portion of the governed development that will consist of inclusionary housing units, up to a maximum of 15 percent of all applicable fees. In no event shall the fee waiver be applied to any third-party legal, engineering, and other consulting or administrative fees, costs, and expenses incurred or accrued by the Village in connection with the review and processing of plans for the governed development. The waiver and discount of fees and costs under this Section shall be calculated as the percentage of units within the governed development that are inclusionary housing units. All applicable fees and costs under this Code shall apply to all market rate units.

D. **Standards for Approving Incentives.** The Village Board, in determining whether the incentives set forth in this Section 13-107 should be available for a governed development, shall consider the following:

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1. Whether the incentives will result in conditions detrimental to the public's health, safety, or welfare; and,

2. Whether the granting of the incentives will be consistent with the intent and purpose of this section and the Northbrook Comprehensive Plan.

E. Any terms or conditions associated with the incentives shall be stipulated in the inclusionary housing compliance plan and the inclusionary housing covenant for the governed development.

13-108. Location and Design Attributes of Inclusionary Housing Units

Inclusionary housing units in a governed development must comply with the following standards, unless granted an exception by the Village Board as part of the inclusionary housing compliance plan.

A. **Location of Inclusionary Housing Units.** Inclusionary housing units must be dispersed among the market rate housing units throughout the governed development and not clustered together or segregated from market rate housing unless there is a therapeutic or other justification particular to the populations to be served by the inclusionary housing units.

B. **Size of Units.** Inclusionary housing unit size must be generally representative of and correspond to the size of the market rate housing units within the governed development.

C. **Phasing of Construction.** In a governed development to be constructed in multiple phases, each phase of the development must include a number of inclusionary housing units proportional to the fraction that the phase consists of the entire governed development. Construction of inclusionary housing units may not be delayed or grouped into later phases of a governed development.

D. **Exterior Appearance.** The exterior appearance of inclusionary housing units in any governed development must be visually compatible with the market rate housing units in the governed development. External building materials and finishes must be substantially the same in type and quality for inclusionary housing units as for market rate housing units. Inclusionary housing units shall be indiscernible from market rate housing units from when viewed from interior corridors and other common areas.

E. **Interior Appearance and Finishes.** Inclusionary housing units may have different interior appearances and finishes than market rate housing units, but all interior finish materials used in inclusionary housing units must be Contractor Grade or higher.

F. **Mix of Bedroom Types of Inclusionary Housing Units.** The bedroom mix of inclusionary housing units must be in equal proportion to the bedroom mix of the market rate housing units within the governed development.

G. **Amenities.** Inclusionary housing units must have similar access to common areas, facilities, and services as that enjoyed by comparable market rate housing units in a governed development including but not limited to outdoor spaces, amenity spaces, storage, parking, bicycle parking facilities, and resident services.

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1. **Parking Amenities.** Regular access to at least one parking space per inclusionary housing unit must be included with the occupancy of the unit without any additional charge to the occupant above the maximum permitted housing expenses for that unit. Additional parking spaces must be made available at the same price and using the same method for allocation for market rate housing units. Premium parking spaces, such as indoor parking, will not be required to be allocated to the inclusionary housing units free of charge, provided that required parking is provided elsewhere within the governed development.

2. **Storage Amenities.** To the extent that storage is allocated to all market rate housing units within a governed development, similar storage space must be allocated to all inclusionary housing units and included with the occupancy of the unit without additional charge to the occupant above the maximum permitted housing expenses for that unit. If storage space is not allocated to all units due to insufficient ratio of storage space to residential units, then the inclusionary housing units should have access to storage in the same manner and proportion as do the market rate housing units, at a cost discounted by the ratio of the inclusionary housing unit's housing expenses to the equivalent size unit's market rent.

H. **Energy Efficiency.** Standard improvements, fixtures, and components related to energy efficiency, including, but not limited to, mechanical equipment and plumbing, insulation, windows, and heating and cooling systems, must be the same in market rate dwelling units and inclusionary housing units.

I. **Mixed Occupancy Developments.** If a governed development includes both rental housing units and owner-occupied housing units, the ratio of inclusionary rental to inclusionary owner-occupied units marketed and offered must be equal to the ratio of rental to owner-occupied market rate housing units marketed and offered in the governed development.

13-109. Period of Affordability

A. **Sale of Inclusionary Owner-Occupied Units.** In governed developments include owner-occupied housing units, inclusionary housing units may be offered and resold to only to eligible households and in accordance with this Part at all times that the units are used for residential purposes, in perpetuity or as long as permissible by law. The developer or owner shall execute and record any agreements, covenants, or instruments required by this Part to ensure compliance with this Section 13-109.

B. **Lease of Inclusionary Rental Units.**

1. In developments that contain rental units, inclusionary housing units shall be offered and leased only to eligible households and in accordance with this Part for so long as those units are used for residential purposes, in perpetuity or as long as permissible by law. The developer or owner shall execute and record any agreements, covenants, or instruments required by this Part to ensure compliance with this Section 13-109. In the event that the owner of a governed development including inclusionary rental units sells the development,

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the new owner will be required to continue to offer the inclusionary housing units in accordance with this Part.

2. If the owner of a governed development consisting of rental housing units converts the development to condominiums or other form of owner-occupied housing units, the development shall be subject to the owner-occupied development requirements set forth in this Section 13-109. The Village shall have the option and right, but not the obligation, to purchase any converted inclusionary owner-occupied units in the development pursuant to this Code in accordance with the provisions of Subsection 13-110-D.

13-110. Affordability Controls for Inclusionary Owner Occupied Units

A. **Initial Sale Prices for Inclusionary Owner-Occupied units**. Permitted initial sales prices for inclusionary owner-occupied units shall be set according to a schedule published by the Village annually and calculated on the basis of:

1. Housing expenses at or below thirty one percent (31%) of the designated eligible income tiers set forth in Section 13-105 C, with a household size corresponding to the size of the unit.

2. The following relationship between unit size and household size shall be used to determine the appropriate income level at which inclusionary housing expenses are calculated:

Table 13-110-A: Initial Sale Prices for Inclusionary Owner-Occupied units.

Unit Size	*Income Level for Household Size*
Efficiency	1 Person
1 Bedroom	2 Persons
2 Bedrooms	3 Persons
3 Bedrooms	4 Persons
4 Bedrooms	5 Persons

3. An available fixed rate thirty (30) year mortgage, consistent with the average rate published from time to time by Freddie Mac;

4. A down payment of no more than five percent (5%) of the purchase price;

5. A calculation of property taxes;

6. A calculation of homeowner's insurance;

7. A calculation of condominium or homeowner association fees;

8. A calculation of private mortgage insurance, if applicable.

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B. **Procedure for Initial Sale of an Inclusionary Owner-Occupied Unit to an Eligible Household.**

1. Sixty (60) days prior to offering any owner-occupied inclusionary unit for sale to the public, a developer must notify the Village in writing of such offering. The notice shall set forth the number, size, price, and location of inclusionary housing units to be offered, and must provide a description of each housing unit's finishes and availability. The notice must also include a copy of the approved inclusionary housing compliance plan for the development, and any such additional information the Village Manager may reasonably require in order to establish compliance with this Part.

2. The prospective purchaser must make application for a "certificate of qualification" on a form provided by the Village. If the Village or its designated not-for-profit partner organization determines a purchaser is an eligible household pursuant to the requirements of this Part to purchase an inclusionary housing unit, it will issue a "certificate of qualification" to that purchaser. A purchaser must provide documents to verify that their household satisfies these requirements, including an affidavit that the inclusionary housing unit will be their primary residence.

3. The developer may not sell or lease any inclusionary housing units without a valid certificate of qualification from the Village for the prospective purchaser.

C. **Maximum Resale Price and Maximum Appreciation.**

1. The maximum resale price that an inclusionary owner-occupied unit may be sold to an eligible household for shall be established in an inclusionary unit covenant executed by the purchaser. This price will take into account the maximum permitted appreciation allowed by this Subsection 13-110-C as well as changes in the area median income.

    a. The maximum resale price is an upper limit, but should not be construed as a guarantee that the unit will be resold at that price.

    b. Market conditions, and characteristics of the inclusionary housing unit, may result in the sale of an owner occupied housing unit at a price lower than the maximum resale price.

2. The maximum permitted appreciation that may be claimed by the owner of an inclusionary owner-occupied unit may not exceed fifteen percent (15%) of the increase in the unit's value, as determined by the difference between fair market appraisal at the time of purchase of the unit by the current owner and a fair market appraisal at the time of resale, with such adjustments for improvements made by the current owner and necessary costs of sale which will be accounted for in the price schedule published by the Village.

D. **Village First Option to Purchase.** The Village shall have the first option and right, but not an obligation, to purchase any inclusionary owner-occupied unit prior to the unit being marketed or offered to the public. If the Village exercises the option and purchases the inclusionary owner-occupied unit, the Village will have the right to subject the unit to such agreements, covenants, or instruments, to ensure the continued affordability of the unit in accordance with this Part.

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Such documentation shall incorporate the provisions of this Part and shall provide, at a minimum, each of the following:

1. The maximum resale price is an upper limit, but shall not be construed as a guarantee that the unit will be resold at that price.

2. Market conditions, and characteristics of the inclusionary housing unit, may result in the sale of an inclusionary housing unit at a price lower than the calculated maximum resale price.

E. The Village shall also reserve the right to assign and transfer its interest in any inclusionary owner-occupied units that it purchases pursuant to this Subsection to a not-for-profit partner organization.

F. **Purchases by Eligible Households.** In all other sales of inclusionary owner-occupied units between private eligible households, the parties to the transaction will be required to execute and record such documentation as required by Section 13-109 of this Code to ensure the provision and continuous maintenance of the inclusionary housing units. Such documentation shall include the provisions of this Code and shall provide, at a minimum, each of the following:

1. That the purchaser acknowledges the Village's first option to purchase the owner-occupied unit set forth in Section 13-110 D of this Part.

2. In the event that the Village does not exercise its first option to purchase, the inclusionary housing unit many only be sold to and occupied by an eligible household.

3. The inclusionary housing unit may only be conveyed subject to restrictions that shall permanently maintain the affordability of such inclusionary housing units for eligible households, including a prohibition on sales above the maximum resale price.

13-111. Affordability Controls for Inclusionary Rental Units

A. **Rental Rates for Inclusionary Rental Units.** Permitted housing expenses inclusionary rental units shall be set according to a schedule published by the Village annually and calculated on the basis of:

1. Housing expenses at or below thirty one percent (31%) of the designated eligible income tiers set forth in Section 13-105-C, with a household size corresponding to the size of the unit.

2. If the most recent edition of HUD's reporting indicates a lower area median income than the previous edition, the maximum housing expenses shall be adjusted accordingly.

3. The following relationship between unit size and household size shall be used to determine the appropriate income level at which inclusionary housing expenses are calculated:

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Table 13-111: Rental Rates for Inclusionary Rental Units	
Unit Size	*Income Level for Household Size*
Efficiency	1 Person
1 Bedroom	2 Persons
2 Bedrooms	3 Persons
3 Bedrooms	4 Persons
4 Bedrooms	7 Persons

B. **Procedure for Initial Lease of an Inclusionary Rental Unit to an Eligible Household.**

1. Sixty (60) days prior to offering any inclusionary housing unit for sale or rent, the developer must notify the Village in writing of such offering. The notice must set forth the number, size, price, and location of inclusionary housing units offered, and provide a description of each dwelling unit's finishes and availability. The notice must also include a copy of the inclusionary housing compliance plan, and any such additional information the Village may reasonably require in order to establish compliance with this Part.

2. The prospective lessee must make application for a "certificate of qualification" on a form provided by the Village. If the Village or its designated not-for-profit partner organization determines a lessee is an eligible household pursuant to the requirements of this Part to lease an inclusionary housing unit, it will issue a "certificate of qualification" to that lessee. A lessee must provide documents to verify that their household satisfies these requirements, including an affidavit that the inclusionary housing unit will be his or her primary residence. The Village will determine whether or not the prospective lessee satisfies the requirements of this Part no later than ten (10) business days after receiving the completed application.

3. The developer shall not lease any inclusionary rental units without a valid certificate of qualification from the contracted agency for the prospective lessee. Any lease for an inclusionary rental unit shall also contain a prohibition on subleasing or allowing occupancy by a household without a valid certificate of qualification.

C. **Lease Term.** No inclusionary rental unit may be initially leased for a period of less than 12 months. All leases must be written and in a form approved by the Village. Renewal leases may be less than 12 months based on mutual agreement between the developer and tenant. Final lease agreements are the responsibility of the developer and the prospective tenant. Tenants are responsible for application fees, security deposits and the full amount of the rent as stated on the lease. All lease provisions shall comply with applicable laws and regulations. The developer shall maintain copies of all leases entered into with a certified household (including an income certification) and distribute a copy to the Village or its designated not-for-profit partner organization.

D. **Rental Compliance.** The developer, or its designee, shall submit an annual compliance report describing each inclusionary unit in detail including but not limited to changes in tenancy, turnovers, and income certifications for all new tenants upon request of the Village Manager.

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13-112. Marketing of Inclusionary Housing Units

A. **Good Faith Marketing Required.** All sellers and lessors of inclusionary housing units are responsible for marketing the inclusionary housing units to members of the public who a likely to be eligible households qualified to purchase or lease inclusionary housing units. Prior to the initiation of public marketing efforts to sell or lease an inclusionary housing unit, the seller or lessor thereof shall submit to the Village Manager a description of the marketing plan that the developer proposes to implement for the inclusionary housing units within the development to eligible households in the appropriate income tiers.

B. **Village Assistance with Marketing.** At the developer's request, the Village or its designee shall assist the developer in marketing the inclusionary housing units to eligible households, for an additional charge to be determined by the Village.

C. Every inclusionary owner-occupied housing unit required to be developed under this Part may only be offered for sale to a good-faith purchaser or lessee to be used as their own primary residence.

13-113. Inclusionary Housing Compliance Plans – Review and Approval Process

A. **Application.** For all governed development projects, the developer shall file an application for approval of the project's plan to comply with this Part on a form provided and required by the Village. The application will require, and the developer must provide, a description of the governed development, including specifically how and where inclusionary units will be incorporated into the development as well as such other documents and information as the Village Manager may require. The Village Manager will also have the authority to require, as part of the application submittal, such additional information, documents, and plans as the Manager deems necessary to evaluate the proposed governed development's compliance with this Part.

B. **Inclusionary Housing Compliance Plan.** As part of the approval of a governed development project, the developer must present to the designee of the Board of Trustees and the Village Board an inclusionary housing compliance plan that outlines and specifies the governed development's compliance with each of the applicable requirements of this Part, including the following:

1. **Required Submittals for Inclusionary Housing Compliance Plan.** The plan must include, at a minimum, the following information regarding the governed development project;

    a. **Preliminary Plan.**

        i. A general description of the development, including whether the development will contain rental

        ii. The total number of market rate units and inclusionary housing units in the development;

        iii. The total number of attached and detached residential units;

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iv. The number of bedrooms in each market rate unit and each inclusionary housing unit;

v. The floor area of each market rate unit and each inclusionary housing unit;

vi. The location within any multiple-family residential structure and any single-family residential development of each market-rate unit and each inclusionary housing units.

vii. Floor plans for each inclusionary housing unit;

viii. The amenities that will be provided to and within each market rate unit and inclusionary housing unit; and

ix. The pricing for each market rate unit and each inclusionary housing unit.

b. **Final Plan.**

i. All of the information required for the preliminary inclusionary housing compliance plan pursuant to paragraph (B)(1)(a), of this Section 13-313;

ii. A phasing and construction schedule for each market rate unit and each inclusionary unit;

iii. Documentation and plans regarding exterior and interior appearances, materials, and finishes of the development and each of its individual units;

iv. A description of the development marketing plan to promote the sale or rental of the Inclusionary Housing Units within the development; and

v. A description of the efforts that the developer will undertake to provide Inclusionary housing units to eligible households pursuant to the priorities set forth in this Part.

C. **Review Procedure.**

1. **Preliminary Plan.**

a. **Designee of the Board of Trustees Review.** Within 60 days after the filing of a complete preliminary Inclusionary Housing Plan, the Designee of the Board of Trustees shall review the inclusionary housing compliance plan, and shall recommend either the approval (with or without modifications) or the rejection of the inclusionary housing compliance plan. The Designee of the Board of Trustees shall transmit its findings of fact and recommendation to the Village Board. The failure of the Designee of the Board of Trustees to provide a recommendation within such 60-day period, or such further time to which the developer may, in writing, agree, shall be deemed a recommendation against the approval of the inclusionary housing compliance plan.

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b. **Village Board Consideration.**

i. Upon receipt of the Designee of the Board of Trustees recommendation pursuant to Section 2-112-C-5 of this Code, the Village Board may, by resolution duly adopted, approve or reject the preliminary inclusionary housing compliance plan.

ii. Approval of the preliminary inclusionary housing compliance plan by the Village Board shall neither: (1) be deemed or interpreted as obligating the Village Board to approve a final inclusionary housing compliance plan; nor (2) vest any right to the developer other than the right to submit a final inclusionary housing compliance plan for the proposed governed development project.

2. **Final Plan.**

a. Designee of the Board of Trustees **Review.** Within 60 days after the filing of a complete final inclusionary housing compliance plan, the Designee of the Board of Trustees shall review the inclusionary housing compliance plan, and shall recommend either the approval (with or without modifications) or the rejection of the inclusionary housing compliance plan. The Designee of the Board of Trustees shall transmit its findings of fact and recommendation to the Village Board. The failure of the Designee of the Board of Trustees to provide a recommendation within such 60-day period, or such further time to which the developer may, in writing, agree, shall be deemed a recommendation against the approval of the inclusionary housing compliance plan.

b. **Village Board Consideration.** Upon receipt of the Designee of the Board of Trustees recommendation, the Village Board may, by Code duly adopted, approve or reject the inclusionary housing compliance plan. Any ordinance approving a final inclusionary housing compliance plan shall include, without limitation, the following:

i. All standards, conditions, or restrictions deemed necessary or applicable by the Village Board to effectuate the proposed development and protect the public interest, health, safety and welfare; and

ii. All provisions requiring the execution and recordation by the developer of a housing development agreement, as required pursuant to this Part.

3. **Concurrent Review of Preliminary and Final Plans.** Notwithstanding any provision of this Code to the contrary, for all governed developments that are not planned developments, and for all planned developments for which a concurrent review procedure has been approved pursuant to this Section, the Designee of the Board of Trustees and Village Board shall review the preliminary and final inclusionary housing compliance plans concurrently, pursuant to the final inclusionary housing compliance plan review procedure set forth in this Code.

D. **Standards of Review.** The Designee of the Board of Trustees may not recommend the approval of a preliminary or final Inclusionary Housing Plan, and the Village Board may not approve a

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preliminary or final inclusionary housing compliance plan, except upon making the following findings:

1. That the developer has demonstrated that the proposed inclusionary housing units are designed to accommodate the needs of the target households;
2. That the location, floor plan, fixtures and finishes, and amenities of each proposed inclusionary housing unit satisfy the applicable provisions of this Part and are suitable for the needs of the target households;
3. That each inclusionary housing unit is designed to accommodate family living needs for common space and dining areas;
4. That the proposed inclusionary housing units, and the development as a whole, conform to the applicable standards and requirements of this Part;
5. That any alternative methods for providing required inclusionary housing units satisfy the respective standards set forth in Section 13-106 of this Part; and
6. That the application of any development incentives satisfy the standards set forth in Section 13-107 of this Part.

13-114. Housing Development Agreement and Covenants

Prior to issuance of a building permit for any governed development, a developer must enter into a housing development agreement with the Village establishing requirements and restrictions for the inclusion of inclusionary housing units in the governed development. The developer shall execute any and all documents deemed necessary by the Village, including, without limitation, restrictive covenants and other related instruments, to ensure the continued affordability of the inclusionary housing units within the development in accordance with this Part. The housing development agreement shall set forth the commitments and obligations of the developer and the Village and shall incorporate, among other things, the inclusionary housing compliance plan for the covered development. The housing development agreement shall also memorialize any alternatives and incentives that have been approved as part of the inclusionary housing compliance plan for the development.

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14-101. Purpose and Applicability

A. **Purpose.** For the purpose of interpreting this Code, certain words, concepts, and ideas are defined herein. Except as defined herein, all other words used in this Code shall have their everyday meaning as determined by their dictionary definition.

B. **Applicability.** The definitions established herein shall apply to the interpretation of all standards in this UDO unless otherwise specified.

14-102. "A" Definitions

A. **Accessory Building/Structure.** A structure which is subordinate to and serves a principal structure or use located on the same lot, is subordinate in area, extent, and purpose to the principal structure or use served, and contributes to the comfort, convenience, or necessity of occupants of the principal structure or use served.

B. **Accessory Use.** A use subordinate to the principal use in terms of area, extent, and purpose that contributes to the comfort, convenience, or necessity of occupants of the principal building or principal use served and is located on the same lot as the principal use served.

A. **Accessory Dwelling Unit, Attached.** Attached accessory dwelling unit is an independent dwelling unit containing a kitchen, bathroom, as well as areas for living and sleeping that is located on the same lot as, and is attached to, and is accessory and subordinate to, a standard sized single family detached dwelling. AADUs shall be governed by, and be in strict compliance with, the provisions of Section 3-107-B of this Code.

B. **Adjacent.** Adjoining, bordering, touching or contiguous. If two lots are separated by a street, public alley or public walk, they shall not be deemed to be adjacent.

C. **Adult Use.** Any commercial use of property of which a significant or substantial portion involves an activity distinguished or characterized by its emphasis on matters depicting, describing or relating to specified sexual activities or specified anatomical areas, including, but not limited to, the operation of an adult bookstore and/or video store, adult mini-motion picture theater, adult motion picture theater, adult motion picture arcade, adult motel, adult card, gift or novelty store, or adult entertainment cabaret.

D. **Advertising Sign.** A sign, other than an off-premises identification sign, that directs attention to or identifies a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located. This term shall include signs, other than customary identification lettering and advertising posters on buses and taxicabs, attached to parked or moving vehicles.

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E. **Adult Use Cannabis Dispensary**. A facility operated by an organization or business that is registered by the Illinois Department of Financial and Professional Regulation or successor to acquire cannabis from a cultivation center, craft grower, processing organization, or another dispensary for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia, or related supplies and educational materials to purchasers or to qualified medical cannabis patients and caregivers, including a registered medical cannabis organization as defined in the Compassionate Use of Medical Cannabis Pilot Program Act or its successor act.

F. **Airport.** Any premises used for the landing and take-off of aircraft of any kind including appurtenant land and structures.

G. **Affordable Housing**. Any housing that qualifies as affordable for the targeted households identified in this Part. For the purpose of this Part, "Affordable Housing is divided into tiers based on availability to households at distinct income levels.

H. **Affordable Housing Plan.** That certain affordable housing plan prepared by the Village of Northbrook and adopted by the Village's Board of Trustees.

I. **Affordable Housing Compliance Plan**. A plan submitted by a developer or owner of a governed development describing how the development will comply with the requirements of this part.

J. **Affordable Housing Trust Fund.** A trust fund to be established by the Village, pursuant to Section 19-185 of the Municipal Code of the Village, with the purpose of aggregating and providing financial resources to address the affordable housing needs of individuals and families in the Village.

K. **Affordable Housing Unit.** A dwelling unit that meets the criteria for affordable housing.

L. **Affordable Owner-Occupied Units**. Affordable housing units marketed and offered for sale to eligible households subject to an affordable unit covenant.

M. **Affordable Rental Units**. Affordable housing units marketed and offered for rent to eligible households subject to standard lease terms.

N. **Alley.** A public right-of-way that affords only a secondary means of vehicular access to abutting property.

O. **Alteration.** Any change in the size, shape, character, occupancy or use of a structure.

P. **Alteration, Structural.** Any change, other than incidental repairs, that would prolong the life of the supporting members of a structure such as bearing walls, columns, beams, girders, or foundations or that would alter the dimensions or configurations of the roof or exterior walls of a structure or that would increase either the gross or net floor area of a structure.

Q. **Amusement And Recreation Services.** A place in which members of the public can view and/or experience an amusement for a fee or charge including but not limited to movie theaters and performing arts venues.

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R. **Animal Production.** An area which is used for the raising of animals and the development of animal products on a commercial basis. Typical uses include cattle and sheep ranching, dairy farming, fish farming, and the raising of poultry and swine.

S. **Antenna.** Any structure designed for transmitting signals to a receiving station or for receiving television, radio, data, or other signals from satellites or other sources.

T. **Antenna Support Structure.** Any structure used for the principal purpose of supporting an antenna.

U. **Appropriate Use.** Only those uses that are allowed within the regulatory floodway, as specified in Section 9-105-G of this Code.

V. **Area, Gross.** The total land and water area included in a parcel that is the subject of an application filed pursuant to this Code, excluding only property located in public rights-of-way or private easements of access or egress at the time of application.

W. **Area Median Income (AMI)**. The median income level for the Chicago-Naperville- Elgin, ILIN-WI Metropolitan Statistical Area, as established and defined in the annual schedule published by the Secretary of Housing and Urban Development, and adjusted for household size. Refer to Article 13 of this Code.

X. **Area, Net.** The gross area of a parcel less land and water areas required or proposed to be publicly dedicated or land to be devoted to private easements of access or egress. Both land and water areas not so publicly dedicated or devoted shall be included in the calculation of net area.

Y. **Automated Teller Machine.** An automated device that performs banking or financial functions at a location remote from the controlling financial institution.

Z. **Awning.** A roof-like covering, temporary in nature, that projects from the wall of a building.

14-103. "B" Definitions

A. **Balcony.** A platform that projects from the exterior wall of a building and (i) is located a minimum of one story above grade, and (ii) is unenclosed and exposed to the open air, and (iii) has direct access to the interior of the building, and (iv) is not supported by posts or columns extending to the ground.

B. **Bank, Credit union, Financial Services.** Establishment that engages in financial transactions that create, liquidate, or change ownership of financial assets. Banks, credit unions, and savings institutions may perform central banking functions, accept deposits, and lend funds from these deposits. In addition to banks and credit unions, financial services institutions may include: credit agencies, trust companies, holding companies, savings and loan institutions, check cashing services, securities/commodity contract brokers and dealers, security and commodity exchanges, vehicle finance (equity) leasing agencies, and investment companies.

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C. **Bar/Tavern.** An establishment principally for the sale and consumption of alcoholic beverages on the premises.

D. **Base Density**. Refer to Article 13 of this Code.

E. **Base Flood.** The flood having a one percent (1%) probability of being equaled or exceeded in any given year. The base flood is also known as the one hundred year (100-year) frequency flood event. Application of the base flood elevation at any location is defined in Section 9-105-C of this Code.

F. **Base Flood Elevation** (BFE). The elevation in relation to mean sea level of the crest of the base flood. The base flood elevation is also known as the one hundred (100) year frequency flood elevation.

G. **Basement.** A portion of a structure located partly or wholly underground, having half or more of its clear floor-to-ceiling height over half or more of its floor area below grade, designed for storage or living space.

H. **Bay Window**. A window or windows cantilevered from the wall of a building above grade or resting on a building foundation and which forms an alcove within the building

I. **Berm.** A hill that acts as a visual barrier between a lot and adjacent properties, alleys or streets.

J. **Block.** A tract of land bounded by public streets or by a combination of public streets, public lands, railroad rights-of-way, waterways or boundary lines of the Village.

K. **Board of Appeals.** The Zoning Board of Appeals of the Village. See Section 2-102-B of this Code and Chapter 2, Article XV of the Northbrook Municipal Code

L. **Board of Trustees.** The President and the Board of Trustees of the Village of Northbrook.

M. **Boarding Kennel**. Shall have the same meaning as the defined term "Boarding Kennel" in Chapter 5, Section 5-1 of the Village's Municipal Code.

N. **Brewery/Winery/Distillery.** An establishment primarily engaged in the brewing of ale, beer, malt liquors, nonalcoholic beer, the production of wine, or the distillation of spirits, as permitted in accordance with the Liquor Control Commission. Breweries shall have a capacity of 15,000 barrels or more per year. Wineries and distilleries may operate at capacities consistent with state and federal regulations. The definition includes a public tasting room and retail sales of ale, beer, wine, spirits, or related products brewed, distilled, or manufactured on site.

O. **Buffering**. Any means of protecting a parcel from the visual or auditory effects of an adjacent use. Buffering may include, but is not limited to, berming, fencing, landscaping, setbacks open spaces.

P. **Building**. Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals or property. References to "Building" shall in all cases be deemed to refer to both buildings and structures.

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Q. **Building Code.** The Building Code of the Village of Northbrook.

R. **Building Coverage.** The percentage of a lot area covered by any building or structure. See also Subsection 14-113-L, "Lot Coverage," of this Section.

S. **Building Depth.** The longest straight line that can be drawn through a structure substantially parallel to the side or corner side lot lines of the lot on which it is located.

T. **Building, Detached.** A building surrounded entirely by open space.

U. **Building Or Structure Front.** Except as provided in Subsection 14-109-H, "Height" of this Section, that exterior wall of a building or structure facing the front line of the lot on which it is located.

V. **Building Material, Machinery, And Equipment Sales or Storage.** A facility primarily oriented to the receiving, holding, shipping, and/or sale of building material, machinery, and equipment for a single business or a single group of businesses. With the exception of loading and parking facilities, such land uses are contained entirely within an enclosed building. Examples of this land use include conventional warehouse facilities, long-term indoor storage facilities, and joint warehouse and storage facilities.

W. **Building, Principal.** A non-accessory building in which the principal use of the lot on which it is located is conducted.

X. **Building Width.** The longest straight line that can be drawn through a structure parallel to the front lot line.

Y. **Bulk And Space Regulations.** The regulations of this Code pertaining to the permissible or required height, volume, area, floor area, floor area ratio, and dimensions, building coverage, lot coverage and usable open space applicable to uses and structures.

14-104. "C" Definitions

A. **Cannabis Business Establishment.** An establishment that operates pursuant to a license issued by the State of Illinois as a cannabis craft grower, cannabis cultivation center, cannabis dispensary, cannabis infuser, cannabis processor, or a combination of two or more of the aforementioned uses.

B. **Cannabis Craft Grower.** A facility licensed by the Illinois Department of Agriculture to cultivate, dry, cure and package cannabis and perform other similar activities to make cannabis available for sale at an authorized cannabis dispensary or use by a cannabis processor. The maximum allowable size of a cannabis craft grower shall comply with the Illinois Cannabis Regulation and Tax Act.

C. **Cannabis Cultivation Center.** A facility licensed by the Illinois Department of Agriculture to cultivate, process, transport, and perform other similar activities to provide cannabis and cannabis-infused products to cannabis business establishments.

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D. **Cannabis Infuser or Infuser Organization.** A facility licensed by the State of Illinois Department of Agriculture that directly incorporates cannabis or cannabis concentrate to produce cannabis-infused products.

E. **Cannabis Processor or Processing Organization**. A facility licensed by the Illinois Department of Agriculture that extracts constituent chemicals or compounds to produce cannabis concentrate into a resin, oil, or other form.

F. **Canopy.** A roof-like structure of a permanent nature that projects from the wall of a building.

G. **Carwash.** A facility for the washing or steam cleaning of passenger vehicles. A carwash may be:

1. A single-unit type which has a single bay or a group of single bays with each bay to accommodate one vehicle only where a person uses a high pressure hose to wash the vehicle by hand;

2. An automated single-unit type which has a single bay to accommodate one vehicle at a time; or

3. A tunnel unit type which allows washing of multiple vehicles in a tandem arrangement while moving through the structure.

H. **Cemetery.** A burial ground including structures such as mausoleums, columbariums, incidental management offices and maintenance facilities.

I. **Certificate of Qualification**. Refer to Section 13-102-B-10 of this Code.

J. **Changes to the Regulatory Floodway**. Changes in the original regulatory floodway due to:

1. Error in physical data or mathematical model;

2. Changed conditions;

3. Public flood control projects; or

4. Relocation of floodway storage and conveyance approved by a unit of local government. Conditional approval of such a change must be obtained from IDNR/OWR and FEMA prior to construction of the floodway change. Final approval and revision of the regulatory floodway map will occur only after acceptance by IDNR/OW

K. **Channel.** Any river, stream, creek, brook, branch, natural or artificial depression, ponded area, flowage, slough, ditch, conduit, culvert, gully, ravine, wash, or natural or man-made drainageway, which has a definite bed and banks or shoreline, in or into which surface or groundwater flows, either perennially or intermittently.

L. **Channel Modification.** Alteration of a channel by changing the physical dimensions or materials of its bed or banks. Channel modification includes damming, rip-rapping (or other armoring), widening, deepening, straightening, relocating, lining and significant removal of native vegetation from the bottom or banks. Channel modification does not include the clearing

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of dead or dying vegetation, debris, or trash from the channel. Channelization is a severe form of channel modification involving a significant change in the channel cross-section and typically involving relocation of the existing channel (e.g. straightening).

M. **Circulation Aisle.** The means of access to a parking or loading space for a motor vehicle.

N. **Civic Use of Public Property.** A use providing public functions and services including federal, State, and municipal offices, community centers, or other civic institutions located on a property owned by a public entity.

O. **Civic Use or Purpose.** An undertaking in which citizens of a community, by their cooperative action and as their central goal, seek to promote the general welfare and common good of the community; in other words, a community movement to accomplish community goals.

P. **Classification or Zoning Classification.** The district into which a parcel of land is placed and the body of regulations to which it is subjected by this Code and the Zoning Map.

Q. **Commercial Building.** A building the principal use of which is a commercial use.

R. **College/University.** An institution for post-secondary education, public or private, offering courses in general or religious education and not operated for profit. It operates in buildings owned or leased by the institution for administrative and faculty offices, classrooms, laboratories, chapels, auditoriums, lecture halls, libraries, student and faculty centers, performing arts facilities, athletic facilities, health centers, dormitories, fraternities, sororities, and other on-campus housing, as well as associated maintenance facilities. It does not include vocational schools, online/remote programs, or colleges/universities operated for profit.

S. **Commercial Kitchen.** A facility containing a kitchen or kitchens in which food is prepared for off-site consumption, also called a ghost kitchen.

T. **Commercial Use or Purpose.** Any use permitted in a Commercial District.

U. **Commercial Vehicle.** For purposes of this Code, all commercial vehicles shall be classified as either a Class I or Class II commercial vehicle. Any trailer including, but not limited to, tar hoppers, generators, cement mixers, or any portable construction or maintenance equipment that is not a camper trailer, a travel trailer, or a recreational vehicle trailer, shall be deemed a commercial vehicle. Unless otherwise provided, any reference in this Code to commercial vehicles shall be deemed to be made to both Class I and Class II commercial vehicles.

1. CLASS I. Any vehicle, other than a recreational vehicle, regardless of the use to which the vehicle is put or intended or designed to serve and regardless of any other classification system made applicable to vehicles by any other governmental body, that weighs in excess of 8,000 pounds in gross weight (including vehicle and maximum load).

2. CLASS II. Any vehicle that is not a recreational vehicle or a Class I commercial vehicle that is operated for the transportation of persons or property in the furtherance of any commercial or industrial enterprise, for-hire or not-for-hire, including, without limitation, the following:

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a. Any van with no side windows other than those adjacent to the driver and passenger seats, sometimes known as panel vans; or

b. Any other vehicle with any commercial markings or any removable equipment or merchandise stored on the exterior of the vehicle.

V. **Community Garden.** An outdoor area, privately- or publicly-owned, operated or maintained, for cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or family. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be maintained and cultivated collectively.

W. **Community Residence**. A group home or specialized residential care home, the residents of which do not constitute a family, that serves persons with disabilities, that is licensed, certified or accredited by appropriate governmental entities, and that does not serve as an alternative to incarceration for a criminal offense, persons whose primary reason for placement is substance or alcohol abuse or persons whose primary reason for placement is treatment of a communicable disease. For purposes of this definition, "disabilities" means any disability:

1. Attributable to mental, intellectual or physical impairments or a combination thereof;

2. Likely to continue for a significant amount of time or indefinitely;

3. That results in functional limitations in three or more of the following areas of major life activities: self-care, receptive or expressive language, learning, mobility, self-direction, capacity for independent living, and economic self-sufficiency; and

4. That reflects a person's need for a combination and sequence of interdisciplinary or generic care, treatment or other services which are of a life-long or extended duration.

X. **Compensatory Storage.** An artificially excavated, hydraulically equivalent volume of flood storage within the SFHA used to balance the loss of natural flood storage capacity when artificial fill or structures are placed within the floodplain.

Y. **Completely Enclosed Building.** A building separated on all sides from the adjacent open area, or from other buildings or structures, by a permanent roof and by exterior walls or party walls, pierced only by windows or doors normally provided for the accommodation of persons, goods or vehicles. However, a parking structure that has less than 50 percent of its outer wall space open but that does not allow any parked vehicle within said structure to be seen from the exterior thereof shall be considered a completely enclosed building.

Z. **Conditional Approval of A Designated Floodway Map Change.** Preconstruction approval by IDNR-OWR and FEMA of a proposed change to the floodway map.

AA. **Conditional Letter of Map Revision (CLOMR).** A letter which indicates that the Federal Emergency Management Agency will revise base flood elevations, flood insurance rate zones, flood boundaries or floodway as shown on an effective Flood Hazard Boundary Map or Flood Insurance Rate Map, once the as-built plans are submitted and approved.

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BB. **Consumer Price Index (CPI)**. Refer to Article 13 of this Code.

CC. **Contractor Facility.** An enclosed space used for the provision of services, storage, operation and housing of equipment and fabrication of building-related products.

DD. **Conversion.** Refer to Article 13 of this Code.

EE. **Coworking Space.** A neutral, non-exclusive, limited shared space defined in a membership-based service arrangement or agreement or subscription wherein a firm has no tenancy interest, leasehold estate, or other real property interest with respect to the accommodation on an as-needed basis. The agreement gives the firm a right to share the use of the space and may include an exclusive mailing address and office services. An executive suite/exclusive desk/dedicated desk/secured suite/private office under a coworking space agreement falls under this definition.

FF. **Crematorium.** A facility for the incineration of corpses, human or animal, to ashes. Crematorium does not include any establishment where incinerators are used to dispose of toxic, hazardous, infectious, or narcotic materials.

GG. **Crops and Horticulture.** The production of crops through methods including but not limited to horticulture and aquaculture.

HH. **Cul-de-Sac**. A minor street having one end open and one end permanently terminated by a vehicular turnaround.

II. **Curb Level.** Curb level is the established elevation at the top of a curb that borders a specific property or lot.

14-105. "D" Definitions

A. **Dam.** All obstructions, wall embankments or barriers, together with their abutments and appurtenant works, if any, constructed for the purpose of storing or diverting water or creating a pool. Dams may also include weirs, restrictive culverts or impoundment structures. Underground water storage tanks are not included.

B. **Day Care.** Daytime care or instruction, except elementary, secondary and schools of higher education, of children or adults away from their own homes by a person other than a relative, whether or not for compensation or reward.

C. **Day Care Nursery.** A place providing day care for not more than eight children, including family members, being operated as a home occupation, and retaining all necessary state and local licenses.

D. **Day Care Service, Child.** A place providing day care for children and not operated as a home occupation.

E. **Deck.** A platform or structure serving a principal structure at thirty inches or more above grade and not covered by any permanent structure.

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F. **Dedication.** The designation of land for a public use by the owner thereof.

G. **Density.** The number of persons, families or dwelling units or the amount of gross floor area in a building, on a lot or in a development.

H. **Density, Gross.** The density of a development divided by the gross area of the development.

I. **Density, Net.** The density of a development divided by the net area of the development.

J. **Detention.** Temporary storage of storm water to be released from the property at the same rate as it would be released from the property in its natural state, by means of a facility engineered for that purpose.

K. **Developer.** The party responsible for obtaining approvals from the Village, including zoning, subdivision, and building permit approvals, for a governed development. Refer to Article 13-102-B-13 of this Code.

L. **Development.** Any man-made change, other than maintenance of existing structures, paved areas or utilities, to improved or unimproved real estate, including, without limitation, the construction or installation of new, or enlargement of existing structures, streets or utilities; dredging, filling, drilling, mining, grading, paving or excavating operations; and open storage of materials.

M. **Display Surface or Face.** The area made available by a sign structure for the purpose of displaying the sign's message.

N. **Distance of Sign Projection.** The distance from the exterior wall surface of a building to the sign element farthest distant from such surface.

O. **District Boundary Lot.** Any lot or parcel of land any lot line of which coincides with a district boundary line or which is contiguous to a public or private right-of-way containing a district boundary line.

P. **Drive-Through Facility**. An establishment or facility that provides products or services to occupants seated inside a motor vehicle, other than within a building, but not including dispensing of fuels at an automobile service station. Pick-up, drop-off, ordering and service are handled through a drive-through window.

Q. **Drive-Through Window.** A window, other fenestration or other device provided within the structure of a building designed for the delivery of goods or products to a vehicle and through which compensation for such may be exchanged, including the making of change and the order of such goods.

R. **Driveway.** A private access way that provides direct access from a street to not more than one lot or one principal building or use.

S. **Dry Cleaning Facility, Processing On-Site.** A building in which the business of dry cleaning, dry dyeing, cleaning, spotting, stain removal and/or pressing of articles and/or goods of fabric is carried on, and in which only non-combustible and non-flammable solvents are, or can be, used

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which emit no odors or fumes, in which no noise or vibration causes a nuisance or inconvenience within or without the premises, and may include a dry cleaning distribution station.

T. **Dwelling**. Any structure or portion thereof designed or used for habitation by one or more families.

U. **Dwelling, Cottage Court.** A group of small-scale, detached dwelling units located on a single lot or individual lots and arranged around a shared court visible from the street.

V. **Dwelling, Duplex.** A dwelling, other than a single family attached dwelling, containing two dwelling units, each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall.

W. **Dwelling, Multiple Family**. A dwelling, other than a single family attached dwelling, containing more than two dwelling units

X. **Dwelling, Single Family Detached.** A dwelling containing only one dwelling unit, situated on a separate subdivision lot or being a separate condominium unit capable of individual sale and completely surrounded by open space.

Y. **Dwelling, Townhouse.** A dwelling composed of a row of two or more, but not more than eight adjoining dwelling units, each situated on a separate subdivision lot or being a separate condominium unit capable of individual sale and each of which is separated from the others by one or more unpierced walls extending from ground to roof.

Z. **Dwelling, Triplex/Quadplex.** A building designed as a single structure, containing three or four separate living and dwelling units, each of which is designed to be occupied as a separate permanent residence for one household.

AA. **Dwelling Unit.** Any room or group of rooms located within a dwelling forming a single habitable unit with facilities that are used or intended to be used for living, sleeping, cooking, eating and sanitation by one family.

14-106. "E" Definitions

A. **Earthborne Vibrations.** A cyclic movement of the earth due to the propagation of mechanical energy.

B. **Easement.** Authorization by a property owner for the use by another, and for a specified purpose, of any designated area of his property. The term also refers to such a designated area.

C. **Elevation Certificate.** A form published by FEMA that is used to certify the elevation to which a building has been elevated.

D. **Eligible Household.** For purposes of this Part, a household with an annual incomeless than 120% of the Area Median Income. Refer to Article 13 of this Code.

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E. **Enlargement.** An addition to the floor area of an existing building or an increase in the size of any other existing structure.

F. **Erosion.** The general process whereby soils are moved by flowing water or wave action.

G. **Extension.** An increase in the amount of existing floor area used for an existing use within an existing structure or an increase in that portion of a tract of land occupied by an existing use.

H. **Exterior Wall.** Any wall of a building or structure one side of which is exposed to the outdoors.

14-107. "F" Definitions

A. **Family.** One or more persons related by blood, marriage, legal adoption or guardianship, or not more than five (5) persons not so related, together with gratuitous guests and domestic servants, living together as the functional equivalent of a traditional family and a single housekeeping unit.

B. **Farmers Market.** A common facility or area where the primary purpose is for growers and producers to gather to sell a variety of fresh fruits and vegetables and other locally produced farm and food products directly to consumers.

C. **FEMA**. Federal Emergency Management Agency and its regulations at 44 CFR Parts 59-79, as amended.

D. **Fence.** A barrier structure used as a boundary or as a means of protection, confinement or screening.

E. **Final Plat of Subdivision.** A map or plan of record of a subdivision, and any accompanying materials, prepared in accordance with Article VIII of the Northbrook Subdivision Code.

F. **Firearms Dealer.** A business that derives its principal income from the purchase, sale, or trade of firearms, with or without sale of ammunition or firearms accessories; and either physically delivers firearms to purchasers on the premises or conducts firearms sales from the premises for delivery to offsite purchasers; and is required to possess a firearms dealer license under federal law.

G. **Fixed Period.** A specified time frame within which a decision must be made on an application. Failure to act within this period results in a deemed denial, effective the day after the period expires.

H. **Flood.** A general and temporary condition of partial or complete inundation of normally dry land areas from overflow of inland or tidal waters or the unusual and rapid accumulation or runoff of surface waters from any source.

I. **Flood Fringe.** That portion of the floodplain outside of the designated regulatory floodway.

J. **Flood Frequency.** A period of years, based on a statistical analysis, during which a flood of a stated magnitude may be expected to be equaled or exceeded.

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K. **Flood Insurance Rate Maps (FIRM).** An official map prepared by the Federal Emergency Management Agency (FEMA) that depicts the Special Flood Hazard Areas (SFHA's) within a community. This map includes insurance rate zones and floodplains and may or may not depict floodways.

L. **Flood Insurance Study.** An examination, evaluation and determination of flood hazards and if appropriate, corresponding water surface elevations.

M. **Flood Plain.** That land typically adjacent to a body of water or watercourse with ground surface elevations at or below the base flood or the 100-year frequency flood elevation. Floodplains may also include detached Special Flood Hazard Areas (SFHA's), ponding areas, or areas not adjacent to a body of water or watercourse. The floodplains are those lands within the Village of Northbrook that are subject to inundation by the base flood or one hundred (100) year frequency flood. The flood plains within the Village of Northbrook are generally identified on the maps, plans and studies referenced in Section 9-105 of this Code.

N. **Flood Protection Elevation (FPE).** The elevation of the base flood or one hundred (100) year frequency flood event plus one (1) foot of freeboard at any given location in the SFHA.

O. **Floodproofing.** Any combination of structural and non-structural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

P. **Floodproofing Certificate.** A form published by FEMA that is used to certify that a building has been designed and constructed to be structurally dry floodproofed to the flood protection elevation.

Q. **Floodway.** See Subsection 14-119-R "Regulatory Floodway" of this Code.

R. **Foot Candle.** The illumination at all points one foot distant from a uniform point source of one candle power.

S. **Freeboard.** An increment of elevation added to the base flood elevation to provide a factor of safety for uncertainties in calculations, future watershed development, unknown localized conditions, wave actions and unpredictable effects such as those caused by ice or debris jams, bridge openings and the hydrological effect of development within the watershed.

T. **Frontage.** All the property fronting on one side of a street, measured along such street, between an intersecting or intercepting street and another intersecting or intercepting street, a right-of-way in excess of 30 feet, an end of a dead-end street, a watercourse or a village boundary.

U. **Frontage, Lot.** All of the property of a lot fronting on a street, measured along the front and corner side lot lines.

V. **Fuel Sales.** Any building or portion thereof or premises used for dispensing or offering for sale at retail any automobile fuels or oils; having pumps and storage tanks; also, where battery, tire and other similar services are rendered, but only if rendered wholly within lot lines. Excluded are

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open sales lots, parking, storing and sale of automobiles or any other commodity not incidental to fuel sales.

W. **Funeral Home.** Establishments for preparing the dead for burial or internment and conducting funerals (i.e. providing facilities for wakes, arranging transportation for the dead, indoor stonecutting, and selling caskets and related merchandise). Funeral homes may include accessory crematoriums.

14-108. "G" Definitions

A. **Garage.** A structure, or part thereof, designed or used for the parking and storage of vehicles at one or more levels.

B. **Garage Sales.** The temporary sale of personal property from a residential dwelling, including yard sales and estate sales

C. **Garden, Accessory.** An outdoor area, privately- or publicly-owned, operated or maintained, for cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or family. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be maintained and cultivated collectively.

D. **Gazebos.** A freestanding roofed structure usually open on the sides.

E. **General Office.** A use conducted in an office setting that involves business, professional, or technical services, including the provision of knowledge and skills by employees to clients or the public. This use includes professional services such as advertising, communications/media production, consulting, counseling, data analysis, design, insurance, legal services, not-for-profit organizations, and real estate services. It also includes administrative functions, online sales operations without on-site retail transactions, and other office-based business activities.

F. **General Retail.** The sale of any product or merchandise to customers for their own personal consumption or use, not for resale.

G. **Governed Development.** Any residential or mixed use development with a residential component that is required to provide affordable housing units under provisions of this Part. Projects at one location undertaken in phases, stages or otherwise developed in distinct parts shall be considered a single-governed development. Refer to Article 13 of this Code.

H. **Grade.** The average elevation of the finished ground at the exterior walls of the main building.

I. **Grading.** Reshaping natural land contours using natural land materials.

14-109. "H" Definitions

A. **Height.** In all zoning districts other than single family residential districts and the Residential and Limited Commercial District, the vertical distance measured from grade at the front of a structure to the highest point of the roof for flat roofs, to the deck line for mansard roofs and to

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the mean height between eaves and ridge for gable, hip, and gambrel roofs or to the highest point of a structure without a roof. Where a parapet wall, penthouse, or any similar structure is located on the roof of a building, building height shall be measured to the highest point of said structure if any part of it extends above the height as measured pursuant to the first sentence of this definition. Where a structure faces more than one street, the structure face with the greater height when measured as herein required shall be deemed to be the front of the structure for purposes of measuring structure height. Notwithstanding the above, when calculating height of structures in a planned development for the above stated zoning districts, height shall be the vertical distance measured from top of foundation to the highest point of a structure as shown on the final engineering and grading plans approved by the Village Engineer.

In all single family residential districts and the Residential and Limited Commercial District, the vertical distance measured from grade to the highest point of a structure. For the purposes of this definition in single family residential districts and the Residential and Limited Commercial District, "highest point of a structure" shall mean the point of said structure that is located at the highest vertical distance above grade. Chimneys of principal residential buildings shall not be included in determining the said highest point. Where a lot has more than one grade at the location of the building or structure, the structure face with the greater height when measured as herein required shall be used for purposes of measuring structure height. Notwithstanding the above, when calculating height of structures in a planned development for the above stated zoning districts, height shall be the vertical distance measured from top of foundation to the highest point of a structure as shown on the final engineering and grading plans approved by the Village Engineer.

B. **Home-Based Daycare.** Any in home childcare service licensed by the State Department of Children and Family Services (DCFS) which regularly provides care for less than twenty-four (24) hours per day for more than three (3) and up to a maximum of twelve (12) children under the age of twelve (12) in a home. The term does not include facilities which receive only children from a single household, 225 ILCS 10/2.09.

C. **Home Occupation.** A legal trade, occupation or profession conducted by any person within or from a dwelling unit that is clearly incidental and secondary to the premises as a dwelling unit. The home occupation shall be clearly incidental and accessory to the use of the dwelling as a residence and shall not change the physical characteristics of the residence as a home.

D. **Hospital.** An institution licensed by the State of Illinois, providing health services, primarily for inpatient and medical or surgical care for illness, disease, injury, and other physical and mental conditions, included as an integral part of the institution and related facilities such as laboratories, out-patient facilities or training facilities.

E. **Hotel.** An establishment offering transient lodging accommodations, that is commonly known as a hotel in the community in which it is located, and that provides customary hotel services such as maid service, furnishing and laundry of linen, telephone service, desk service, bellboy service and the use and upkeep of furniture.

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F. **Housing Expenses.** a) For affordable rental units – rent and utilities; and b) For affordable owner-occupied units – principal and interest of any mortgages placed on the unit, property taxes, condominium or homeowner's association fees, if applicable, and insurance. Refer to Article 13 of this Code.

G. **Hydrologic and Hydraulic Calculations.** Engineering analysis which determine expected flood flows and flood elevations based on land characteristics and rainfall events.

14-110. "I" Definitions

A. **IDNR/OWR.** The Illinois Department of Natural Resources - Office of Water Resources or the successor to its responsibilities.

B. **Improvement or Facility, Public.** A sanitary sewer, storm sewer, drainage appurtenance, water main, roadway, parkway, sidewalk, planting strip or other facility for which the Village or any other governmental agency may assume maintenance or operational responsibility.

C. **Inclusionary Housing**. Refer to Section 13-102-B-1 of this Code.

D. **Inclusionary Housing Plan**. Refer to Section 13-102-B-2 of this Code.

E. **Inclusionary Housing Compliance Plan**. Refer to Section 13-102-B-3 of this Code.

F. **Inclusionary Housing Trust Fund**. Refer to Section 13-102-B-4 of this Code.

G. **Inclusionary Housing Unit**. Refer to Section 13-102-B-5 of this Code.

H. **Inclusionary Owner-Occupied Units**. Refer to Section 13-102-B-6 of this Code.

I. **Inclusionary Rental Units**. Refer to Section 13-102-B-7 of this Code.

J. **Industry, Heavy.** Manufacturing or other enterprises with significant external effects, or which pose significant risks due to the involvement of explosives, radioactive materials, poisons, pesticides, herbicides, or other hazardous materials in the manufacturing or other process.

A. **Industry, Light.** A use that involves the manufacturing, production, processing, fabrication, assembly, treatment, repair, or packaging of finished products, predominantly from previously prepared or refined materials (or from raw materials that do not need refining). Warehousing, wholesaling, and distribution of the finished products produced at the site is allowed as part of this use.

B. **Institutional Building.** Any building the principal use of which is an Institutional use.

C. **Institutional Use or Purpose.** Any use permitted in the Institutional Buildings District.

K. **Integrated Center**. A grouping of compatible uses on a single lot, such uses being in either single ownership or under unified control.

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14-111. "J" Definitions

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14-112. "K" Definitions

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14-113. "L" Definitions

A. **Landbanking.** Setting aside land area for future use. See also Section 10-102-F-2 of this Code.

B. **Letter of Map Amendment (LOMA).** An official determination by FEMA following a review of scientific or technical data that a specific property or portion of a property is not in a 100-year floodplain. The LOMA amends the FIRM.

C. **Letter of Map Revision (LOMR).** Letter that revises base flood or 100-year frequency flood elevations, flood insurance rate zones, flood boundaries or floodways as shown on an effective FIRM.

D. **Live-Work Unit.** A building with one dwelling unit and commercial space in which the same party both works and lives in the unit with vertical or horizonal separation between the dwelling unit and the workspace.

E. **Loading Space.** An area used for the standing, loading or unloading of truck or trailer.

F. **Lot.** A designated area of land established by a plat and to be used, developed, or built upon as a unit.

G. **Lot Area, Total.** The total land and water area included within lot lines, excluding, however, areas subject to easements for public or private access or egress.

H. **Lot Area Per Unit.** That portion of the total lot area allocated for each dwelling unit located on a lot.

I. **Lot, Buildable Area.** That portion of a lot bounded by the required yards.

J. **Lot, Buildable Width.** The width of a lot remaining as buildable after side yards and corner side yards are provided.

K. **Lot, Corner.** A lot abutting upon two or more intersecting streets or a lot bounded on two sides by a curving street where it is possible to draw two intersecting tangents, one each commencing at each of the two points of intersection of the lot lines and street line, which intersect with each other to form an interior angle of less than 135 degrees.

L. **Lot Coverage.** The percentage of a lot's area covered by any building or structure or any impermeable surface other than streets, whether public or private, public sidewalks, private sidewalks under common ownership, or water bodies. See also Section 14-103 B, "Building Coverage" of this Section.

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M. **Lot Depth.** The minimum straight line distance between the front and rear lot lines.

N. **Lot, Interior.** A lot other than a corner lot.

O. **Lot Line.** The property lines bounding a lot; provided, however, that where a lot includes land subject to a public right-of-way easement for street purposes, the line separating such right-of-way from the rest of the lot shall be deemed to be the lot line.

P. **Lot Line, Corner Side.** Any street line of a corner lot other than its front lot line.

Q. **Lot Line, Front.** In the case of an interior lot abutting upon only one street, the line separating such lot from the right-of-way of such street; in the case of a through lot, each line separating such lot from the right-of-way of a street shall be considered a front lot line; in the case of a corner lot, the shorter lot line separating such lot from the right-of-way of a street shall be considered to be the front lot line.

R. **Lot Line, Rear.** The rear lot line is the lot line or lot lines generally opposite or most nearly parallel to the front lot line. In the case of triangular shaped lots or a lot having a rear lot line less than ten feet in length, the rear lot line shall be deemed to be an imaginary line ten feet in length entirely within the lot, parallel to and at a maximum distance from the front line.

S. **Lot Line, Side.** Any lot line other than a front, corner-side or rear lot line.

T. **Lot, Minimum Total Area.** The smallest lot on which a particular use or structure may be located in a particular district.

U. **Lot Of Record.** A lot that is part of a subdivision, the plat of which has been recorded in the office of the County Recorder of Deeds, or a parcel of land separately described in a recorded instrument.

V. **Lot, Through.** A lot having frontages on two non-intersecting streets.

W. **Lot, Width.** The shortest distance between side lot lines measured by a line passing through the center point of the required front yard line.

X. **Lot, Zoning.** A tract of land consisting of one or more lots of record, or parts thereof, under single fee simple title ownership or control, located entirely within a block and occupied by, or designated by its owner or developer at the time of filing for any zoning approval or building permit as a tract to be developed for, a principal building and its accessory buildings, or a principal use, together with such open spaces and yards as are designed and arranged, or required under this Code, to be used with such building or use. Notwithstanding the foregoing, sale of individual lots of record underlying individual dwelling units in an attached or two family dwelling, following issuance of a Certificate of Occupancy for such dwelling, shall not prevent treatment of the tract of land underlying such dwelling as a zoning lot and all applicable bulk, space and yard requirements shall be applied with respect to such dwelling and such zoning lot rather than with respect to individually-owned dwelling units and lots of record.

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14-114. "M" Definitions

A. **Mall Building.** An enclosed building containing shared common areas and multiple individual businesses or retail establishments, primarily engaged in the sale of goods and provision of consumer services.

B. **Market Rate Housing Units.** All owner-occupied or rental dwelling units in a governed development that are not classified as affordable housing units. Refer to Section 13-102-B-18 of this Code.

C. **Marquee OR Canopy.** A roof-like structure of a permanent nature that projects from the wall of a building.

D. **Materials Salvage Yard/Recycling Operations.** A parcel of land where secondhand, discarded or scrap materials are bought, sold, exchanged, stored, processed, or handled. Materials include scrap iron, structural steel, rags, rubber tires, discarded goods, equipment, appliances, or machinery. The term "material salvage yard, recycling operations" also includes a site for collection, sorting, storing and processing of paper products, glass, plastics, aluminum or tin cans prior to shipment for remanufacture into new materials.

E. **Maximum Resale Price.** The maximum price an owner-occupied affordable unit may be sold to another eligible household at, based on a valuation formula incorporating appraisal data, a maximum appreciation factor, and allowances for capital improvements, ass as set forth in a schedule to be published by the Village on an annual basis. Refer to Section 13-102-B-17 of this Code.

F. **Medical Cannabis Dispensary.** A facility operated by an organization or business that is registered by the Illinois Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients.

G. **Medical Clinic.** A facility for examining, consulting with, and treating patients with medical, dental, or optical problems on an outpatient basis.

H. **Medical Spa.** A facility where licensed healthcare professionals and care specialists perform medical procedures, such as massage therapy, laser hair removal, and aesthetician services.

I. **Meeting/Event Facility.** A commercial venue available for rent by private persons or entities for the hosting of parties, meetings, banquets, and other events, as well as conferences. Such facilities may include kitchens for the preparation or catering of food, and the sale of alcoholic beverages to guests only for on-premise consumption during scheduled events.

J. **Membership Organizations.** Lands, buildings or portions thereof, or premises owned or operated by an organization of a professional, business, trade, civic, social, fraternal, political, or religious nature operating on a membership basis and engaged in promoting the interest of their members.

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K. **Microbrewery/Winery/Distillery.** A combination retail, wholesale, and/or small-scale artisan manufacturing business that brews, ferments, processes, packages, distributes, and serves either beer or wine for sale on- or off-site. These facilities may include an ancillary tasting room and retail component in which guests/customers may sample and purchase the product. Off-site distribution of the beverages shall be consistent with state law.

L. **Motor Vehicle Sales/Rental with Outdoor Sales Lot.** Retail establishments that sell or lease new or used automobiles, trucks, vans, recreational vehicles, trailers, boats, motorcycles, or other similar motorized transportation vehicles. A motor vehicle sales establishment may maintain an inventory of vehicles for sale or lease on-site, including within an outdoor sales or display lot. Support uses may also exist upon the same site, such as maintenance, repair, and service areas, and indoor parts storage areas.

M. **Motor Vehicle Sales/Rental without Outdoor Sales Lot.** Retail establishments that sell new or used automobiles, trucks, vans, recreational vehicles, trailers, boats, or motorcycles or other similar motorized transportation vehicles, however, no areas for the storage of inventory or display of vehicles for sale may be stored outside an enclosed building on the site; all such activities shall be conducted within an enclosed building only. Support uses may also exist upon also exist upon the same site, such as maintenance, repair, and service areas and indoor parts storage areas, however all such uses shall be conducted entirely within an enclosed building.

N. **Multi-Unit Building.** A building with five or more dwelling units with a common building entrance and access to dwelling units from the interior of the building.

O. **Multi-Unit Building, Complex.** A master planned development site with more than one multi-unit building.

P. **Multi-Unit Dwelling, Above Ground Floor Only.** Multi-unit dwellings above a ground floor non-residential use. The separate uses do not have to be inhabited by the same party.

14-115. "N" Definitions

A. **National Flood Insurance Program (NFIP).** That program established by Congress at 42 U.S.C. Sec. 4001 et seq. to provide a means of insuring property losses caused by flood risks.

B. **NAVD.** North American Vertical Datum of 1988. NAVD 88 supersedes the National Geodetic Vertical Datum of 1929 (NGVD).

C. **Nonconforming Lot of Record.** A lot of record that does not comply with the lot requirements for any permitted use in the district in which it is located.

D. **Nonconforming Lot of Record, Legal.** A nonconforming lot of record that:

1. Was created by a plat or deed recorded and came into ownership separate from adjoining tracts of land, at a time when the creation of a lot of such size, shape, depth and width at such location would not have been prohibited by any Code or other regulation; and

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2. Has remained in separate and individual ownership from adjoining tracts of land continuously during the entire time that the creation of such a lot has been prohibited by any applicable Code or other regulation.

E. **Nonconforming Sign.** Any sign lawfully existing on the effective date of this Code, or any amendment to it rendering such sign nonconforming, does not comply with all of the standards and regulations of this Code or any such amendment hereto.

F. **Nonconforming Structure.** Any building or structure, other than a sign, lawfully existing on the effective date of this Code, or any amendment to it rendering such building or structure nonconforming, that:

1. Does not comply with all of the regulations this Code, or any such amendment thereto, governing parking, loading or bulk and space requirements for the zoning district in which such building or structure is located; or

2. Is located on a lot that does not, or is so located on a lot as not to, comply with the yard or setback requirements for the zoning district in which such building or structure is located; or

3. Both 1. and 2.; except Any building containing more than one dwelling unit in addition to the number permitted by the district regulations in the district where it is located shall be deemed to be a nonconforming use rather than a pre-code structure.

G. **Nonconforming Use**. Any use lawfully being made of any land, building or structure, other than a sign, on the effective date of this Code, or any amendment to it rendering such use nonconforming, that does not comply with all of the regulations of this Code, or any such amendment hereto, governing use for the zoning district in which such land, building or structure is located.

H. **Northbrook Flood Insurance Study (FIS).** The Cook County Flood Insurance Study (FIS), effective date April 16, 2007, as it may be amended from time to time.

I. **Northbrook Standards And Specifications**. Standards and Specifications for Public and Private Improvements, approved by the Board of Trustees on September 12, 2023, as it may be amended from time to time.

J. **Nursery and Garden Center**. A facility for the cultivation of plants within an enclosed environment on a commercial basis.

K. **Nursing Home Facility.** An establishment that provides full-time nursing and health related personal care, but not hospital services, with in-patient beds for three or more individuals who are not related by blood or marriage to the operator and who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves. No care for the acutely ill or surgical or obstetrical services shall be provided in such an establishment; a hospital shall not be construed to be included in this definition.

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14-116. "O" Definitions

A. **Obsolete Development.** Property used in a manner that is no longer compatible with uses on surrounding properties due to the trend of development, regardless of conformance with the regulations of this Code.

B. **Office Building**. Any building the principal use of which is an office use.

C. **One Hundred (100) Year Frequency Flood Elevation.** See Base Flood Elevation in Subsection 14-103-B of this Code.

D. **One Hundred (100) Year Frequency Flood Event.** See Base Flood in Subsection 14-103-B of this Code.

E. **One-on-One Educational Services**. An establishment offering only one-on-one educational training, by appointment only, and no group tutorial activities. Each student must work directly with a personal instructor when using such an establishment, and each instructor shall work with no more than two students at one time.

F. **One-on-One Personal Fitness Facilities.** An establishment offering only one-on-one personal fitness training, by appointment only, and no group fitness training activities. Each client must work directly with a certified personal trainer when using such an establishment, and each trainer shall work with no more than two clients at one time.

G. **Open Space And Usable Open Space.** An area or areas of a lot, including required yards, that is:

   1. Open and unobstructed from ground to sky except by facilities specifically designed, arranged and intended for use in conjunction with passive or active outdoor recreation or relaxation; and

   2. Accessible and usable by the residents of all dwellings, or the users of all nonresidential buildings, it is intended or required to serve.

H. **Open Space, Common**. Open space held in private ownership, regularly available for use by the occupants of more than one dwelling or the users of more than one nonresidential building.

I. **Open Space, Private.** Open space held private ownership, the use of which is normally limited to the occupants of one dwelling or the users of one nonresidential building.

J. **Open Space, Public.** Open space dedicated to or owned by any government or governmental agency or authority.

K. **Ordinary High Water Mark (OHWM).** The point on the bank or shore up to which the presence and action of surface water is so continuous so as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation or other easily recognized characteristics.

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L. **Outdoor Display, Permanent.** The permanent display and/or sale of merchandise or equipment outside of an enclosed building by the occupant of the primary building of the lot.

M. **Outdoor Operations.** The subordinate use of a lot for sustained and continuous outdoor use customarily incidental to the primary use of the zoning lot.

N. **Outdoor Seating for Eating and Drinking Uses.** A dining area of designated size with seats or tables located outdoors of a contiguous restaurant or coffeehouse. This seating may be in addition to the indoor seating area.

O. **Outdoor Storage.** The storage of various materials outside of a structure, as an accessory use. This includes salvage yards used for the storage and/or collection of any type of equipment.

P. **Overlay District.** An overlay district establishes an additional set of standards for properties in a defined geographic area within one or more underlying base districts. The standards of the overlay district shall supersede the standards of all other applicable district types.

Q. **Owner.** Includes the holder of legal title as well as holders of any equitable interest, such as trust beneficiaries, contract purchasers, option holders, lessees under leases having an unexpired term of at least ten years, and the like. Whenever a statement of ownership is required by this Code, full disclosure of all legal and equitable interests in the property is required.

14-117. "P" Definitions.

A. **Park.** An area of open space that is maintained in its natural condition or improved for outdoor recreation purposes.

B. **Parking Area.** Any land area, not located in a garage, designed and used for the parking of not more than four vehicles.

C. **Parking Lot.** Any land area designed or used for the parking, and associated circulation, of more than four vehicles.

D. **Parking Space.** An area for the parking of a vehicle.

E. **Patio.** An open, paved, or otherwise improved area, typically adjacent to a residential building, that is designed for outdoor recreation or relaxation and located at grade or below 30 inches in height.

F. **Perimeter Landscaped Open Space.** A landscaped open space intended to enhance the appearance of, or screen from view, parking lots and other outdoor aesthetically unpleasant uses or areas or to create a transition between incompatible uses by means of appropriate buffering, landscaping or screening primarily along lot lines.

G. **Pergolas.** A structure usually consisting of parallel colonnades supporting an open roof of girders and cross rafters.

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H. **Personal Services.** A facility for the sale of personal services. Personal service uses include, but are not limited, to a barbershop or beauty shop, shoe repair, a tailor, an instructional arts studio, a photographic studio, a laundry or cleaning pickup and receiving station, a handcrafted artwork studio, a travel bureau, and custom printing or duplicating shop.

I. **Personal/Self-Serve Storage.** Enclosed storage facilities containing independent, fully enclosed bays that are leased to individuals exclusively for long-term storage of household goods or personal property.

J. **Personal Wireless Services.** Commercial mobile telecommunications services, unlicensed wireless telecommunications services, and common carrier wireless telecommunications exchange access services.

K. **Personal Wireless Services Antenna**. An antenna used in connection with the provision of personal wireless services.

L. **Physical Fitness Facilities.** A facility for active recreation, including professional sporting, inclusive of, but not limited to, a gymnasium, natatorium, fitness center, athletic equipment, indoor running track, climbing facility, court facility and their customary accessory uses.

M. **Place of Worship.** Any church, synagogue, mosque, temple or building used primarily for religious worship and related religious activities.

N. **Plan Commission.** The Plan Commission of the Village of Northbrook.

O. **Porch.** A covered but unenclosed projection from the main wall of a building that may or may not use columns or other ground supports for structural purposes.

P. **Premises.** A lot, plot or parcel of land, together with the buildings and structures thereon.

Q. **Principal Structure or Building.** A structure or building on a zoning lot intended to be utilized for a principal use and to which any other structure on such lot must be accessory.

R. **Principal Use.** The use of a zoning lot, whether a permitted or specially permitted use, designated by the owner of such lot as the primary or main use of such lot and to which any other use on such lot must be accessory.

S. **Public Body of Water.** Any open public stream or lake capable of being navigated by watercraft, in whole or in part, for commercial uses and purposes, and any lakes, rivers, and streams which in their natural condition were capable of being improved and make navigable, or that are connected with or discharge their waters into navigable lakes or rivers within, or upon the borders of the State of Illinois, together with all bayous, sloughs, backwaters, and submerged lands that are open to the main channel or body of water directly accessible thereto.

T. **Public Cultural and Community Facilities.** A public facility for the development, production, and presentation of the visual and performing arts, including live theater, dance, music, painting, sculpture, and crafts.

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U. **Public Flood Control Project.** A flood control project which will be operated and maintained by a public agency to reduce flood damages to existing buildings and structures which includes a hydrologic and hydraulic study of the existing and proposed conditions of the watershed. Nothing in this definition shall preclude the design, engineering, construction or financing, in whole or in part, of a flood control project by persons or parties who are not public agencies.

V. **Public Hearing.** A meeting conducted pursuant to the provisions of the Illinois Open Meetings Act at which members of the general public must be permitted to give testimony, evidence or opinions relevant to the subject matter.

W. **Public Meeting.** A meeting conducted pursuant to the provisions of the Illinois Open Meetings Act where members of the general public, as opposed to members of the Board or Commission and as opposed to the applicant for relief, have no right (but may be given the opportunity) to offer testimony, evidence or opinions.

X. **Public Service/Safety Facility.** Facilities for federal, state, and local governmental uses, law enforcement, and fire protection agencies, and their accessory uses including office space, temporary holding cells, equipment and evidence storage facilities, training facilities, and vehicle garages. This definition is not intended to be inclusive of vehicle impoundment lots or Correctional Institution.

Y. **Public Utility Facilities.** Area dedicated to public use for utility purposes, including transmission and collection lines, pumping stations, elevated water storage tanks, water and wastewater package treatment plants, and generation, production, or treatment facilities such as power plants, water and sewage plants.

14-118. "Q" Definitions

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14-119. "R" Definitions

A. **Railroad Right-of-Way.** A strip of land with tracks and auxiliary facilities track operation, but not including freight depots or stations, loading platforms, train sheds, warehouses, car or locomotive shops or car yards.

B. **Recreational Device.** a structure or outdoor facility intended primarily for recreational use by children such as, but not limited to, a play house, a swing set, a trampoline or a sand box.

C. **Recreational Facility, Residential.** An area, court, pool or facility, other than a recreational device, intended for active recreational or athletic use such as game courts, swimming pools or ball fields established as an accessory use to a residential dwelling.

D. **Recreational Vehicle.** Every vehicle or boat originally designed for living quarters, recreation or human habitation and not used as a commercial vehicle, including, but not limited to, the following:

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1. Boat. Any vessel used for water travel. A boat mounted on a trailer shall be considered one vehicle.

2. Camper Trailer. A folding or collapsible vehicle without its own motive power, designed as temporary living quarters for travel, camping, recreational, seasonal, or vacation use.

3. Motorized Home. A temporary dwelling designed and constructed for travel, camping, recreational, seasonal, or vacation uses as an integral part of a self-propelled vehicle.

4. Off-the-Road Vehicle. A vehicle intended primarily for recreational use off of roads where state vehicle licenses are required, such as a dune buggy, go-cart or snowmobile.

5. Racing Car or Cycle. A vehicle intended to be used in racing competition, such as a race car, stock car or racing cycle.

6. Travel Trailer. A vehicle without its own motive power, designed to be used as a temporary dwelling for travel, camping, recreational or vacation uses.

7. Truck Camper. A structure designed primarily to be mounted on a pickup or single truck chassis and designed to be used as a temporary dwelling for travel, camping, recreational or vacation uses. When mounted on a truck, such a structure and the truck shall together be considered one vehicle.

8. Van. A general term applied to a noncommercial motor vehicle licensed by the State of Illinois as a Recreational Vehicle.

9. Vehicle Trailer. A vehicle without its own motive power that is designed to transport another vehicle, such as a boat, motorcycle or snowmobile for recreational or vacation use and that is a eligible to be licensed or registered and insured for highway use. A vehicle trailer with another vehicle mounted on it shall be considered one vehicle.

E. **Redevelopment.** The significant reconstruction, alteration, expansion, or other change in a structure or use, or the division of a parcel of land into additional parcels.

F. **Registered Land Surveyor.** A land surveyor registered in the State of Illinois, under The Illinois Land Surveyors Act 225 ILCS 330/1 et seq.

G. **Registered Professional Engineer.** An engineer registered in the State of Illinois, under The Illinois Professional Engineering Practice Act 225 ILCS 325/1 et seq.

H. **Regulatory Floodway.** The channel, including on-stream lakes, and that portion of the flood plain adjacent to a stream or watercourse as designated by IDNR/OWR, which is needed to store or convey the existing and anticipated future one hundred (100) year frequency flood discharge with no more than a one-tenth (0.1) foot increase in stage due to the loss of flood conveyance or storage, and no more than a ten percent (10%) increase in velocities. The regulatory floodways are designated for the West and Middle Forks of the North Branch of the Chicago River and their tributaries, on the maps, plans and studies referenced in Section 9-105 of this Code. Also sometimes referred to as a "Designated Floodway."

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I. **Restaurant.** A restaurant without drive-in or drive-through service means an establishment principally for the sale and consumption of food.

J. **Retention/Detention Facility.** A retention facility stores stormwater runoff without a gravity release. A detention facility provides for storage of stormwater runoff and controlled release of this runoff during and after a flood or storm.

K. **Right-of-Way.** A strip of land designated for use for vehicular or pedestrian access or passage or for installation of railroad tracks, utility lines or similar facilities.

L. **Right-of-Way, Private.** A right-of-way that has not been dedicated to or accepted by any government agency.

M. **Right-of-Way, Public.** A right-of-way that has been dedicated to and accepted by a government agency.

N. **Riverine SFHA.** Any SFHA subject to flooding from a river, creek, intermittent stream, brook, ditch, on-stream lake system or any other identified channel. Riverine SFHA does not include areas subject to flooding from lakes, ponding areas, areas of sheet flow, or other areas not subject to overbank flooding.

O. **Runoff.** The water derived from melting snow or rain falling on the land surface, flowing over the surface of the ground or collected in channels or conduits.

14-120. "S" Definitions

A. **Screening.** A structure erected or vegetation planted to conceal an area from view.

B. **School, Vocational/Technical.** A public or private institution for education or learning including athletic or recreational facilities, which does not include lodging. These schools offer vocational and technical training in a variety of technical subjects and trades. Training may lead to job-specific certification.

C. **Seasonal Sales.** Temporary outdoor sales, typically recurring on an annual basis, located on a lot with a principal use for which the seasonal sales are not associated.

D. **Secondary Suite.** A living area located wholly within a single family detached dwelling consisting of space for sleeping, cooking, and sanitation that (i) is accessed through the main dwelling unit and not separated by a garage or breezeway; (ii) does not have separate utilities or address; and (iii) has access to all areas of the single family detached dwelling.

E. **Sedimentation.** The processes that deposit soils, debris, and other materials either on other ground surfaces or in bodies of water or watercourses.

F. **Senior Housing, Dependent.** A residential establishment for three or more individuals who are not related by blood or marriage to the operator that provides care for people who, by reason of advanced age, chronic illness or infirmity, cannot live independently and require help with activities of daily living, such as bathing and dressing, but are not in need of the frequent and

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intense medical assistance of a nursing home facility. Assisted living facilities may be age restricted and may restrict residents to certain types of infirmities, such as dementia. Residential units in assisted living facilities may be either private or shared by persons unrelated by blood or marriage.

A. **Senior Housing, Independent.** A multifamily dwelling in which occupancy is limited to persons who are fifty-five (55) years of age or older. If two persons occupy a unit, at least one must be fifty-five (55) years of age or older. This definition does not include senior housing, dependent, as defined in this Code.

G. **Setback.** The required minimum horizontal distance between a property line, or other line, and a building.

H. **Shopping Center.** A building or group of buildings that are planned and managed as a single commercial property.

I. **Short-Term Rental.** Part or all of a dwelling or dwelling unit that is rented for transient occupancy by guests for a period shorter than 30 consecutive days. The term "short-term rental" does not include either (i) hotels or motels as defined in this Section or (ii) a dwelling or dwelling unit rented for a limited period of time prior to transfer of possession to the terms of a rental agreement executed in conjunction with a contract to sell the dwelling or dwelling unit.

J. **Sight Triangle.** An area of land at the intersection of streets, or a street and a driveway, within which nothing may be erected, planted, placed, or allowed to grow in a manner which will obstruct the vision of motorists entering or leaving the intersection.

K. **Sign.** Any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images. For definitions of particular functional and structural types of signs, see Section 11-102 of this Code.

L. **Small Cell Wireless Facilities.** Any facility that transmits and/or receives signals by electromagnetic or optical means, including antennas, microwave dishes, horns, or similar types of equipment, towers or similar structures supporting such equipment, and equipment buildings.

M. **Solar Energy Collection System, Canopy.** A solar energy collection system consisting of elevated solar panels installed above parking lots, carports, and other paved areas.

N. **Solar Energy Collection System, Ground Mounted.** A solar energy collection system and associated mounting hardware that is affixed to or placed upon the ground including but not limited to fixed, passive, or active tracking racking systems and located on a site with a primary use.

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O. **Solar Energy Collection System, Roof Mounted.** A solar energy collection system that is structurally mounted to the roof of a building or other permitted structure, including limited accessory equipment associated with system which may be ground mounted.

P. **Special Flood Hazard Area (SFHA).** Any base flood area subject to flooding from a river or tributary thereof, creek, intermittent stream, brook, ditch, or any other identified channel or ponding and shown on a Flood Insurance Rate Map as Zone A, AO, A1-30, AE, A99, AH, VO, V1-30, VE, V, M, or E. See also Subsection 14-107-F "Floodplain" of this Code.

Q. **Specialty Medical Care Facility.** A licensed or approved medical facility providing short and long-term overnight medical care for persons with limited ability for self-care, but which does not provide the full range of medical treatment or care to a patient that is provided in an inpatient facility.

R. **Standard Flood Insurance Policy.** The flood insurance policy issued by the Federal Insurance Administration, or an insurer pursuant to federal statutes and regulations.

S. **Story.** That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling above the floor of such story.

T. **Street.** The paved portion of a right-of-way, other than a driveway, that affords the principal means of vehicular access to abutting property.

U. **Street Line.** A lot line separating a street right-of-way from other land.

V. **Street, Private.** Any street other than a public street.

W. **Street, Public.** A street that has been dedicated to and accepted by, or otherwise acquired by, a government agency.

X. **Structure.** Anything constructed or erected, the use of which requires more or less permanent location on the ground, or anything attached to something having a permanent location on the ground, but not including paving or surfacing of the ground. Structure shall in all cases be deemed to refer to both structures and buildings. See Section 14-103-B of this Code.

Y. **Subdivision Code.** The Northbrook Subdivision Code.

Z. **Substation, Electrical.** A subsidiary station for the transmission of electrical current, consisting of transformers and other related safety and switching equipment that convert higher voltage electrical current received from incoming lines into lower voltage electrical current transmitted through other smaller lines.

AA. **Surface area, antenna.** An area determined by adding together the actual surface area of each solid element or part of an antenna or its support structure, where "solid" is defined to include all air spaces that are fully bounded by solid elements.

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14-121. "T" Definitions

A. **Terrace.** A level plane, surfaced patio, platform or structure serving a principal building at less than thirty inches above grade and not covered by any permanent structure.

B. **Temporary Real Estate Sales.** A short-term office use for the on-site sale of real property.

C. **Tobacco Retail Sale.** A retail establishment selling any form of tobacco, tobacco products, or tobacco paraphernalia as a principal use.

D. **Transitional Parking Lot or Garage.** A parking lot or garage accessory to a nonresidential use but located in a residential district pursuant to a Special Permit.

E. **Transitional Service facility.** A dwelling operated by a public or private entity that has secured all required authorizations, if any, from government agencies or departments having legal authority to license or otherwise approve said facility, and that houses a group of unrelated persons with disabilities who are, in the reasonable discretion of the entity operator, capable of living and functioning in the community, and provides to residents or helps residents secure special interdisciplinary or generic care, treatment, or other services. As used herein, "disabilities" means any disability

   1. Attributable to mental, intellectual or physical impairments or a combination thereof;

   2. Likely to continue for a significant amount of time or indefinitely;

   3. That results in functional limitations in three or more of the following areas of major life activities: self-care, receptive or expressive language, learning, mobility, self-direction, capacity for independent living, and economic self-sufficiency; and

   4. That reflects a person's need for a combination and sequence of interdisciplinary or generic care, treatment or other services which are of a life-long or extended duration.

F. **Transitional Service Facility Resident.** A person receiving care or treatment at a transitional service facility.

G. **Trucking Company**. A business that transports goods and people using trucks and other commercial motor vehicles. Trucking companies are also known as motor carriers.

14-122. "U" Definitions

A. **Underdevelopment.** Property not used to the fullest extent permitted by this Code.

B. **Use.** The purpose or activity for which a structure or land is designed, arranged or intended, or for which it is occupied or maintained.

C. **Use, Legal.** Any use being made of any land, building or structure, other than a sign, on or after the effective date of this Code or any amendment thereof, that complies with all of the

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applicable regulations of this Code and any amendment thereof and was legally and validly instituted.

14-123. "V" Definitions

A. **Vehicle.** Any device for carrying passengers, goods or equipment including, but not limited to, passenger automobiles, vans, trucks, buses, recreational vehicles, commercial vehicles and vehicles used for governmental purposes.

B. **Vehicle Services -Major Repair/Body Work.** The repair, servicing, alteration, restoration, towing, painting, cleaning, or finishing of automobiles, trucks, recreational vehicles, boats, large appliances, commercial and industrial equipment, and other vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. This includes major repair and body work which encompasses towing, collision repair, other body work and painting services, and tire recapping.

C. **Vehicle Services - Minor Repair/Body Work.** The repair, servicing, alteration, restoration, towing painting, cleaning, or finishing of automobiles, trucks, recreational vehicles, boats, and other vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. Minor facilities providing limited repair and maintenance services. Examples include car stereo and alarm system installers; detailing services; muffler and radiator shops; quick-lube services; tire and battery sales and installation (not including recapping).

D. **Village Manager.** The chief administrative official of the Village. When used in this Code, the term Village Manager shall refer either to such official or to their duly authorized delegate.

14-124. "W" Definitions

A. **Warehouse, Distribution/Storage.** A use engaged in storage, wholesale, and distribution of manufactured products, supplies, and equipment.

A. **Wireless Telecommunications Equipment.** Any equipment used for the purpose of collecting or transmitting electromagnetic signals, or to provide immediate support to such equipment or structure. See Article IX for additional information related to wireless telecommunication facilities.

B. **Wireless Telecommunication Tower.** Any type of tower structure or similar that is built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site.

C. **Wholesale Trade.** A business engaged in the sale of commodities in quantity, usually for resale or business use chiefly to retailers, other businesses, industries and institutions rather than to the ultimate consumer.

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14-125. "X" Definitions

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14-126. "Y" Definitions

A. **Yard Setbacks.** A required open space on a lot between a lot line and a yard line that is unoccupied and unobstructed from grade to the sky.

1. Yard, Corner Side. A yard extending from the front yard line to the rear lot line between the corner side lot line of the lot and the corner side yard line.

2. Yard, Front. A yard extending across the entire front of a lot between the front lot line of the lot and the front yard line.

3. Yard, Rear. A yard extending along the full length of the rear lot line between the side lot lines, except that in the case of a corner lot the rear yard shall extend from the inner side lot line to the corner side yard line.

4. Yard, Side. A yard extending along a side lot line from the front yard to the rear yard between the side lot line and the side yard line.

14-127. "Z" Definitions

A. **Zoning Board.** The Zoning Board of Appeals of the Village. See Section 2-102-B of this Code and Chapter 2, Article VI of the Northbrook Municipal Code.

B. **Zoning Code.** The Northbrook Zoning Code; that is, this Code. Unless the context specifically requires otherwise, all references to this Code shall be deemed to refer to any certificate, permit, approval, resolution or Code granted or adopted pursuant to this Code.

C. **Zoning District.** A part of the corporate area of the Village wherein regulations of this Zoning Code are uniform.

D. **Zoning District Map or Zoning Map.** A map that graphically shows all zoning district boundaries and classifications within the Village, as contained within this Codeor

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MEMORANDUM

To: Plan Commission
From: Deputy Director of Development & Planning Services Michaela Kohlstedt
Date: 2025-07-15
Subject: DOCKET NO. PCD-25-10: 2890 and 2990 DUNDEE ROAD - REZONING REQUEST (Public Hearing). An application by the President and Board of Trustees of the Village of Northbrook to eliminate the O-5 Restricted Office District as a zoning district classification within the Village and to rezone the properties located at 2890 and 2990 Dundee Road from O-5 Restricted Office District to the O-2 Limited Office District.

Overview
The Village Plan Commission will hold a public hearing to receive input on the proposed draft New Zoning Code and associated rezoning of two properties from O-5 to O-2. The current Zoning Code was adopted in 1988. The Zoning Code Review and Modernization initiative began in 2023 with three community goals to guide the process including: to preserve community identity, prioritize user experience, and promote sustainable initiatives. While this is the formal public hearing, the draft plan has been reviewed in depth at 5 public meetings, two open houses and has been available for public on the Village website.

Fiscal Impact
N/A.

Recommendation
Conduct a Public Hearing.

Background
See Attachments.

A - Staff Report - Rezoning Public Hearing 7-15-25
B - Office District SIC Use List
C - Public Correspondence
D - Proposed Office District Standards
E - Proposed Zoning Map
F - Staff Presentation 7-15-25

MEMORANDUM

To: Northbrook Plan Commission
From Deputy Director of Development & Planning Services Michaela Kohlstedt
Cc: Director of Development & Planning Services Amy McEwan
Date: July 15, 2025
Subject: PCD-25-10: Proposed Rezoning of 2890 and 2990 Dundee Road from O-5 Restricted Office to O-2 Limit Office

On July 15, 2025 the Plan Commission will conduct a public hearing to discuss the rezoning of 2890 and 2990 Dundee Road in conjunction with the draft of the new Northbrook Zoning Code. This is an application by the President and Board of Trustees of the Village of Northbrook to eliminate the O-5 Restricted Office District as a zoning district classification within the Village and to rezone the properties located at 2890 and 2990 Dundee Road from O-5 Restricted Office District to the O-2 Limited Office District.

The Plan Commission hearing was properly noticed in the June 26, 2025 edition of the Northbrook Star, and a required certified mailing was sent to all surrounding property owners within 250 feet excluding right-of-way. In addition to the code required legal notice being published and mailed, the Village has also provided notice of the public hearing, as well as the past public meetings and open houses for the drafting of a new Zoning Code in the following sources:

- Village webpage
- Project webpage
- Print Village newsletters
- Village E-newsletters
- Social Media posts
- Physical postings of flyers at the Village Hall
- Verbal announcements at other public meetings

Public Comments

Staff has received the attached public correspondence stating concerns regarding the proposal to eliminate the O-5 Restricted Office District and rezone the only two properties in that district into the O-2 Limited Office District. The concerns raised included traffic impact and uses that could be incompatible with the neighborhood.

Background Information

The O-5 District was originally created in 1992 in response to inquiries the Village was receiving from property owners of single family residences along regional arterials and community arterials (Dundee Road, Waukegan Road, Shermer Road, Pfingsten Road, and Sanders Road). During the public hearing process at the Plan Commission in November and December of 1991 and January of 1992, the Commission had considered various code amendment options prior to recommending the creation of the O-5 Restricted Office District.

Some of the other amendments considered included the creation of an additional redevelopment overlay district, amendments to the home occupation regulations, modifications to the C-1 Specialty Commercial District to accommodate office uses, and use of the O-2 Limited Office District. During the public hearings it was discussed that there were more disadvantages to the other proposed methods when compared to the advantages and disadvantages of creating a new Zoning District. The original concerns raised with the use

of the O-2 District were the extensive uses permitted in the O-2 District that may not be compatible with adjacent single family residences.

Ultimately, the Village created and adopted the O-5 Restricted Office District. The district was created with specific additional standards that uses and properties must comply with which have been slightly amended over time and exist as follows:

> *O-5 District; Additional Special Permit Standards. In addition to the general special permit standards established in Paragraph 11-602 E1 of this Code, all special permit uses in the O-5 District shall be subject to the additional standards herein set forth:*
>
> 1. *Appearance. All special permit uses within the O-5 District shall be designed, constructed, and maintained in such a manner as to be compatible with adjacent residential properties. The approved architectural plans, showing all elevations of the structure, specifying building materials, and demonstrating compliance with these standards shall govern the use and development of the property and shall be incorporated into all special permit ordinances.*
>
> 2. *Exterior Lighting. No exterior lighting shall be located in any required yard in the O-5 District. Lighting shall be shielded or otherwise restricted so as to limit the illumination in adjoining residential districts in excess of 0.5 foot candles.*
>
> 3. *Signs. No business sign located in the O-5 District shall be in the direct view of any abutting residential use. The total area of all signs shall not exceed thirty-six (36) square feet. No signs shall be internally illuminated. All signs shall otherwise comply with all requirements of Section 9-106 of this Code.*
>
> 4. *Screening and Buffering. The entire rear yard of any special permit use in the O-5 District which abuts a residential district shall be permanently maintained as landscaped open space. In addition to the minimum landscaping and buffering requirements of this Code, all special permit uses in the O-5 District shall install and maintain, at all times, appropriate landscaping and fencing materials to properly screen the use and related off-street parking and loading areas from the view of adjacent residential areas. The approved landscaping and screening plans, showing all planting and screening materials and demonstrating compliance with these standards, shall govern the use and development of the property and shall be incorporated into all special permit ordinances.*
>
> 5. *Hours of Operation. Non-residential uses within the O-5 District shall be limited in their hours of operation in order to minimize potentially adverse impacts upon adjoining residential uses. Businesses shall not regularly be open to the public between the hours of 9:00 p.m. and 8:00 a.m.*
>
> 6. *Driveway Location. Properties in the O-5 District shall be planned in such a manner as to minimize the total number of driveways providing access onto major thoroughfares. To this end, the Village may prohibit individual properties from having direct access onto major thoroughfares, and, further may require the recordation of appropriate easements to enable adjacent property owners to utilize on-site travel aisles or driveways across properties with direct access to major thoroughfares for the purpose of common ingress and egress. Such easements are not intended to relieve any property owner from providing the min. number of off-street parking or loading spaces required by this Code. Properties required to provide access easements to adjacent properties for ingress and egress shall be entitled to reimbursement from benefitting properties for maintenance and repair costs that arise from vehicular traffic generated by the benefitting properties. The Village will require any property benefitting from a common ingress and egress easement pursuant to this subparagraph to execute and record a covenant to reimburse the servient property providing access to the major thoroughfare for the appropriate costs in a form acceptable to the Village Attorney.*
>
> 7. *Limitation on Uses. Each use requiring a special permit within the O-5 District shall require specific approval by the Board of Trustees in accordance with Section 11-602 of this Code.*
>
> 8. *Outdoor Display, Parking and Storage. No outdoor display of goods or outdoor storage of materials or equipment shall be permitted. The outdoor parking or storage of commercial vehicles for a continuous period of longer than 12 hours shall be prohibited.*
>
> 9. *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:

a) *Such a waiver or modification is justified, given the proposed use or uses; and*

b) *Adequate receiving areas for delivered goods are provided on the property, without hampering on-site circulation.*

In addition to the fact that the O-5 District includes the above specific regulations for uses and development of properties within the district, the district also has very exclusive allowed uses. The majority of uses also all require special permit approval which involves a formal application process and a public hearing. The allowed uses are listed below, and a more comprehensive list of the entire Office District use table is attached for reference:

OFFICE DISTRICTS USE LIST						
VILLAGE SIC CODE	**DESCRIPTIVE TEXT**	**O-1**	**O-2**	**O-3**	**O-4**	**O-5**
A.	**VACANT PROPERTY**					
0000.00	Vacant Land	P	P	P	P	P
0000.01	Vacant Unit/Building Intended For a Permitted, Conditional, or Special Permit Use	P	P	P	P	P
B.	**AGRICULTURAL SERVICES**					
0100.00	Agricultural Production-Crops	P	P	P	P	P
0780.01	Landscape & Horticultural Services, But Not With Outdoor Storage					S
C.	**CONSTRUCTION**					
1700.01	Special Trade Contractors, But Not With Outdoor Storage					S
D.	**TRANSPORTATION AND PUBLIC UTILITIES**					
4900.02	Electrical Substations	P	P	P	P	S
F.	**FINANCE, INSURANCE AND REAL ESTATE**					
6200.00	Security & Commodity Brokers, Dealers, Exchanges and Services		P	P	P	S
6300.00	Insurance Carriers		P	P	P	S
6400.00	Insurance Agents, Brokers & Services		P	P	P	S
6500.01	Real Estate Establishments Except 6530 & 6553		P	P	P	S
6530.00	Real Estate Agents and Managers		P	P	P	S
6700.00	Holding & Other Investment Offices		P	P	P	S
G.	**SERVICES**					
7291.00	Tax Return Preparation Services		P	P	P	S
7310.00	Advertising Agencies					S
7330.01	Mailing, Commercial Art, & Steno-Graphic Services, Excluding 7334 (Copying & Duplicating)					S
7370.00	Computer Programming & Data Processing Services					S
7389.02	Agents & Brokers For Nonperforming Artists		P	P	P	S
7389.03	Appraisers, Except Real Estate Appraisers		P	P	P	S
7389.04	Arbitration & Conciliation Services		P	P	P	S

OFFICE DISTRICTS USE LIST						
VILLAGE SIC CODE	**DESCRIPTIVE TEXT**	**O-1**	**O-2**	**O-3**	**O-4**	**O-5**
7389.05	Artists' Agents & Brokers, Except Performing Artists		P	P	P	S
7389.07	Authors' Agents And Brokers		P	P	P	S
7389.33	Interior Decorating Consultants, Except Painters & Paperhangers		P	P	P	S
7389.34	Interior Designing Services, Except Painters & Paperhangers		P	P	P	S
8100.00	Legal Services		P	P	P	S
8322.01	Individual and Family Social Services		C, S	C, S	C, S	S
8351.00	Child Day Care Services		S	S	S	S
8600.00	Membership Organizations		C, S	C, S	C, S	S
8660.00	Religious Organizations		C, S	C, S	C, S	S
8660.01	Religious Organizations with an associated Elementary or Secondary School		C, S	C, S	C, S	S
8700.01	Engineering, Accounting, Management & Related Services	P	P	P	P	S
8730.01	Research, Development, and Testing Services Except 8730.02, 8730.03, 8730.04	P	P	P	P	S
8730.02	Animal Research and Testing Laboratories	S	S	S	S	S
8730.03	Biological Research and Testing Laboratories Qualifying as Biosafety Levels 3 or 4, as defined by the Center for Disease Control and Prevention	S	S	S	S	S
H.	**MISCELLANEOUS**					
9820.00	Planned Developments	S	S	S	S	S
9830.00	Landbanking Of Required Parking Subject To Subsection 9-104 E	S	S	S	S	S
9840.00	Required Retention/Detention Facilities	P	P	P	P	P
9861.00	Single Family Detached Dwellings					P
9865.01	Dwelling Unit, In Addition To An Approved Non-Residential Use					S
9870.00	Home Occupations Subject To Section 9-102					P
9870.01	Home Occupations in Excess of the Limitations Provided in Subparagraphs 9-102 C1(b) and 9-102 C6(b)					S
9880.00	More Than One Principal Structure On A Zoning Lot	S	S	S	S	S
9960.00	Public Service Awning Or Canopy Sign	S	S	S	S	S
9961.00	Public Service Window Sign	S	S	S	S	S
9962.00	Public Service Ground Sign	S	S	S	S	S
9963.00	Public Service Pylon Sign	S	S	S	S	S
9964.00	Public Service Wall Sign	S	S	S	S	S
9972.00	Lot Coverage in Excess of 0.50, but no greater than 0.65					S

Since that time in 1992, only two properties have been zoned into the O-5 District: 2890 Dundee Road and 2990 Dundee Road. While over the last several years staff has received a number of inquiries for uses on these properties as they go on and off the real estate market; however, one remains unused. The inquiries staff has received are for either uses that are currently not allowed, or those that require going through the special permit process.

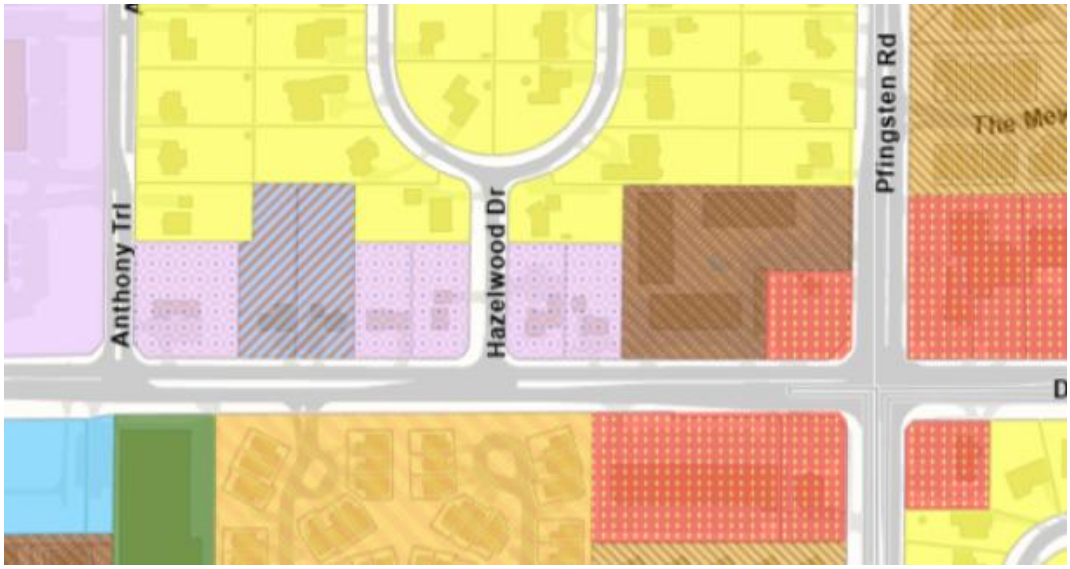
It should be noted that the only uses allowed by right on the properties are: vacant land, agriculture crops, detention, detached single family home, and home occupations (governed by additional regulations requiring the business operator to live in the home). This means that every other business that has approached the Village to locate has required obtaining a special use permit through a public hearing process.

The two properties that are located in the O-5 Restricted Office District are designated as appropriate for Neighborhood Office in the Northbrook Comprehensive Plan.

Northbrook Comprehensive Plan

NEIGHBORHOOD OFFICE (ON)
Purpose: The ON classification is intended to provide areas to accommodate limited scale office and related uses in a manner that allows it to be an appropriate use adjacent to established single family residential areas. The classification is designed to be used along major roads where single family uses are no longer deemed appropriate.
Principal Land Uses: The primary land uses in the ON classification will be professional office uses. Accessory residential units may be allowed to accommodate live-work arrangements.
Location Standards: The ON classification areas are located in a few areas along Dundee Road.
Applicable Zoning District(s): O-2, and O-5 Districts
Comments: Amendments to the O-2 and O-5 districts may be needed (or a new district created) to achieve the land use, transportation and design objectives of the ON classification. Zoning standards will ensure that new development is (a) designed to be compatible in with neighboring residential areas; (b) screened from neighboring residential areas by suitable landscaping or barriers; and (c) that parking areas are inter-connected to reduce the number of access points on major roads, while directing traffic away from residential areas.

This was a designation created and mapped only along the north side of Dundee Road between Anthony Trail and Pfingsten Road.



Since its mapping, two of the 7 properties designated as appropriate for this category have been amended

to be designated as appropriate for Senior or Special Residential uses and formerly rezoned to the RS Residential Specialty District for the construction and operation of an assisted living facility.

The designation of Neighborhood Office includes appropriate principal land uses as professional offices, and accessory residential units may be allowed to accommodate live-work arrangements. The appropriate zoning districts for this designation is O-2 Limited Office District and the O-5 Restricted Office District. Given the designation and applicable uses and zoning districts, at the time of working on drafting the new Zoning Code staff has proposed to eliminate the O-5 Restricted Office District and replace it with the O-2 Limited Office District.

Proposed Rezoning

While this is a Village initiated application, staff has spoken with the property owners for 2890 Dundee Road and 2990 Dundee Road and both have agreed to the rezoning being proposed. The below table depicts the current O-2 and current O-5 districts bulk standards as compared to the Proposed O-2 bulk standards that the two properties would need to comply with at the time of redevelopment if rezoned to the O-2 district upon the elimination of the O-5 district.

BULK, SPACE &YARD REQUIREMENTS	O-2	Proposed O-2	O-5
A. Maximum Height (whichever is less)(10)			
1. Feet	35	35	26
2. Stories	2	2	2
B. Minimum Lot Area and Dimensions (1)(10)			
1. Total Lot Area (square feet)			
a. Planned Development	75,000		75,000
b. All Other Uses	25,000	25,000	20,000
2. Lot Width (feet)	100	100	100
3. Lot Depth (feet)	N/A		N/A
C. Minimum Yard and Setback Requirements (feet) (2)(3)(4)(5)(6)(7)(10)			
1. Front and Corner Side (8)			
a. Yard	30		30
b. Setback	30	30	30
2. Interior Side			
a. Yard	5		10
b. Setback	10	10	10
3. Rear			
a. Yard	5		30
b. Setback	25	25	30
D. Maximum Floor Area Ratio	0.50	N/A	0.35
E. Maximum Lot Coverage (% of lot)	N/A	N/A	50%

The above table shows minimal deviational differences in the bulk standards between the districts, indicating that the proposed O-2 District is the most similar in bulk comparisons for rezoning the two properties to upon elimination of the O-5 District.

The full proposed Office District Article is included with this report for additional review and consideration while assessing the proposed elimination of the O-5 District and rezoning of the two properties into the O-2 Limited Office District.

When considering a Zoning Map Amendment (rezoning) the following standards are to be considered:

a) The existing uses and zoning classifications of properties in the vicinity of the subject property.

b) The trend of development in the vicinity of the subject property, including changes, if any, in such trend since the subject property was placed in its present plan designation or zoning

classification.

c) The extent to which the value of the subject property is diminished by the existing plan designation or zoning classification applicable to it.

d) The extent to which such diminution in value is offset by an increase in the public health, safety and welfare.

e) The extent, if any, to which the use and enjoyment of adjacent properties would be affected by the proposed amendment.

f) The extent, if any, to which the value of adjacent properties would be affected by the proposed amendment.

g) The extent, if any, to which the future orderly development of adjacent properties would be affected by the proposed amendment.

h) The suitability of the subject property for uses permitted or permissible under its present plan designation and zoning classification.

i) The availability of adequate ingress to and egress from the subject property and the extent to which traffic conditions in the immediate vicinity of the subject property would be affected by the proposed amendment.

j) The availability of adequate utilities and essential public services to the subject property to accommodate the uses permitted or permissible under its present plan designation and zoning classification.

k) The length of time, if any, that the subject property has been vacant, considered in the context of the pace of development in the vicinity of the subject property.

l) The community need for the proposed map amendment and for the uses and development it would allow.

The existing uses around the two properties are depicted in the below Zoning Map excerpt which shows 2990 Dundee Road surrounded by RS Residential Specialty zoning to the east for operation of an assisted living facility, C-2 Neighborhood Commercial to the south with a racquet club facility, O-2 Limited Office to the west consisting of a multi-tenant office complex, and R-3 zoning to the north consisting of detached single family residential.

The 2890 Dundee Road parcel is surrounded by R-3 Single Family zoning consisting of single family residential uses to the west, north, and east, and R-6 Multi-Family to the south.



The trend of development has continued to show that detached single family residential is no longer desired

along Dundee Road with the recent rezoning and designation change of two adjacent parcels to allow for development of an assisted living facility. Nor has the trend in development shown any interest in this block, or any other part of the Village, for the Restricted Office district.

The current O-5 Restricted Office District has proved to be a challenge for new uses to move into the properties resulting in 2990 Dundee Road remaining vacant for several years, and 2890 Dundee Road having a new office occupant that was unaware of the required special permit process. Given the trend in development, it is expected to see other adjacent properties rezone and redevelop in the future into uses other than single family residential as has recently been seen with the rezoning and development of the assisted living facility on the same block.

Further it should be noted that the uses considered appropriate in the current zoning district all require special permit approval, so while they uses are deemed appropriate, they require a more thorough review process. The suitability of the uses may no longer be appropriate as requiring special use permits, and there are uses which are more suitable as permitted on the properties rather than requiring special use permits.

Both properties have adequate access with frontage on two streets. The lot at 2990 Dundee Road is located at an intersection with a traffic light control, while 2890 Dundee Road is located at an intersection with a stop sign control. While there have been concerns raised by neighbors about potential traffic issues, it should be noted that there are three points of access into the residential development to the north of the two properties being considered for rezoning allowing residents to the north to have several access point options in terms of entering and exiting the residential development, and that not all access is directed through the one stop sign controlled point on Dundee Road and Hazelwood Road.

The two properties are already developed but also will remain developable in the future given the existing utility infrastructure in the Village and on the two properties specifically. While 2990 Dundee Road has been vacant for several years even after a remodeling of the building on the site, 2890 Dundee Road has only undergone minor interior renovations, but has remained in use by various businesses over the last twenty years.

The parcel at 2990 Dundee Road will be compliant with the O-2 Limited Office District bulk standards in the proposed Zoning Code, while 2890 Dundee Road will become require a variation in the required lot area as it just under the 25,000 square foot lot area requirement and it will require an interior setback variance at is less than 10’ from the east property line.

Summary

While the Plan Commission considers the proposed new Zoning Code, it will want to also complete its review and assessment of the elimination of the O-5 Restricted Office District and determining the best district to rezone the two O-5 properties under the new Zoning Code. As staff has outlined, if it is appropriate to eliminate the O-5 District, then the most appropriate zoning district to rezone the two properties to is the O-2 Limited Office District based upon the use of the properties and the bulk standard similarities between the two districts, and the comprehensive plan land use designations.

OFFICE DISTRICTS USE LIST						
VILLAGE SIC CODE	**DESCRIPTIVE TEXT**	**O-1**	**O-2**	**O-3**	**O-4**	**O-5**
A.	**VACANT PROPERTY**					
0000.00	Vacant Land	P	P	P	P	P
0000.01	Vacant Unit/Building Intended For a Permitted, Conditional, or Special Permit Use	P	P	P	P	P
B.	**AGRICULTURAL SERVICES**					
0100.00	Agricultural Production-Crops	P	P	P	P	P
0780.01	Landscape & Horticultural Services, But Not With Outdoor Storage					S
C.	CONSTRUCTION					
1700.01	Special Trade Contractors, But Not With Outdoor Storage					S
D.	**TRANSPORTATION AND PUBLIC UTILITIES**					
4100.02	Local Transit Stations Excluding Yards & Maintenance Facilities		S	S	S	
4225.01	Self-Storage Warehousing Within a Single, Climate Controlled Building, But Excluding Mini-Warehouses		S			
4720.00	Arrangement Of Passenger Transportation		P	P	P	
4800.01	Communication Services Excluding Studios And Antennas	P	P	P	P	
4800.02	Facilities & Studios Of Communication Services With Permitted Antennas Except Personal Wireless Services		P	P	P	
4800.06	Facilities & Studios Of Communication Services With Permitted Antennas		P	P	P	
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	P	P	P	P	

OFFICE DISTRICTS USE LIST						
VILLAGE SIC CODE	**DESCRIPTIVE TEXT**	**O-1**	**O-2**	**O-3**	**O-4**	**O-5**
4810.02	Personal Wireless Services Antennas Located on Tower-Style Antenna Support Structures, and Related Electronic Equipment & Equipment Structures, Within or In Excess of District Height Limitations, Subject to Standards in Section 9-201	S	S	S	S	
4900.01	Public Utility Yards & Facilities			S	S	
4900.02	Electrical Substations	P	P	P	P	S
4900.03	Antennas & Antenna Support Structures In Excess Of Height Limitations; Accessory To Electric Utility Facilities			S		
E.	**RETAIL TRADE**					
5541.00	Gasoline Service Stations			S	S	
5812.01	Eating Places Except 5812.02, 5812.03 and 5812.04		P	P	P	
5812.02	Live Entertainment Accessory To Permitted Eating Places		P	P	P	
5812.03	Outdoor Seating Accessory to Permitted Eating Places		P	P	P	
5812.04	Carry-Out Eating Places		S	S	S	
5813.01	Drinking Places Accessory to Permitted Eating Places		P	P	P	
5813.02	Drinking Places Accessory to Permitted Eating Places with Live Entertainment		S	S	S	
5812.04	Carry-out Eating Places		S	S	S	
5912.01	Medical Cannabis Dispensary				S	
5920.01	Liquor Stores With Accessory Food Sales			S		
5993.00	Tobacco Stores & Stands		P	P	P	
5994.00	News Dealers & Newsstands		P	P	P	
F.	**FINANCE, INSURANCE AND REAL ESTATE**					
6000.01	Depository Institutions Except 6000.02, 6000.03, 6000.04 & 6000.05		P	P	P	
6000.03	Automatic Teller Machines Located within a Building, Other Than That of the Institution That Services Them, as a Principal Use	P	P	P	P	
6000.04	Limited Financial Services Facilities, Without Drive-In & Exterior Auto Teller Machines		P	P	P	
6000.05	Automatic Teller Machines Located Or Mounted on the Exterior of a Building	P	P	P	P	

OFFICE DISTRICTS USE LIST						
VILLAGE SIC CODE	**DESCRIPTIVE TEXT**	**O-1**	**O-2**	**O-3**	**O-4**	**O-5**
6100.01	Credit Agencies Other Than Banks		P	P	P	
6200.00	Security & Commodity Brokers, Dealers, Exchanges and Services		P	P	P	S
6300.00	Insurance Carriers		P	P	P	S
6400.00	Insurance Agents, Brokers & Services		P	P	P	S
6500.01	Real Estate Establishments Except 6530 & 6553		P	P	P	S
6530.00	Real Estate Agents and Managers		P	P	P	S
6700.00	Holding & Other Investment Offices		P	P	P	S
G.	SERVICES					
7000.01	Hotels, Except Residential				S	
7291.00	Tax Return Preparation Services		P	P	P	S
7300.01	Business Services Except 7340, 7352, 7353, 7359.01 & 7389.01		P	P	P	
7310.00	Advertising Agencies					S
7330.01	Mailing, Commercial Art, & Steno-Graphic Services, Excluding 7334 (Copying & Duplicating)					S
7370.00	Computer Programming & Data Processing Services					S
7389.01	Business Services, Not Elsewhere Classified		P	P	P	
7389.02	Agents & Brokers For Nonperforming Artists		P	P	P	S
7389.03	Appraisers, Except Real Estate Appraisers		P	P	P	S
7389.04	Arbitration & Conciliation Services		P	P	P	S
7389.05	Artists' Agents & Brokers, Except Performing Artists		P	P	P	S
7389.06	Auctioneering Service On A Commission Or Fee Basis		P	P	P	
7389.07	Authors' Agents And Brokers		P	P	P	S
7389.08	Automobile Recovery Service		P	P	P	
7389.09	Automobile Repossession Service		P	P	P	
7389.10	Bartering Services For Businesses		P	P	P	
7389.11	Bondspersons		P	P	P	
7389.12	Business Brokers (Buying And Selling Business Enterprises)		P	P	P	
7389.13	Charge Account Service (Shopping Plates) – Collection By Individual Firm		P	P	P	
7389.14	Check Validation Service		P	P	P	
7389.15	Contractors' Disbursement Control		P	P	P	

OFFICE DISTRICTS USE LIST						
VILLAGE SIC CODE	**DESCRIPTIVE TEXT**	**O-1**	**O-2**	**O-3**	**O-4**	**O-5**
7389.16	Convention Bureaus		P	P	P	
7389.17	Convention Decorators		P	P	P	
7389.18	Copyright Protection Service		P	P	P	
7389.19	Correct Time Service		P	P	P	
7389.20	Coupon Redemption Service, Except Trading Stamps		P	P	P	
7389.21	Credit Card Service (Collection By Individual Firms)		P	P	P	
7389.22	Decoration Service For Special Events		P	P	P	
7389.23	Demonstration Service, Separate From Sale		P	P	P	
7389.24	Directories, Telephone: Distribution On A Contract Or Fee Basis		P	P	P	
7389.25	Drafting Service, Except Temporary Help		P	P	P	
7389.26	Drawback Service, Customs		P	P	P	
7389.27	Fire Extinguishers, Service Of		P	P	P	
7389.28	Florists' Telegraph Service		P	P	P	
7389.29	Fundraising On A Fee Or Contract Basis		P	P	P	
7389.30	Hand tool Designers		P	P	P	
7389.31	Handwriting Analysis		P	P	P	
7389.32	Hotel Reservation Service		P	P	P	
7389.33	Interior Decorating Consultants, Except Painters & Paperhangers		P	P	P	S
7389.34	Interior Designing Services, Except Painters & Paperhangers		P	P	P	S
7389.35	Inventory Computing Service		P	P	P	
7389.36	Lecture Bureaus		P	P	P	
7389.37	Lettering Service		P	P	P	
7389.38	Map Drafting Service		P	P	P	
7389.39	Mapmaking, Including Aerial		P	P	P	
7389.40	Message Service, Telephone Answering: Except Beeper Service		P	P	P	
7389.41	Meter Readers, Remote		P	P	P	
7389.42	Microfilm Recording And Developing Service		P	P	P	
7389.43	Mounting Merchandise On Cards On A Contract Or Fee Basis		P	P	P	
7389.44	Music Distribution Systems, Except Coin-Operated		P	P	P	
7389.45	Notaries Public		P	P	P	
7389.46	Paralegal Service		P	P	P	
7389.47	Patent Brokers		P	P	P	
7389.48	Patrol Of Electric Transmissions Or Gas Lines		P	P	P	
7389.49	Photogrammetric Mapping Service (Not Professional Engineers)		P	P	P	
7389.50	Photographic Library Service, Still		P	P	P	

OFFICE DISTRICTS USE LIST						
VILLAGE SIC CODE	**DESCRIPTIVE TEXT**	**O-1**	**O-2**	**O-3**	**O-4**	**O-5**
7389.51	Photography Brokers		P	P	P	
7389.52	Pipeline And Power Line Inspection Services		P	P	P	
7389.53	Playwrights' Brokers		P	P	P	
7389.54	Post Office Contract Stations		P	P	P	
7389.55	Presorting Mail Service		P	P	P	
7389.56	Press Clipping Service		P	P	P	
7389.57	Printed Circuitry Graphic Layout		P	P	P	
7389.58	Promoters Of Home Shows And Flower Shows		P	P	P	
7389.59	Radio Broadcasting Music Checkers		P	P	P	
7389.60	Radio Transcription Service		P	P	P	
7389.61	Redemption Of Trading Stamps		P	P	P	
7389.62	Restaurant Reservation Service		P	P	P	
7389.63	Safety Inspection Service, Except Automotive		P	P	P	
7389.64	Shoe Designers		P	P	P	
7389.65	Speakers' Bureaus		P	P	P	
7389.66	Styling Of Fashion, Apparel, Furniture, And Textiles		P	P	P	
7389.67	Switchboard Operation Of Private Branch Exchanges		P	P	P	
7389.68	Tax Collection Agencies: Collecting For A City, County, Or State		P	P	P	
7389.69	Tax Title Dealers: Agencies For City, County, Or State		P	P	P	
7389.70	Telemarketing Service On A Contract Or Fee Basis		P	P	P	
7389.71	Telephone Answering, Except Beeper Service		P	P	P	
7389.72	Telephone Solicitation Service On A Contract Or Fee Basis		P	P	P	
7389.73	Textile Designers		P	P	P	
7389.74	Time-Share Condominium Exchanges		P	P	P	
7389.75	Tourist Information Bureaus		P	P	P	
7389.76	Trade Show Arrangement		P	P	P	
7389.77	Trading Stamp Promotion And Sale To Stores		P	P	P	
7389.78	Trading Stamp Redemption		P	P	P	
7389.79	Translation Service		P	P	P	
7389.80	Welcoming Service		P	P	P	
7389.81	Yacht Brokers		P	P	P	
7514.00	Passenger Car Rental		C, S	C, S	C, S	
7515.00	Passenger Car Leasing		C, S	C, S	C, S	
7542.00	Car Washes			S	S	
7600.03	Misc. Repair Services - Custom Picture Framing Facilities			P		

OFFICE DISTRICTS USE LIST						
VILLAGE SIC CODE	**DESCRIPTIVE TEXT**	**O-1**	**O-2**	**O-3**	**O-4**	**O-5**
7991.00	Physical Fitness Facilities		C, S	C, S	C, S	
7991.01	One-on-One Personal Fitness Training Facilities		P	P	P	
7997.00	Membership Sports & Recreation Clubs		C, S	C, S	C, S	
8000.02	Health Services, Except 8050 & 8060		P	P	P	
8059.01	Specialty Medical Care Facility		S			
8080.00	Home Health Care Services		P	P	P	
8100.00	Legal Services		P	P	P	S
8240.00	Vocational Schools		C, S	C, S	C, S	
8240.01	Vocational Schools Except 8240.02		C,S	C,S	C,S	
8240.02	Correspondence Schools		P	P	P	
8249.01	Vocational Schools, Not Elsewhere Classified					
8299.01	Schools and Educational Services Not Elsewhere Classified		C, S	C, S	C, S	
8299.02	One-on-One Schools and Educational Services, Not Elsewhere Classified		P	P	P	
8322.01	Individual and Family Social Services		C, S	C, S	C, S	S
8330.00	Job Training & Vocational Rehabilitation Services	S	S	S	S	
8351.00	Child Day Care Services		S	S	S	S
8600.00	Membership Organizations		C, S	C, S	C, S	S
8660.00	Religious Organizations		C, S	C, S	C, S	S
8660.01	Religious Organizations with an associated Elementary or Secondary School		C, S	C, S	C, S	S
8700.01	Engineering, Accounting, Management & Related Services	P	P	P	P	S
8730.00	Research, Development &Testing Services					
8730.01	Research, Development, and Testing Services Except 8730.02, 8730.03, 8730.04	P	P	P	P	S
8730.02	Animal Research and Testing Laboratories	S	S	S	S	S
8730.03	Biological Research and Testing Laboratories Qualifying as Biosafety Levels 3 or 4, as defined by the Center for Disease Control and Prevention	S	S	S	S	S
8900.00	Services, Not Elsewhere Classified		P	P	P	
H.	MISCELLANEOUS					
9800.00	Business And Professional Offices, Not Elsewhere Classified	P	P	P	P	

OFFICE DISTRICTS USE LIST						
VILLAGE SIC CODE	**DESCRIPTIVE TEXT**	**O-1**	**O-2**	**O-3**	**O-4**	**O-5**
9810.00	Offices Of Communication & Utility Companies		P	P	P	
9820.00	Planned Developments	S	S	S	S	S
9820.01	Mixed Use Planned Developments				S	
9830.00	Landbanking Of Required Parking Subject To Subsection 9-104 E	S	S	S	S	S
9840.00	Required Retention/Detention Facilities	P	P	P	P	P
9861.00	Single Family Detached Dwellings					P
9865.01	Dwelling Unit, In Addition To An Approved Non-Residential Use					S
9870.00	Home Occupations Subject To Section 9-102					P
9870.01	Home Occupations in Excess of the Limitations Provided in Subparagraphs 9-102 C1(b) and 9-102 C6(b)					S
9880.00	More Than One Principal Structure On A Zoning Lot	S	S	S	S	S
9903.00	Off-Premises Identification Signs Per Subparagraph 9-106 K1(G)		S	S	S	
9906.00	Portable Sign	S	S	S	S	
9909.00	Temporary Sign	S	S	S	S	
9920.00	Construction Sign	P	P	P	P	
9921.00	Joint Identification Ground Sign	P	P	P	P	
9922.00	Joint Identification Wall Sign	P	P	P	P	
9923.00	Joint Identification Pylon Sign	P	P	P	P	
9924.00	Joint Identification Window Sign	P	P	P	P	
9925.00	Joint Identification Awning Or Canopy Sign	P	P	P	P	
9926.00	Joint Identification Sign Over 20 Feet	S		S	S	
9931.00	Identification Awning Or Canopy Sign	P	P	P	P	
9932.00	Identification Window Sign	P	P	P	P	
9933.00	Identification Ground Sign	P	P	P	P	
9934.00	Identification Pylon Sign	P	P	P	P	
9935.00	Identification Wall Sign	P	P	P	P	
9936.00	Identification Sign Over 20 Feet	S		S	S	
9940.00	Business Awning Or Canopy Sign	P	P	P	P	
9941.00	Business Window Sign	P	P	P	P	
9942.00	Business Ground Sign	P	P	P	P	
9943.00	Business Pylon Sign	P	P	P	P	
9944.00	Business Wall Sign	P	P	P	P	
9945.00	Business Pylon Sign Over 20 Feet	S		S	S	
9950.00	Institutional Bulletin Board Awning Or Canopy Sign		P	P	P	
9951.00	Institutional Bulletin Board Window Sign		P	P	P	
9952.00	Institutional Bulletin Board Ground Sign		P	P	P	

OFFICE DISTRICTS USE LIST						
VILLAGE SIC CODE	**DESCRIPTIVE TEXT**	**O-1**	**O-2**	**O-3**	**O-4**	**O-5**
9953.00	Institutional Bulletin Board Pylon Sign		P	P	P	
9954.00	Institutional Bulletin Board Wall Sign		P	P	P	
9955.00	Institutional Bulletin Board Pylon Sign Over 20 Feet	S		S	S	
9960.00	Public Service Awning Or Canopy Sign	S	S	S	S	S
9961.00	Public Service Window Sign	S	S	S	S	S
9962.00	Public Service Ground Sign	S	S	S	S	S
9963.00	Public Service Pylon Sign	S	S	S	S	S
9964.00	Public Service Wall Sign	S	S	S	S	S
9965.00	Public Service Pylon Sign Over 20 Feet	S		S	S	
9966.00	Signs In Excess Of The Height Limits Per Section 9-106	S		S	S	
9966.02	Ground Signs in Numbers Exceeding District Regulations As Provided in Paragraph 9-106 K3 of this Code				S	
9969.00	Signs In Excess Of District Sign Area Limitations Per Section 9-106			S	S	
9970.01	Floor Area Ratio in Excess of 0.50, but No Greater Than 0.80				S	
9970.07	Floor Area Ratio in Excess of 0.50, but No Greater than 1.00		S			
9971.02	Building Height in Excess of the Maximum Permitted in the O-2 District; but Not in Excess of Either 35 Feet or Three Stories		S			
9971.03	Building Height in Excess of 35 Feet, but not to exceed 45 Feet or Three Stories for Existing Buildings in the O-2 District		P			
9972.00	Lot Coverage in Excess of 0.50, but no greater than 0.65					S
9980.00	Accessory Drive-Through Facilities		S	S	S	

Kohlstedt, Michaela

From: Kenny Ekenberg <kenny@ekenberg.biz>
Sent: Tuesday, July 8, 2025 2:41 PM
To: Kohlstedt, Michaela
Subject: Northbrook Proposed Zoning Changes

Beware External Email - Think Before You Act

July 8, 2025

Northbrook Board of Trustees
Northbrook Plan Commission
Village of Northbrook Village Hall
1225 Cedar Lane
Northbrook, IL 60062

Subject: Zoning Changes for 2990 and 2890 Dundee Road

Ladies/Gentlemen,

We live at 514 Helen Drive in Northbrook, in the Manus Northshore Estates Subdivision. We recently learned that the properties at 2990 and 2890 Dundee Road are being proposed for rezoning from O5 to O2. We strongly oppose this change and **firmly** believe these properties should remain classified as O5**.** The O5 zoning designation should remain in place to preserve the original planning intent for this area (Comprehensive Plan – Neighborhood Office), even if these are the only two properties in Northbrook with that classification. If necessary, we support retiring the O5 designation for future use, but respectfully request that these two properties be grandfathered in and maintain their current O5 status.

Despite the narrow streets in our neighborhood and the fact that there is only one traffic light when exiting onto Dundee Road, the Manus Northshore Estates Subdivision remains a wonderful place to live. The stretch of Dundee Road between Hazelwood Lane and Anthony Trail is currently zoned residential and RS for the new Senior Living project, which helps keep heavy through-traffic away from our neighborhood.

Eighteen years ago, our residents successfully petitioned to prevent the construction of a McDonald's and a Chase Bank on one of these properties — the very site now proposed for an O2 zoning change. An O2 designation would once again open the door to banks, restaurants, and other high-traffic businesses that are incompatible with the character and safety of our neighborhood.

The existing O5 designation safeguards our neighborhood from high-density, high-traffic development. Maintaining the O5 zoning will help reduce congestion on already busy Dundee Road and ensure safer, easier access for residents, school buses, and students crossing Dundee Road on their way to school. It will also help protect the safety of young children who play baseball and soccer at the park in the center of the subdivision during the summer and fall.

We recognize that Northbrook has multiple O2-zoned areas, and we understand it may not be practical to make exceptions to restrict banks and restaurants on these specific sites alone. However, the O5 designation was created precisely for properties like 2990 and 2890 Dundee Road. After the McDonald's and Chase Bank projects were rejected, our neighborhood collaborated with the Village to establish appropriate zoning that would preserve the character of this area. We believed then — as we do now — that the O5 zoning designation is the best way to protect this residential neighborhood and its beautiful homes. We strongly urge that the O5 zoning remain unchanged for these properties.

Cordially,

Kenny & Chrissy Ekenberg

Kenny Ekenberg

Ekenberg & Ekenberg, P.C.

Certified Public Accountants

100 Tri-State International Suite 285

Lincolnshire, IL 60069

Office: 847-267-1650 Ext. 304

Fax: 847-267-1653

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Kohlstedt, Michaela

From: Carol Spencer <carolspencer93@gmail.com>
Sent: Tuesday, July 8, 2025 4:59 PM
To: Kohlstedt, Michaela
Subject: Zoning Changes for 2990 and 2890 Dundee Road

Beware External Email - Think Before You Act

Ladies/Gentlemen

I live at 540 Alice Drive in Northbrook, in the Manus Northshore Estates Subdivision. I recently learned that the properties at 2990 and 2890 Dundee Road are being proposed for rezoning from O5 to O2. I strongly oppose this change and firmly believe these properties should remain classified as O5. The O5 zoning designation should remain in place to preserve the original planning intent for this area (Comprehensive Plan – Neighborhood Office), even if these are the only two properties in Northbrook with that classification. If necessary, we support retiring the O5 designation for future use but respectfully request that these two properties be grandfathered in and maintain their current O5 status.

Despite the narrow streets in our neighborhood and the fact that there is only one traffic light when exiting onto Dundee Road, the Manus Northshore Estates Subdivision remains a wonderful place to live. The stretch of Dundee Road between Hazelwood Lane and Anthony Trail is currently zoned residential and RS for the new Senior Living project, which helps keep heavy through-traffic away from our neighborhood.

Eighteen years ago, our residents successfully petitioned to prevent the construction of a McDonald's and a Chase Bank on one of these properties — the very site now proposed for an O2 zoning change. An O2 designation would once again open the door to banks, restaurants, and other high-traffic businesses that are incompatible with the character and safety of our neighborhood.

The existing O5 designation safeguards our neighborhood from high-density, high-traffic development. Maintaining the O5 zoning will help reduce congestion on already busy Dundee Road and ensure safer, easier access for residents, school buses, and students crossing Dundee Road on their way to school. It will also help protect the safety of young children who play baseball and soccer at the park in the center of the subdivision during the summer and fall.

I recognize that Northbrook has multiple O2-zoned areas, and I understand it may not be practical to make exceptions to restrict banks and restaurants on these specific sites alone. However, the O5 designation was created precisely for properties like 2990 and 2890 Dundee Road. After the McDonald's and Chase Bank projects were rejected, our neighborhood collaborated with the Village to establish appropriate zoning that would preserve the character of this area. I believed then — as i do now — that the O5 zoning designation is the best way to protect this residential neighborhood and its beautiful homes. We strongly urge that the O5 zoning remain unchanged for these properties.

Cordially,

Carol Spencer
540 Alice Dr
Northbrook, IL
60062

Kohlstedt, Michaela

From: Heidi & Jerry Ulrich <hjulrich2000@gmail.com>
Sent: Tuesday, July 8, 2025 3:06 PM
To: Kohlstedt, Michaela
Subject: 05 zoning

Beware External Email - Think Before You Act

July 8, 2025

Northbrook Board of Trustees
Northbrook Plan Commission
Village of Northbrook Village Hall
1225 Cedar Lane
Northbrook, IL 60062

Subject: Zoning Changes for 2990 and 2890 Dundee Road

Ladies/Gentlemen,

We live at 521 Helen Drive in Northbrook, in the Manus Northshore Estates Subdivision. We recently learned that the properties at 2990 and 2890 Dundee Road are being proposed for rezoning from O5 to O2. We strongly oppose this change and **firmly** believe these properties should remain classified as O5.The O5 zoning designation should remain in place to preserve the original planning intent for this area (Comprehensive Plan – Neighborhood Office), even if these are the only two properties in Northbrook with that classification. If necessary, we support retiring the O5 designation for future use but respectfully request that these two properties be grandfathered in and maintain their current O5 status.

Despite the narrow streets in our neighborhood and the fact that there is only one traffic light when exiting onto Dundee Road, the Manus Northshore Estates Subdivision remains a wonderful place to live. The stretch of Dundee Road between Hazelwood Lane and Anthony Trail is currently zoned residential and RS for the new Senior Living project, which helps keep heavy through-traffic away from our neighborhood.

Eighteen years ago, our residents successfully petitioned to prevent the construction of a McDonald's and a Chase Bank on one of these properties — the very site now proposed for an O2 zoning change. An O2 designation would once again open the door to banks, restaurants, and other high-traffic businesses that are incompatible with the character and safety of our neighborhood.

The existing O5 designation safeguards our neighborhood from high-density, high-traffic development. Maintaining the O5 zoning will help reduce congestion on already busy Dundee Road and ensure safer, easier access for residents, school buses, and students crossing Dundee Road on their way to school. It will also help protect the safety of young children who play baseball and soccer at the park in the center of the subdivision during the summer and fall.

We recognize that Northbrook has multiple O2-zoned areas, and we understand it may not be practical to make exceptions to restrict banks and restaurants on these specific sites alone. However, the O5 designation was created precisely for properties like 2990 and 2890 Dundee Road. After the McDonald's and Chase Bank projects were rejected, our neighborhood collaborated with the Village to establish appropriate zoning that would preserve the character of this area. We believed then — as we do now — that the O5 zoning designation is the best way to protect this residential neighborhood and its beautiful homes. We strongly urge that the O5 zoning remain unchanged for these properties.

Sincerely,

Heidi and Jerry Ulrich

Kohlstedt, Michaela

From: Zbyszek Wolas <zbyszekwolas@yahoo.com>
Sent: Wednesday, July 9, 2025 6:13 AM
To: Kohlstedt, Michaela
Subject: Fw: Zoning Changing for 2990 and 2890 Dundee Road

Beware External Email - Think Before You Act

----- Forwarded Message -----
From: Zbyszek Wolas <zbyszekwolas@yahoo.com>
To: michaela.kohlstedt@northbrook.ill.us <michaela.kohlstedt@northbrook.ill.us>
Sent: Tuesday, July 8, 2025 at 09:19:28 PM CDT
Subject: Zoning Changing for 2990 and 2890 Dundee Road

July 8, 2025

Northbrook Board of Trustees
Northbrook Plan Commission
Village of Northbrook Village Hall
1225 Cedar Lane
Northbrook, IL 60062

Subject: Zoning Changes for 2990 and 2890 Dundee Road

Ladies/Gentlemen,

We live at 728 Helen Drive in Northbrook, in the Manus Northshore Estates Subdivision. We recently learned that the properties at 2990 and 2890 Dundee Road are being proposed for rezoning from O5 to O2. We strongly oppose this change and **firmly** believe these properties should remain classified as O5. The O5 zoning designation should remain in place to preserve the original planning intent for this area (Comprehensive Plan – Neighborhood Office), even if these are the only two properties in Northbrook with that classification. If necessary, we support retiring the O5 designation for future use but respectfully request that these two properties be grandfathered in and maintain their current O5 status.

Despite the narrow streets in our neighborhood and the fact that there is only one traffic light when exiting onto Dundee Road, the Manus Northshore Estates Subdivision remains a wonderful place to live. The stretch of Dundee Road between Hazelwood Lane and Anthony Trail is currently zoned residential and RS for the new Senior Living project, which helps keep heavy through-traffic away from our neighborhood.

Eighteen years ago, our residents successfully petitioned to prevent the construction of a McDonald's and a Chase Bank on one of these properties — the very site now proposed for an O2 zoning change. An O2 designation would once again open the door to banks, restaurants, and other high-traffic businesses that are incompatible with the character and safety of our neighborhood.

The existing O5 designation safeguards our neighborhood from high-density, high-traffic development. Maintaining the O5 zoning will help reduce congestion on already busy Dundee Road and ensure safer, easier access for residents, school buses, and students crossing Dundee Road on their way to school. It will also help protect the safety of young children who play baseball and soccer at the park in the center of the subdivision during the summer and fall.

We recognize that Northbrook has multiple O2-zoned areas, and we understand it may not be practical to make exceptions to restrict banks and restaurants on these specific sites alone. However, the O5 designation was created precisely for properties like 2990 and 2890 Dundee Road. After the McDonald's and Chase Bank projects were rejected, our neighborhood collaborated with the Village to establish appropriate zoning that would preserve the character of this

area. We believed then — as we do now — that the O5 zoning designation is the best way to protect this residential neighborhood and its beautiful homes. We strongly urge that the O5 zoning remain unchanged for these properties.

Best regards,

Zbigniew & Beata Wolas

July 8, 2025

Northbrook Board of Trustees
Northbrook Plan Commission
Village of Northbrook Village Hall
1225 Cedar Lane
Northbrook, IL 60062

Subject: Zoning Changes for 2990 and 2890 Dundee Road

Ladies/Gentlemen,

I live at 530 Helen Drive in Northbrook, in the Manus Northshore Estates Subdivision. I recently learned that the properties at 2990 and 2890 Dundee Road are being proposed for rezoning from O5 to O2. I strongly oppose this change and **firmly** believe these properties should remain classified as O5. The O5 zoning designation should remain in place to preserve the original planning intent for this area (Comprehensive Plan – Neighborhood Office), even if these are the only two properties in Northbrook with that classification. If necessary, I support retiring the O5 designation for future use but respectfully request that these two properties be grandfathered in and maintain their current O5 status.

Despite the narrow streets in our neighborhood and the fact that there is only one traffic light when exiting onto Dundee Road, the Manus Northshore Estates Subdivision remains a wonderful place to live. The stretch of Dundee Road between Hazelwood Lane and Anthony Trail is currently zoned residential and RS for the new Senior Living project, which helps keep heavy through-traffic away from our neighborhood.

Eighteen years ago, our residents successfully petitioned to prevent the construction of a McDonald's and a Chase Bank on one of these properties — the very site now proposed for an O2 zoning change. An O2 designation would once again open the door to banks, restaurants, and other high-traffic businesses that are incompatible with the character and safety of our neighborhood.

The existing O5 designation safeguards our neighborhood from high-density, high-traffic development. Maintaining the O5 zoning will help reduce congestion on already busy Dundee Road and ensure safer, easier access for residents, school buses, and students crossing Dundee Road on their way to school. It will also help protect the safety of young children who play baseball and soccer at the park in the center of the subdivision during the summer and fall.

I recognize that Northbrook has multiple O2-zoned areas, and I understand it may not be practical to make exceptions to restrict banks and restaurants on these specific sites alone. However, the O5 designation was created precisely for properties like 2990 and 2890 Dundee Road. After the McDonald's and Chase Bank projects were rejected, our neighborhood collaborated with the Village to establish appropriate zoning that would preserve the character of this area. I believed then — as I do now — that the O5 zoning designation is the best way to protect this residential neighborhood and its beautiful homes. I strongly urge that the O5 zoning remain unchanged for these properties.

Cordially,

Carol Shraiberg

July 8, 2025

Northbrook Board of Trustees
Northbrook Plan Commission
Village of Northbrook Village Hall
1225 Cedar Lane
Northbrook, IL 60062

Subject: Zoning Changes for 2990 and 2890 Dundee Road

Ladies/Gentlemen,

I live at 570 Helen Drive in Northbrook, in the Manus Northshore Estates Subdivision. I recently learned that the properties at 2990 and 2890 Dundee Road are being proposed for rezoning from O5 to O2. I strongly oppose this change and **firmly** believe these properties should remain classified as O5. The O5 zoning designation should remain in place to preserve the original planning intent for this area (Comprehensive Plan – Neighborhood Office), even if these are the only two properties in Northbrook with that classification. If necessary, I support retiring the O5 designation for future use but respectfully request that these two properties be grandfathered in and maintain their current O5 status.

Despite the narrow streets in our neighborhood and the fact that there is only one traffic light when exiting onto Dundee Road, the Manus Northshore Estates Subdivision remains a wonderful place to live. The stretch of Dundee Road between Hazelwood Lane and Anthony Trail is currently zoned residential and RS for the new Senior Living project, which helps keep heavy through-traffic away from our neighborhood.

Eighteen years ago, our residents successfully petitioned to prevent the construction of a McDonald's and a Chase Bank on one of these properties — the very site now proposed for an O2 zoning change. An O2 designation would once again open the door to banks, restaurants, and other high-traffic businesses that are incompatible with the character and safety of our neighborhood.

The existing O5 designation safeguards our neighborhood from high-density, high-traffic development. Maintaining the O5 zoning will help reduce congestion on already busy Dundee Road and ensure safer, easier access for residents, school buses, and students crossing Dundee Road on their way to school. It will also help protect the safety of young children who play baseball and soccer at the park in the center of the subdivision during the summer and fall.

I recognize that Northbrook has multiple O2-zoned areas, and I understand it may not be practical to make exceptions to restrict banks and restaurants on these specific sites alone. However, the O5 designation was created precisely for properties like 2990 and 2890 Dundee Road. After the McDonald's and Chase Bank projects were rejected, our neighborhood collaborated with the Village to establish appropriate zoning that would preserve the character of this area. I believed then — as I do now — that the O5 zoning designation is the best way to protect this residential neighborhood and its beautiful homes. I strongly urge that the O5 zoning remain unchanged for these properties.

Cordially,

Kevin Rickard

July 8, 2025

Northbrook Board of Trustees
Northbrook Plan Commission
Village of Northbrook Village Hall
1225 Cedar Lane
Northbrook, IL 60062

Subject: Zoning Changes for 2990 and 2890 Dundee Road

Ladies/Gentlemen,

We live at 610 Helen Drive in Northbrook, in the Manus Northshore Estates Subdivision.We recently learned that the properties at 2990 and 2890 Dundee Road are being proposed for rezoning from O5 to O2.We strongly oppose this change and **firmly** believe these properties should remain classified as O5. The O5 zoning designation should remain in place to preserve the original planning intent for this area (Comprehensive Plan – Neighborhood Office), even if these are the only two properties in Northbrook with that classification. If necessary, we support retiring the O5 designation for future use but respectfully request that these two properties be grandfathered in and maintain their current O5 status.

Despite the narrow streets in our neighborhood and the fact that there is only one traffic light when exiting onto Dundee Road, the Manus Northshore Estates Subdivision remains a wonderful place to live. The stretch of Dundee Road between Hazelwood Lane and Anthony Trail is currently zoned residential and RS for the new Senior Living project, which helps keep heavy through-traffic away from our neighborhood.

Eighteen years ago, our residents successfully petitioned to prevent the construction of a McDonald's and a Chase Bank on one of these properties — the very site now proposed for an O2 zoning change. An O2 designation would once again open the door to banks, restaurants, and other high-traffic businesses that are incompatible with the character and safety of our neighborhood.

The existing O5 designation safeguards our neighborhood from high-density, high-traffic development. Maintaining the O5 zoning will help reduce congestion on already busy Dundee Road and ensure safer, easier access for residents, school buses, and students crossing Dundee Road on their way to school. It will also help protect the safety of young children who play baseball and soccer at the park in the center of the subdivision during the summer and fall.

We recognize that Northbrook has multiple O2-zoned areas, and I understand it may not be practical to make exceptions to restrict banks and restaurants on these specific sites alone. However, the O5 designation was created precisely for properties like 2990 and 2890 Dundee Road. After the McDonald's and Chase Bank projects were rejected, our neighborhood collaborated with the Village to establish appropriate zoning that would preserve the character of this area.We that the O5 zoning designation is the best way to protect this residential neighborhood and its beautiful homes. We strongly urge that the O5 zoning remain unchanged for these properties.

Cordially,

Robert and Monika Garbacz

Kohlstedt, Michaela

From: choirladyolb@aol.com
Sent: Thursday, July 10, 2025 8:01 PM
To: Kohlstedt, Michaela
Subject: Zoning Changes for 2990 and 2890 Dundee Road

Beware External Email - Think Before You Act

Northbrook Board of Trustees
Northbrook Plan Commission
Village of Northbrook Village Hall
1225 Cedar Lane
Northbrook, IL 60062

Subject: Zoning Changes for 2990 and 2890 Dundee Road

We live at 557 Helen Drive in Northbrook, in the Manus Northshore Estates Subdivision. We recently learned that the properties at 2990 and 2890 Dundee Road are being proposed for rezoning from O5 to O2. We strongly oppose this change and **firmly** believe these properties should remain classified as O5. The O5 zoning designation should remain in place to preserve the original planning intent for this area (Comprehensive Plan – Neighborhood Office), even if these are the only two properties in Northbrook with that classification. If necessary, we support retiring the O5 designation for future use but respectfully request that these two properties be grandfathered in and maintain their current O5 status.

Despite the narrow streets in our neighborhood and the fact that there is only one traffic light when exiting onto Dundee Road, the Manus Northshore Estates Subdivision remains a wonderful place to live. The stretch of Dundee Road between Hazelwood Lane and Anthony Trail is currently zoned residential and RS for the new Senior Living project, which helps keep heavy through-traffic away from our neighborhood.

Eighteen years ago, our residents successfully petitioned to prevent the construction of a McDonald's and a Chase Bank on one of these properties — the very site now proposed for an O2 zoning change. An O2 designation would once again open the door to banks, restaurants, and other high-traffic businesses that are incompatible with the character and safety of our neighborhood.

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We recognize that Northbrook has multiple O2-zoned areas, and we understand it may not be practical to make exceptions to restrict banks and restaurants on these specific sites alone. However, the O5 designation was created precisely for properties like 2990 and 2890 Dundee Road. After the McDonald's and Chase Bank projects were rejected, our neighborhood collaborated with the Village to establish appropriate zoning that would preserve the character of this area. We believed then — as we do now — that the O5 zoning designation is the best way to protect this residential neighborhood and its beautiful homes. We strongly urge that the O5 zoning remain unchanged for these properties.

Sincerely,

Residents for 40 years
Karren and John Foley
557 Helen Dr.
Northbrook IL 60062

Article 5. Office District Standards

5-101. General Provisions

5-102. Establishment, Purpose, and Intent of Office Districts

5-103. Dimensional Standards

5-104. General Use Standards

5-105. Principal Uses

5-106. Dimensional Standards Encroachments, Exceptions, & Adjustments

5-107. Accessory Uses

5-108. Temporary Uses

5-101. General Provisions

A. **Purpose**. The purpose of this Article is to establish the Office zoning districts of the Village including their purpose, dimensional standards, and allowed encroachments, to:

1. Implement the intent of this Code and the Comprehensive Plan,
2. Allow for orderly development, and
3. Protect natural resources.

B. **Applicability**. The zoning districts established in this Article shall apply to all Office zoning district (Section 5-102) parcels within the Village of Northbrook as detailed on the Village of Northbrook Zoning Map.

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5-102. Establishment, Purpose, and Intent of Office Districts

Table 5-102: Establishment, Purpose, and Intent of Office Districts	
District Name	**District Purpose and Intent**
O-1 Campus Office District	The O-1 Campus Office District is established to accommodate the needs of regional, national, and international headquarters for administrative offices and related business uses in a spacious landscaped park-like setting having direct access to the metropolitan transportation system. Transitions in building height between development in the O-1 district and adjacent residential neighborhoods is required to ensure compatibility.
O-2 Limited Office District	The O-2 Limited Office District is designed to provide for the needs of business and professional offices and related business uses that require a limited amount of space and generate moderate levels of vehicular and truck traffic. The O-2 District bulk and height regulations encourages development that preserves the smaller site development pattern in which properties don't have direct access to the metropolitan transportation systems.
O-3 General Office District	The O-3 General Office District is established to accommodate the needs of business and professional offices and related business uses that require a wide range of office space and generate higher levels of vehicular and truck traffic. The O-3 District shall be limited to areas: • Between the Edens Expressway and the Chicago and Northwestern Railroad tracks, and • Within the Techny Overlay District.

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Table 5-102: Establishment, Purpose, and Intent of Office Districts	
District Name	**District Purpose and Intent**
O-4 Boulevard Office District	The O-4 Boulevard Office District is established to accommodate the needs of business and professional offices and related business uses along Skokie Boulevard that require a wide range of higher intensity office development and supporting commercial and multi-family residential development. The O-4 District shall be limited to areas: • Between the Edens Expressway and the Chicago and Northwestern Railroad tracks, and • Within the Techny Overlay District.

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5-103. Dimensional Standards

Table 5-103: Office District Dimensional Standards				
1= All Uses	O-1	O-2	O-3	O-4
	1			
Lot Standards				
Lot Area, Minimum (sq ft)	650,000	25,000	80,000	120,000
Lot Width, Minimum (ft)	500	100	200	300
Yard Setbacks				
Front, Minimum (ft)	150	30	80	80
Corner Side, Minimum (ft)	150	30	80	80
Interior Side, Minimum (ft) [1]	100	10	50	50
Rear, Minimum (ft) [1]	100	25	30	30
Building Standards				
Height, Maximum (ft)	65	35	70	110
Height, Maximum (stories)	4	2	5	10
[1] Standard shall depend on required buffer yards as detailed in in Section 10-106-B-4.				

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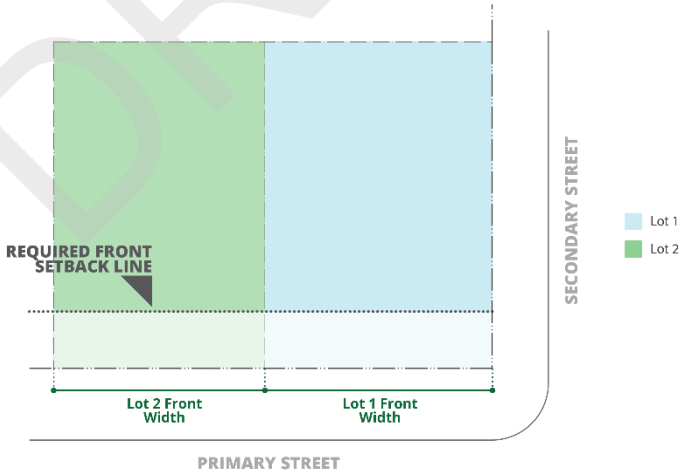

Figure 1 Lot Width

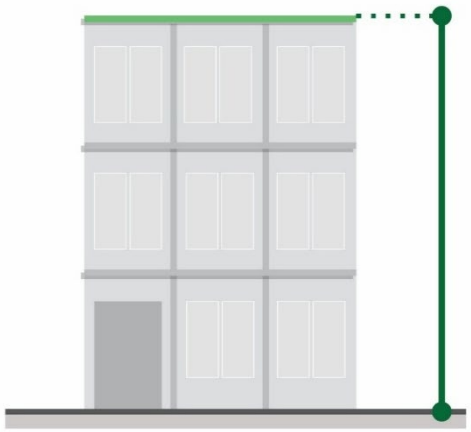

Figure 3 Building Height, Office

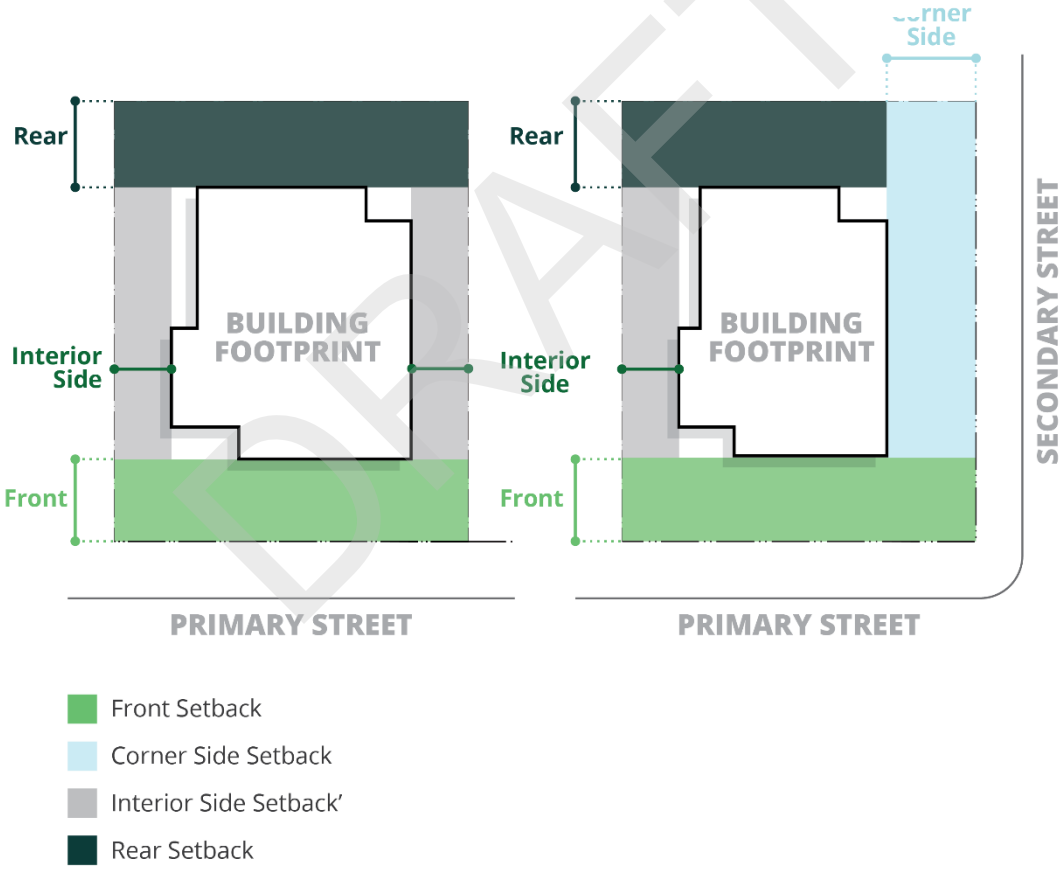

Figure 2 Building Setbacks

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5-104. General Use Standards

A. **Purpose**. The purpose of this Section is to establish the allowed uses in the Office Districts of the Village including how they are allowed (permitted, special use, etc.) and supplemental standards that must be met for use establishment.

B. **Applicability**. The uses and supplemental use standards established in this Article shall apply to parcels within Office Districts of the Village of Northbrook, as designated on the Village of Northbrook Zoning Map.

C. **General Use Types**. In order to regulate the use of land, general use types have been established. General use types provide a systematic basis for assigning land uses to appropriate categories with other similar uses. General use types classify land uses and activities based on common functional, product or physical characteristics.

1. Characteristics include the type and amount of activity, the hours of operation, the type of customers or residents, how goods or services are sold or delivered, likely impact on surrounding properties and site conditions.

2. Where a general use definition contains a list of example uses, the list is to be considered non-inclusive. Uses shall be categorized through the Interpretation process established in Section 2-107.

D. **Qualified Uses**.

1. **Floor Dependent**.

a. If a use includes “above ground floor only” in the title, it shall be allowed on the second story or higher of a building only.

b. If a use does not include “above ground floor only” in the title, it shall be allowed on all building stories.

2. **Square Footage Dependent**.

a. If a use includes a qualifying statement regarding square footage, such as “less than 2,500 sq ft” the total square footage of the building, or tenant space, in which the use may operate shall not exceed what is specified.

b. If a use does not include a qualifying statement regarding square footage, the total square footage of the building in which the use may operate is not restricted, unless otherwise stated in this Code.

3. **Public or Private Designation**.

a. If a use includes “public” in the title, it shall be owned and operated by a governmental entity, non-profit organization, or other non-taxing body.

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b. If a use includes "private" in the title, it shall be owned and operated by a for-profit organization or business.

E. **Principal Uses**.

1. **Allowance**.

a. Principal uses are allowed by district as established in Table 5-105-A Principal Uses.

b. A parcel may contain one or more principal uses or structures. The establishment of multiple principal uses or principal buildings on a parcel shall be permitted in all Office Districts, provided that the development complies with applicable bulk standards specified in Article 10 and parking requirements specified in Article 10.

c. A development with multiple principal uses shall include only those principal uses designated in Table 5-105-A Principal Uses as allowed in the applicable zoning district, and each principal use shall be subject to all applicable supplemental standards.

2. **Use Categories**.

a. **Residential**. Premises for long-term human habitation by means of ownership or rental, excluding short-term leasing or rental of less than one (1) month.

b. **Public and Institutional**. Premises for organizations dedicated to religion, government, arts and culture, recreation and sports, and other similar areas of public assembly in addition to uses and premises dedicated to education, social service, and health care.

c. **Commercial**. Premises for the commercial sale of merchandise, prepared foods, and food and drink consumption; the transaction of general business and the provision of services; and short-term human habitation, including daily and weekly rental.

d. **Industrial and Vehicle-Related**. Premises for the creation, assemblage, storage, and repair of items including their wholesale or retail sale in addition to uses and premises dedicated to the sale, maintenance, servicing or storage of automobiles or similar vehicles.

e. **Utilities and Infrastructure**. Uses and structures dedicated to transportation, communication, and utilities.

f. **Agriculture and Animal Related**. Premises for growing crops, raising animals, harvesting timber, and harvesting fish and other animals from a farm, ranch or their natural habitat and all related functions in addition to animal care facilities located in commercial settings.

F. **Accessory Uses**. Accessory uses are allowed by district, as established in Table 5-107-A Accessory Uses, but only incidental to a legally established, conforming principal use.

G. **Temporary Uses**. Temporary uses are allowed by district as established in Table 5-108-A Temporary Uses.

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5-105. Principal Uses

A. **Principal Uses Table**. The following shall be used in the interpretation of Table 5-105-A.

1. **Permitted Uses (P)**. Uses which are marked as "P" in the table shall be allowed principal uses subject to all applicable regulations of this Zoning Code.

2. **Special Uses (S)**. Uses which are marked as "S" in the table shall require approval with a Special Permit as detailed in Section 2-113 prior to establishment.

3. **Prohibited Uses**. A blank space in the table indicates that a use is prohibited.

4. **Uses Not Listed**. A use not specifically listed is prohibited unless, through the Interpretation process established in Section 2-107, it is determined that the use is a part of a general use type as described in Section 5-104-C.

5. **Additional Regulation**. If a use has supplemental standards, they are referenced in the Additional regulation column. Supplemental standards shall apply to the use, regardless of whether it is a permitted or special use.

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Table 5-105-A: Principal Uses by Office District					
Use	**Additional Regulation**	**O-1**	**O-2**	**O-3**	**O-4**
Residential Uses	Additional Regulation	O-1	O-2	O-3	O-4
Community Residence (up to 8 residents)					
Dwelling, Cottage Court					
Dwelling, Duplex					
Dwelling, Single-Family Detached					
Dwelling, Townhouse					
Dwelling, Triplex/Quadplex					
Live-Work Unit	5-105-B-1				P
Multi-Unit Building, 13+ Units					
Multi-Unit Building, 5-12 Units					
Multi-Unit Dwelling Complex					
Multi-Unit Dwelling, Above Ground Floor Only					P
Senior Living Facility, Dependent					
Senior Living Facility, Independent					
Transitional Service Facilities, up to 9 residents					
Transitional Service Facilities, up to 15 residents					
Public and Institutional Uses	*Additional Regulation*	O-1	O-2	O-3	O-4
Cemetery					
Day Care	5-105-B-2		S	S	S
College/University					
Hospital					
Membership Organizations, 2,500 sq ft or less			P	P	P
Membership Organizations, More than 2,500 sq ft			S	S	S
Park					
Place of Worship, 2,500 sq ft or less			P	P	P
Place of Worship, More than 2,500 sq ft			S	S	S
Public Cultural and Community Facilities					
Public Service/Safety Facility					

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Table 5-105-A: Principal Uses by Office District					
Use	**Additional Regulation**	**O-1**	**O-2**	**O-3**	**O-4**
School, Elementary			S	S	S
School, High			S	S	S
School, Middle			S	S	S
School Vocational/Technical			S	S	S
Vacant Land/Vacant Building		P	P	P	P
Commercial Uses	*Additional Regulation*	O-1	O-2	O-3	O-4
Adult Uses					
Alcohol/Liquor Sales					
Amusement and Recreation Services, 2,500 sq ft or less					
Amusement and Recreation Services, More than 2,500 sq ft					
Bank, Credit Union, Financial Services			P	P	P
Bar/Tavern					
Cannabis Dispensary, Adult Use					
Cannabis Dispensary, Medical Use	5-105-B-3				S
Coworking Space			P	P	P
Firearms Dealer					
Funeral Home					
General Office		P	P	P	P
General Retail					
Golf Course					
Hotel					P
Medical Clinic			P	P	P
Medical Spa			P	P	P
Meeting/Event Facility					
Microbrewery/Winery/Distillery With Tasting Room					
One-on-One Educational Services			P	P	P
One-on-One Personal Fitness Facilities			P	P	P
Personal Service			P	P	P
Physical Fitness Facilities, 2,500 sq ft or less			P	P	P
Physical Fitness Facilities, 2,500 sq ft or more			S	S	S
Restaurant			P	P	P

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Table 5-105-A: Principal Uses by Office District					
Use	**Additional Regulation**	**O-1**	**O-2**	**O-3**	**O-4**
Short-Term Rental					
Specialty Medical Care Facility			S		
Tobacco Retail Sale			P	P	P
Industrial and Vehicle Related Uses	*Additional Regulation*	O-1	O-2	O-3	O-4
Artisan Manufacturing					
Brewery/Winery/Distillery					
Car Wash	5-105-B-4			S	S
Cannabis Cultivation Center					
Cannabis Craft Grower					
Cannabis Infuser					
Cannabis Processor					
Commercial Kitchen					
Contractor Facility					
Crematorium					
Dry Cleaning Facility, Processing On-Site					
Building Material, Machinery, and Equipment Sales or Storage					
Fuel Sales	5-105-B-5			P	P
Industry, Heavy					
Industry, Light	5-105-B-6	P	P	P	P
Materials Salvage Yard/Recycling Operations					
Microbrewery/Winery/Distillery With or Without Tasting Room					
Motor Vehicle Sales/Rental, With Open Sales Lot					
Motor Vehicle Sales/Rental, Without Open Sales Lot					
Off-Street Parking					
Personal / Self Serve Storage			S		
Trucking Company					
Vehicle Services - Major Repair/Body Work					
Vehicle Services - Minor Maintenance/Repair					
Warehouse, Distribution/Storage					
Wholesale Trade					

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Table 5-105-A: Principal Uses by Office District					
Use	**Additional Regulation**	**O-1**	**O-2**	**O-3**	**O-4**
Utilities and Infrastructure	*Additional Regulation*	O-1	O-2	O-3	O-4
Electrical Substations	5-105-B-7	P	P	P	P
Public Utility Facilities	5-105-B-8			S	S
Required Detention Facilities		P	P	P	P
Transit Facilities					
Wireless Telecommunications Equipment	5-105-B-9	P	P	P	P
Wireless Telecommunications Tower	5-105-B-9	S	S	S	S
Agriculture and Animal Related	*Additional Regulation*	O-1	O-2	O-3	O-4
Animal Production					
Community Garden					
Crops and Horticulture		P	P	P	P
Indoor Agriculture		P	P	P	P
Nursery & Garden Center, With Open Sales Lot					
Nursery & Garden Center, Without Open Sales Lot					
Veterinary and Animal Care Services, indoor and outdoor					
Veterinary and Animal Care Services, indoor only					

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B. **Principal Use Supplemental Standards.**

1. **Live-Work Unit.**

a. The operator of the nonresidential portion of a live-work unit shall be the same person or persons as the resident(s) of the residential component of a live-work unit.

b. The residential component of a live-work unit may be located on the ground floor or upper floors.

c. The nonresidential component of a live-work unit shall be located on the ground floor and shall be directly adjacent to windows on a street facing façade if applicable.

d. Outdoor storage, operations, or activities are prohibited.

e. Outdoor operations or activities may be approved with a temporary use permit.

2. **Day Care.**

   a. **Required Approvals.**

      i. No child day care service shall be established without the prior licensing, certification or other approval of every public agency charged with the regulation or supervision of any facet of the activity of the proposed service.

      ii. Every application for a Special Permit for a child day care service shall set forth each agency that must approve the establishment or operation of the service and shall be accompanied by a formal acknowledgment of approval from each such agency.

      iii. In the event any such approval has been delayed, the application shall set forth the status of each such application, and shall state any facts known to the applicant that might have contributed to the delay of any required approval that has not been obtained as of the time of the filing of the application for a Special Permit.

   b. **Supervision.** Every child day care service shall provide qualified supervisory personnel in sufficient numbers to assure the safety, well-being and appropriate behavior of all children enrolled in the service. The Special Permit may establish minimum supervision requirements.

   c. **Outdoor Play Area.**

      i. Every child day care service shall provide at least 75 square feet of open space per child, exclusive of any open space located in a required front yard,

      ii. Open Space shall be completely enclosed by a fence or other suitable barrier sufficient to prevent access by children to neighboring properties or to traffic or other hazards.

      iii. An existing fence or barrier on a neighboring property shall not be relied upon to satisfy this requirement.

   d. **Recreational Devices.** No recreational device shall be located within 20 feet of any abutting residential property, nor shall a recreational device be located closer to the public right of way than the front, or corner side façade of the principal structure on the same lot.

   e. **Landscape Buffer.** A Type C Landscape Buffer as specified in Section 10-106 shall be provided along property lines abutting a residential district.

3. **Cannabis Dispensary, Medical Use.**

   a. All Medical Cannabis Dispensaries must obtain and, at all times, maintain a valid professional license issued by the Illinois Department of Financial and Professional Regulation to operate a Cannabis Dispensary. Copies of all state licenses as well as all renewals shall be provided to the Village Manager no later than 30 days of issuance as well as copies of corresponding application materials, including all required certifications, declarations, and affidavit, for state licenses and corresponding license renewals.

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b. Medical Cannabis Dispensaries shall maintain all mandatory signage required by local, state or federal law.

c. **Additional Application Requirements**.

i. In addition to the minimum application requirements set forth in Article 2 of this Zoning Code, applicants for a Special Permit for a Medical Cannabis Dispensary o must submit their draft application for the Cannabis Dispensary that they plan to provide to the Illinois Department of Financial and Professional Regulation or, where applicable, to the Illinois Department of Agriculture, to receive the State license. These materials shall include, at minimum, the following elements:

a) The names and addresses of all principal officers of the dispensing organization that will operate the Cannabis Dispensary;

b) A description of the process of dispensing cannabis from the proposed Cannabis Dispensary;

c) A description of air treatment systems that will be installed to reduce odors; and

d) A plan for community engagement.

ii. Information, documents, and plans submitted pursuant to this section may be in draft format pending approval from the Illinois Department of Finance and Professional Regulation. The Village reserves the right to request and inspect any additional materials submitted by the proposed dispensing organization to the Illinois Department of Financial and Professional Regulation as part of the application review process.

d. **Drive-Through Windows and Facilities Prohibited**. Medical Cannabis Dispensaries shall not be permitted to have any accessory drive-through facilities or provide drive-through or "curbside" delivery service.

e. **Signage**. Notwithstanding any provision of this Zoning Code to the contrary, the following signage standards are applicable to Medical Cannabis Dispensaries :

i. Exterior signs on the building shall not completely cover the windows of the Medical Cannabis Dispensary.

ii. Electronic message boards are not permitted in connection with Medical Cannabis Dispensary establishment.

iii. Signage shall not contain cannabis imagery such as cannabis leaves, plants, smoke, paraphernalia, or cartoonish imagery oriented toward youth, or language referencing cannabis.

iv. The Special Permit ordinance authorizing the Medical Cannabis Dispensary o shall include a signage plan depicting the allowed exterior signs for the dispensary.

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f. **Security and Video Surveillance**. Each Medical Cannabis Dispensary must install and maintain in good working order security, video surveillance, and inventory protection and control systems: (a) as required by applicable state laws and regulations; and (b) in conformance with a security plan approved in advance by the Village Chief of Police.

g. **Lighting**. All interior, exterior and site lighting for Medical Cannabis Dispensaries must be installed and maintained in good working order and of sufficient wattage for security cameras and the safety of customers and employees.

h. **On-Site Conduct**.

i. Loitering is prohibited on any lot used as a Medical Cannabis Dispensary, including all accessory parking lots.

ii. It shall be prohibited to smoke, inhale or consume cannabis products within Medical Cannabis Dispensary , in any accessory parking lot, or anywhere on the lot of such dispensary.

i. No person under the age of 21 may be permitted within any Medical Cannabis Dispensary , except as authorized by state law.

j. Medical Cannabis Dispensaries may operate only between 7:00 a.m. and 10:00 p.m.

k. **Restricted Locations.** No Medical Cannabis Dispensary may be located on any lot that is:

i. Less than 1,500 feet from any other existing and operating Medical Cannabis Dispensary , including those located outside of the corporate limits of the Village of Northbrook.

ii. Less than 250 feet from any lot used for a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home, or part day child care facility.

iii. Located within the Village Green Overlay District.

4. **Car Wash.**

a. Hours of operation shall be restricted to between 7 am and 9 pm only, when adjacent to a residential district.

b. All mechanical equipment, excluding self-service vacuum units, shall be fully enclosed within a building.

c. All facilities shall be designed and configured such that any outdoor spraying preparation or drying activities are directed away from any abutting residential properties.

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d. All car wash facilities and accessory equipment such as vacuums, dryers, accessory buildings, etc. shall be set back a minimum of 100 feet from any residential use or property in the R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, RS. MFRC, RLC, or VGRC Districts.

e. If self-service vacuum facilities are provided:

i. They shall be setback a minimum of 20 feet from all property lines, unless otherwise specified.

ii. A minimum of one parking space shall be provided for each vehicle capable of being serviced at any one time at such vacuum facility. Parking spaces for accessory vacuum facilities shall not interfere with circulation or entrance or exit drives.

f. All full-service or conveyor-based carwash facilities shall be equipped with, and maintain in operation, a water recycling system that shall recycle a minimum of 50 percent of the water being used by the facility.

5. **Fuel Sales.**

a. **Location.** Fuel pump canopies shall be located a minimum of 100 feet from any interior side or rear property line that adjoins residentially developed property.

b. **Height.** Fuel pump canopy height shall not exceed the height of the principal building or 15 feet, whichever is greater.

c. **Materials.** Fuel pump canopy roofs shall be steel construction. Plastic and similar materials are prohibited.

d. **Lighting.** Fuel pump canopy lighting shall be fully recessed.

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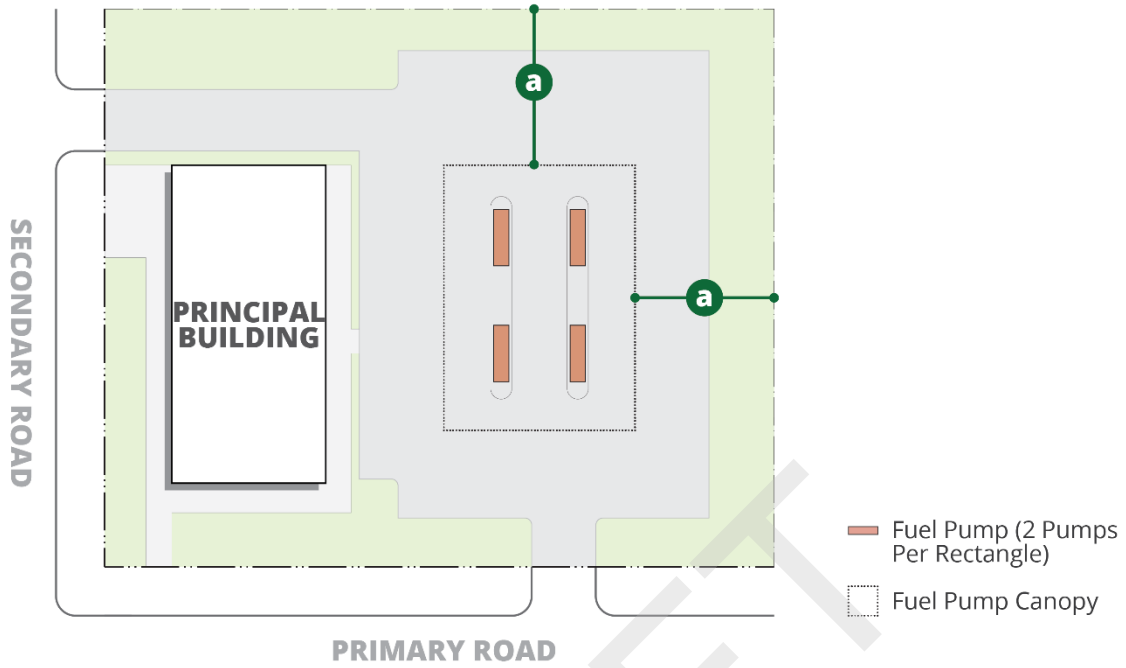

Figure 4 Fuel Sales

6. **Industry, Light.**

   a. **Off-Site Impacts/Public Nuisances.** No generation of dust, odors, noise, vibration or electrical interference or fluctuation shall be perceptible outside of the building.

   b. **Environmental Hazards.** All establishments shall be maintained so as not to create environmental hazards that pose a threat to ground or surface water quality, air quality, wildlife and/or humans.

   c. **Vehicular Access.** Vehicular access to the site shall be provided on a thoroughfare of suitable industrial capacity as determined by the Village Manager, Village Engineer, and/or any required Transportation Impact Analysis.

7. **Public Utility/Electrical Substations.** In the Office Districts Public Utility/Electrical Substations shall comply with the following standards.

   a. **Structure Appearance and Screening.** All buildings and structures either shall have exteriors which give the appearance of a structure permitted in the district where located or shall provide a screening as specified in Section 10-107-C along all interior side or rear property lines.

   b. **Safety Fencing.** All such uses shall be fenced where any hazard to the safety of human or animal life is present.

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c. **Service and Storage Prohibited.** No service or storage yard or building shall be permitted except as permitted for other uses in the district.

8. **Public Utility Facilities.** Lot area of at least 100,000 square feet shall be required.

9. **Wireless Telecommunications Equipment and Wireless Telecommunications Towers**.

a. **Purpose and Intent**. This subsection creates the framework for the siting of wireless telecommunication facilities in a manner which protects the public health, safety, and general welfare of the community, provides comprehensive service to the community, and implements the Village's policies for said facilities, as detailed below. The provisions of this subsection are in addition to, and do not replace, any obligations an applicant may have under any franchises, licenses, encroachments, or other permits issued by the Village. This section is intended to:

i. Facilitate the comprehensive provision of wireless telecommunication services to the residents and businesses of the Village of Northbrook.

ii. Maximize the use of existing and approved telecommunication towers, buildings, and structures for collocation to accommodate new wireless telecommunication antennas in order to minimize the number of telecommunication towers needed to comprehensively serve the community.

iii. Minimize the number, height, obtrusiveness, and the visual impacts of telecommunications towers, associated equipment, and buildings.

iv. Direct and allow wireless telecommunication facilities to areas which are least disruptive to residential, park, open space, and greenway uses and to be as unobtrusive and invisible as reasonably possible.

v. Ensure that the height of telecommunications towers has the least visual impact and is no greater than required to achieve service area requirements and potential co-location.

vi. Site telecommunications towers to minimize locations which are visually solitary or prominent when viewed from residential areas or any public way.

vii. Site telecommunications towers at locations which are obscured by vegetation, tree cover, topographic features, buildings or other structures to the maximum extent feasible.

viii. Protect views of and vistas from architecturally or historically significant structures and historically significant landscapes so that these architectural or historical resources are not impaired or diminished by the placement of telecommunications towers.

ix. Avoid potential damage to adjacent properties from telecommunication towers failure through structural design standards and setback requirements.

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b. **General Applicability**. The provisions of this subsection shall apply to the following:

i. Wireless telecommunication facilities (towers and associated equipment) that are or will be operated by a licensed wireless telecommunication service provider which consists of the equipment and structures involved in the receiving or transmitting of electromagnetic waves associated with wireless telecommunication services.

ii. Small wireless telecommunication towers that meet the following characteristics:

a) Each antenna is located inside an enclosure of no more than six cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements could fit within an imaginary enclosure of no more than six cubic feet;

b) All other wireless equipment associated with the facility is cumulatively no more than 28 cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meter, concealment elements, telecommunications demarcation box, ground-based enclosures, grounding equipment, power transfer switch, cut-off switch, and vertical cable runs for the connection of power and other services; and

c) An antenna array feature that is attached to a telecommunications tower or building to transmit or receive radio waves. For this subsection, this does not include antenna dishes or other antenna features on individual homes or businesses that are intended to receive radio or television broadcasts, or internet communication for said use.

c. **Amateur Radio Exemption**. These provisions neither apply to nor shall be construed to apply to Amateur Radio Operators who are licensed to operate a radio or transmitter by the Federal Communications Commission under Part 97 of the Federal Communications Commission's Rules.

d. **Interference with Public Safety Telecommunications**. No new or existing telecommunications service shall interfere with public safety telecommunications. Before the introduction of new service or changes in existing service, telecommunication providers shall notify the Village at least 10 calendar days in advance of such changes and allow the Village to monitor interference levels during the testing process.

e. **Compliance with Other Laws**. A telecommunications tower shall be erected and operated in compliance with the most current Federal Communication Commission and Federal Aviation Administration rules and regulations and other applicable federal and state standards. All telecommunications towers shall comply with all ordinances of the Village which are not in conflict with this subsection.

f. **Wireless Telecommunication Facilities Establishment and Siting Alternatives Analysis**.

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i. **Co-location Preference**. The Village shall promote the co-location of wireless telecommunications equipment on existing towers, buildings, or utilities elements. New standalone wireless telecommunication facilities (towers) may only be allowed where co-located of said facilities on existing towers, buildings, or public infrastructure elements is deemed infeasible through a siting alternatives analysis.

ii. **Siting Alternatives Analysis**. For all new, standalone wireless telecommunication towers, the applicant shall provide a siting alternatives analysis to determine whether co-location on existing structures is feasible within the applicant's search ring, including information pertaining to the fair market value of similar contracts – this shall be provided as part of the permitting process and submittal requirements pursuant to Article 2. The siting alternatives analysis shall determine the feasibility of co-locating the new telecommunication facilities/equipment in the following situations. (i) Co-location on existing towers; (ii) Placement on Village-owned Structure or Building; (iii) Placement on Existing Structure or Building; and (iv) Construction of New Tower Structure or Substantial Modification of Existing Structure. The following describes the various co-location situations.

a) **Co-location Standards**. The co-location or placement of new telecommunications antennas upon existing telecommunications towers, light poles, and/or buildings.

b) **Village-owned Structure or Building**. The utilization of existing Village-owned structures and buildings for placement of antenna and associated equipment or buildings, including surface-mounted and roof-mounted applications of telecommunication antennas on existing buildings and structure-mounted applications of telecommunication antennas on water towers, electric line transmission towers, or other existing structures.

c) **Existing Structure or Building Utilization**. The utilization of all other existing structures and buildings for placement of antenna and associated equipment or buildings, including surface mounted and roof-mounted applications of telecommunication antennas on existing buildings and structure-mounted applications of telecommunication antennas on existing structures.

iii. **Consulting Option**. As part of the review procedures, the Village Manager shall determine the sufficiency of the information. The Village may choose to hire an outside consultant to conduct a third-party review of the siting alternatives analysis in the following situations: (i) where there are disputes of the findings between the applicant and the Village Manager and/or (ii) where expert consultation is deemed necessary to reach conclusions of the analysis. Where the Village utilizes a consultant in its application review, the fee for such services shall be fixed in advance as part of the application fee for a new telecommunications facility.

g. **Telecommunication Tower and Antenna Array Design Standards**. The following design standards apply to new telecommunication towers and associated antenna array

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facilities. These standards do not apply to co-location activities on existing towers, buildings, or public infrastructure elements.

i. **Height**. The maximum height of a telecommunications tower, including antenna array, shall be less than 125 feet above grade; whereas, Small Wireless Telecommunications towers shall be limited to 50 feet above grade.

ii. **Location**. Telecommunication towers and antenna arrays shall not be located within 300 feet of an existing or future thoroughfare, as identified in the regional Transportation Improvements Plan as adopted.

iii. **Setbacks Required**. Telecommunication towers, including antenna array shall be setback at least 125 percent the height of the tower from any lot line or a distance equal to their engineered fall zone at a minimum, whichever is greater.

iv. **Guys and Guy Anchors**. All guys and guy anchors shall be located within the buildable area of the lot and shall not be located within any required setback, required landscape area, wetland feature, and watercourse riparian buffer.

v. **Security Fencing**. Securing fencing shall surround the telecommunications tower base, all guy anchors, and equipment. The compound area and all guy anchors shall be secured with a fence of not less than six feet in height nor more than 10 feet in height. A security wire (barbed, razor, etc.) may be located on the telecommunications tower-side of the fence but shall not extend above the top of the fence. The type of fence selected shall, in the determination of the Village Manager, be compatible with development in the surrounding area. A chain link fence, if used, shall be black vinyl coated.

vi. **Structural Design**. A telecommunications tower shall be designed and built so as to:

a) Be capable of use by at least two wireless communications providers for a telecommunications tower less than 80 feet in height;

b) Be capable of use by three or more wireless communications providers for a telecommunications tower of 80 feet in height or greater;

c) Accommodate antenna arrays consisting of 9 to 12 antennas for each array, provided, however, this regulation shall not apply to slick antenna applications;

d) Locate such antenna arrays within 15 vertical feet of each other;

e) Have no more than 3 degrees of twist and sway at the top elevation;

f) Provide internal cable routing for all tapering monopole telecommunication towers; and

g) Meet or exceed associated State and Federal structural standards relating to telecommunication standards (e.g., EIA-222)

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vii. **Signs Prohibition**. No lettering, symbols, images, trademarks, signs, or advertising shall be placed on or affixed to any part of a telecommunications tower, antenna array or antenna, other than as required by Federal Communications Commission regulations regarding tower registration or other applicable law.

viii. **Lights**. No signals, lights or other illumination shall be permitted on telecommunications towers unless required by the Federal Communications Commission, the Federal Aviation Administration, or the Village.

ix. **Engineering Compliance for Modifications**. If any additions, changes or modifications are to be made to a telecommunications tower, the Village Manager may require proof, through the submission of engineering and structural data, that the addition, change or modification conforms to structural wind load and all other requirements of the Village's Building Code.

h. **Separation and Location.**

i. **New Wireless Telecommunication Towers**. New telecommunication towers are subject to the following minimum separation radius from another telecommunications tower - in determining the required separation between telecommunication towers of different heights, the required separation for the taller tower shall apply.

a) Quarter mile radius for proposed telecommunications towers less than 80 feet in height;

b) Half mile radius for proposed telecommunications towers of 80 feet in height or greater but less than 120 feet in height; or

c) One-mile radius for proposed telecommunications towers 120 feet in height or greater.

i. **Wireless Telecommunications Antennas Mounted on Existing Buildings or Structures**. The following design standards apply to antennas associated with wireless communication operations that are mounted on existing buildings and structures.

i. **Roof-Mount Elements**. Roof-mounted wireless telecommunications antennas are permitted on buildings and structures in all districts. Such features shall meet the height standards of the governing district and shall be no taller than the existing building. Said elements shall be subject to the following standards.

a) Whip telecommunication/antenna features (an antenna which transmits signals in 360 degrees) shall be no closer than 15 feet to the perimeter of the building.

b) The telecommunications antenna and associated equipment located on buildings shall be screened in elevation view with enclosures or façades having an appearance that blends with the building on which they are located; and be located so they are not overtly visible from an adjacent public right of way.

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ii. **Surface-Mount Elements**. Surface mounted telecommunications antennas (an antenna attached to a building exterior wall) are permitted on buildings or structures in all Office Districts and subject to the following standards.

a) Telecommunications/antenna features shall be mounted flush with the exterior of the building or structure so that it projects no more than 30 inches from the surface to which it is attached.

b) The telecommunications/ antenna appearance shall blend with the surrounding surface of the building or structure in terms of color and materials.

c) Surface-mount elements are subject to applicable design standards in National Register listed properties and historic districts, Local historic districts, and locally designated historic landmarks.

iii. **Elements Attached to Other Existing Structures**. Telecommunications antennas are permitted on existing utility, lighting, telecommunications towers, and other structures in all Office Districts (Section 5-105) and subject to the following standards.

a) Existing utility, lighting, telecommunications towers, and other structures used to affix telecommunication/ antenna features shall not exceed 150 feet in height above grade.

b) The telecommunications antenna shall not exceed the height of the existing structure by more than 10 feet for a non-whip antenna or 15 feet for a whip antenna.

c) Existing structures may be rebuilt/ modified to support the load of the new telecommunications antenna, subject to the Village's building permitting standards.

iv. Existing structure mounted elements are subject to applicable design standards in National Register listed properties and historic districts, local historic districts, and locally designated historic landmarks.

v. **Separation Standards**. Telecommunications antennas and associated features located on existing buildings or structures are not subject to the separation requirements stated above.

vi. **Photo Simulation Requirements**. As part of the application process, applicants shall provide photo simulations showing the site of the existing structure with a photo realistic representation of the proposed telecommunications antenna and the existing structure or any proposed reconstruction of the structure as it would appear viewed from the closest R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, RS, MFRC, RLC, or VGRC District and from adjacent public right of way. The applicant shall also submit

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photographs of the same views as in the photo simulations showing the current appearance of the site without the proposed telecommunications antenna.

j. **Abandonment and Removal of Telecommunications Towers, Antenna Arrays, and Associated Equipment**. The following standards apply to all telecommunication features and their associated elements – these standards ensure inoperable features are removed, whereas habitable buildings are exempt from these requirements.

i. **Abandonment**. Telecommunications towers, antenna arrays, and associated equipment which have not been used for a period of one year shall be deemed abandoned and shall be removed from the site.

ii. **Notice Required**. The owner of the telecommunications tower and the last service provider to use a telecommunications tower shall notify the Village Manager within 30 days that use of a telecommunications tower has been discontinued.

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5-106. Dimensional Standards Encroachments, Exceptions, & Adjustments

A. **Allowed Encroachments into Required Yards**.

Table 5-106-A: Allowed Encroachments into Required Yard

Encroachment Type	Allowed Location	Limitations of Encroachment
Air Conditioning Units	rear and interior side yard	Shall be a minimum of three feet from any lot line.
Antennae	rear and interior side yard	Shall be a minimum of three feet from any lot line.
Accessibility Ramps and Fire Escapes required by the Illinois State Building Code	any required yard	Shall be a minimum of three feet from the property line unless otherwise approved by the Village Manager as an Administrative Adjustment per Section 2-104.
Basketball equipment	any required yard	A maximum of one per front yard shall be allowed. Shall be a minimum of five (5) feet from side lot lines and 10 feet from a front lot line.
Bay Windows and Balconies	front and corner side yard	Shall extend no more than five (5) feet from the applicable elevation of the building and at least five (5) feet from the property line. May not have any foundation or footing and may only project from a façade.
	interior side and rear yard	Shall be a minimum of three (3) feet from the applicable building elevation. May not have any foundation or footing and may only project from a façade.
Clothesline	rear yard	Shall be a minimum of three (3) feet from any lot line.
Compost bin	rear yard	Shall be a minimum of three (3) feet from any lot line.

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Table 5-106-A: Allowed Encroachments into Required Yard		
Encroachment Type	**Allowed Location**	**Limitations of Encroachment**
Covered Porches, Covered Decks, Covered Patios, Pergolas, and Gazebos	front and corner side yard	• May encroach up to five (5) feet from the applicable elevation of the building and no closer than five (5) feet to the property line, whichever is greater. • May not exceed 30 inches in height above the average finished grade. • May not be screened-in or enclosed.
Cornices, Gutters, Eave Overhangs, and Similar Architectural Projections	any required yard	May encroach up to two (2) feet from the applicable elevation of the building or approved by the Village Manager or Village Engineer per Section 2-104
Driveways	any required yard	• Shall comply with the standards of Section 10-102-C. • Shall be a minimum of two (2) feet from the interior side property line.
Fences, Walls, and Berms	any required yard	Shall comply with the standards of Section 10-108
Flagpoles	any required yard	Shall be a minimum of five (5) feet from the property line.
Generators	rear and interior side yard	Shall be a minimum of three (3) feet from any lot line.
Lighting: landscape, building façade, outdoor recreational, and pedestrian	front and corner side yard	Shall comply with the standards of Article 10.
Signs	any required yard	Shall comply with the standards of Article 11.
Parking	As allowed and in accordance with the standards of Section 10-102.	

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Table 5-106-A: Allowed Encroachments into Required Yard		
Encroachment Type	**Allowed Location**	**Limitations of Encroachment**
Uncovered and Unenclosed Steps and Stairs	front and corner side yard	May encroach up to six (6) feet from the applicable elevation of the building and no closer than five feet to the property line, whichever is greater.
Uncovered Porches, Decks, Patios, and similar Features	rear and corner side yard	Shall be a minimum of five (5) feet from the property line.
Permeable Path	Interior side yard	As approved by Village Engineer.

B. **Allowed Height Exceptions.** Buildings built for Place of Worship uses may have a maximum height of 55 feet and may include spires and minarets with a maximum height of 70 feet.

5-107. Accessory Uses

A. **Accessory Uses Table**. The following shall be used in the interpretation of Table 5-107-A.

1. **Permitted Uses (P)**. Uses which are marked as "P" in the table shall be allowed accessory uses subject to all applicable regulations of this Zoning Code.
2. **Special Uses (S)**. Uses which are marked as "S" in the table shall require approval with a Special Permit as detailed in Section 2-113 prior to establishment.
3. **Prohibited Uses**. A blank space in the table indicates that a use is prohibited.
4. **Uses Not Listed**. A use not specifically listed is prohibited unless, through the Interpretation process established in Section 2-107, it is determined that the use is a part of a general use type as described in Section 5-104-C.
5. **Additional Regulation**. If a use has supplemental standards, they are referenced in the Additional Regulation column. Supplemental standards shall apply to the use, regardless of whether it is a permitted or Special Use.

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Table 5-107-A: Accessory Uses by Office District					
Use	**Additional Regulation**	**O-1**	**O-2**	**O-3**	**O-4**
Attached Accessory Dwelling Unit					
Accessory Structure	5-107-B-1	P	P	P	P
ATM		P	P	P	P
Day Care Nursery		P			
Drive-Through Facility	5-107-B-2		P	P	P
Electric Vehicle Charging Station – Commercial	5-107-B-3	P	P	P	P
Garden		P	P	P	P
Home Based Daycare					
Home Occupation					
Outdoor Display - Permanent					
Sale of Merchandise – Permanent					
Outdoor Seating for Eating and Drinking Uses	5-107-B-4		P	P	P
Outdoor Storage / Open Lot					
Pool					
Solar Energy Collection System, Canopy Mounted	5-107-B-5	P	P	P	P
Solar Energy Collection System, Ground Mounted	5-107-B-6	P	P	P	P
Solar Energy Collection System, Roof Mounted	5-107-B-7	P	P	P	P

B. **Accessory Use Supplemental Standards.**

1. **Accessory Structure.**

a. **Number.**

i. **All Accessory Structures**. The number of all accessory structures on a lot shall not exceed the maximum allowed lot coverage per district as established in Section 5-107-B-1(d).

ii. **Total Number of Accessory Structures.** The total number of all accessory structures shall not exceed one per 3,000 square feet of lot area.

b. **Compatibility.** The exterior of a large accessory structure shall be compatible with the principal building in terms of color, exterior building cladding materials, and roof style and materials.

c. **Campers, Recreational Vehicles, Etc. Prohibited For Accessory Use:** Campers, travel trailers and recreational vehicles are not permitted for use as an accessory structure and shall not be connected to utilities or occupied. These vehicles shall not be located in

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front of a principal structure, nor shall they be stored in any Office zoning districts, except when being serviced, repaired, or stored at an approved facility for such purposes.

d. **Dimensional Standards.** Accessory structures shall meet the dimensional standards established in Table 5-107-B-1(d).

Table 5-107-B-1(d). Accessory Building/Structure Dimensional Standards	
Yard Setbacks	
Front, Minimum	Five feet behind front elevation of principal building or shall adhere to the front setback of the district, whichever is greater
Corner Side, Minimum	Five feet behind corner side elevation of principal building or shall adhere to the corner side setback of the district, whichever is greater
Interior Side, Minimum	5 feet
Rear, Minimum	5 feet
Building Standards	
Height, Maximum	15 feet
Building Area, Maximum	1,000 square feet or 20 percent of gross lot area, whichever is greater, however in no instance shall an accessory structure exceed the area of the principal building

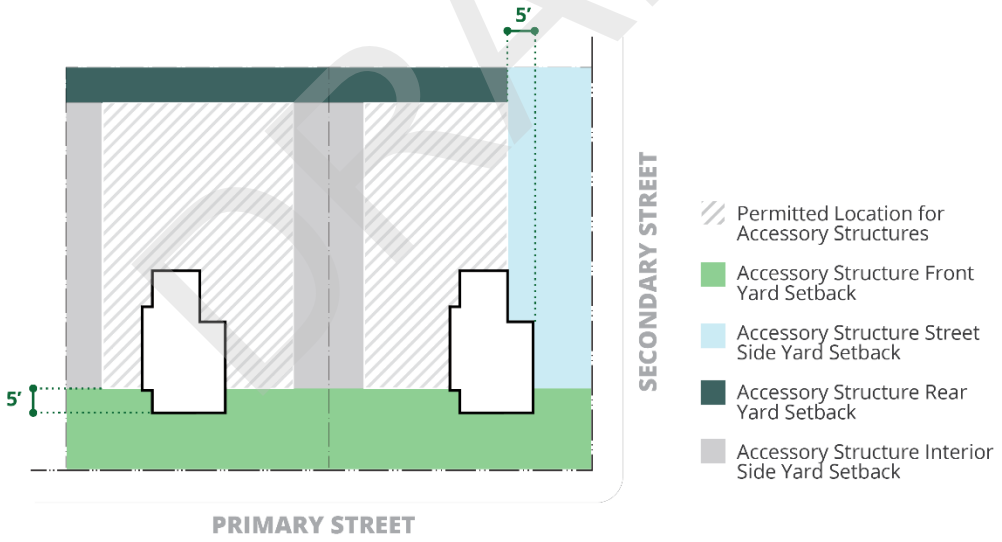

Figure 5 Accessory Structure

2. **Drive-Through Facilities.**

a. **Location**. Drive-through facilities, including but not limited to order boxes, menu boards, stacking spaces and lanes shall be located within the buildable area of the lot on which the drive through facility is accessory.

b. **Stacking**.

i. **Stacking Lanes**. Stacking lanes shall have a minimum depth of 20 feet per stacking space and the following minimum lane widths:

a) One lane: 12 feet,

b) Two or more lanes: ten feet per lane.

ii. **Stacking Spaces**.

a) Drive through facilities shall have the minimum number of stacking spaces established per principal use as detailed in Table 5-107-B-2(b).

Table 5-107-B-2(b): Drive Thru Stacking Requirements

Use	Minimum Stack	Measure From
Automated Teller Machine	2 per machine	teller machine
Bank Teller Lane	2 per lane	teller or window
Restaurant	6 per order box	order box
Carwash Stall, Automatic, less than 100 feet long	5 per bay	bay entrance
Carwash Stall, Automatic, 100 feet long or more	15 per bay	bay entrance
Carwash Stall, Manual	2 per stall	bay entrance
Oil Change Shop	2 per service bay	service bay entrance
Pharmacy	4 per lane	machine or window
Other Use	As determined by the Village Manager	

b) Drive through stacking spaces whether required or not shall not block any public sidewalk or public/private street right of way or interfere with their use.

c. **Menu Boards.**

i. A drive-through facility shall be permitted a maximum of two menu boards per stacking lane.

ii. The combined maximum area of the menu boards shall be 80 square feet.

iii. Each menu board shall not exceed:

a) Forty (40) square feet in area and

b) Eight (8) feet in height.

d. Menu boards may utilize digital display boards for 100 percent of the permitted menu board area.

e. **Overhead Canopy.** Should an overhead canopy be utilized, it shall meet the standards of vehicle fueling station canopies, per Section 5-105-B-5.

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f. **Screening.** If located adjacent to a property with a residential use or in a residential district, a Type A buffer shall be utilized to minimize the impact of menu boards, headlights, and other off-site impacts of drive-through facilities.

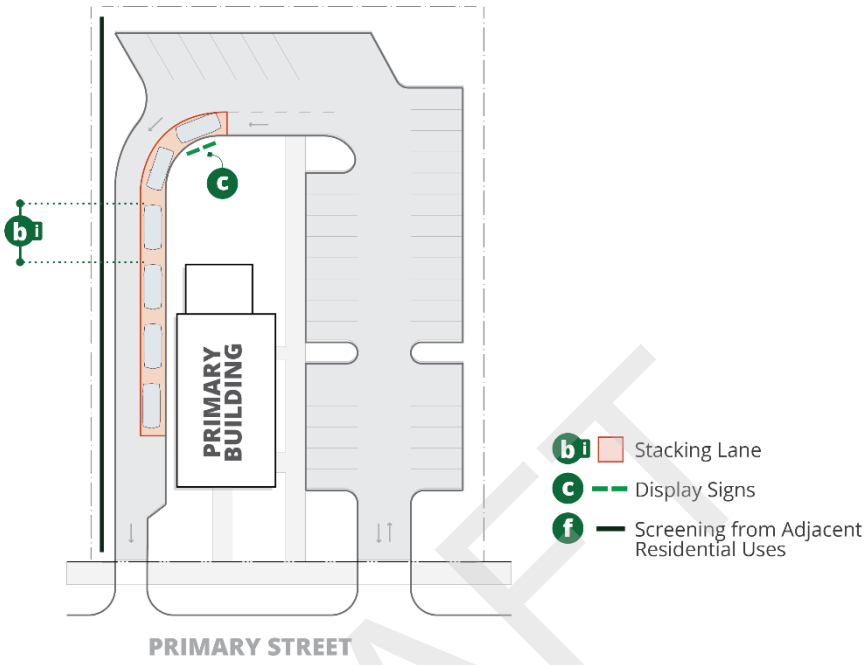

Figure 6 Drive Through Facilities

3. **Electric Vehicle Charging Station.**

a. **Equipment**.

i. Electric Vehicle Charging stations that are accessory to all mixed-use, multifamily, and nonresidential uses shall be a minimum of a level 2 charging capacity.

ii. Electric vehicle charging station equipment shall be protected by a wheel stop, curb, or bollards.

iii. All connections of the charging station to electrical utility equipment shall be underground.

iv. All electric vehicle charging station equipment shall comply with the National Fire Protection Association/National Electrical Code and be approved by the Underwriters Laboratory.

v. All equipment shall be low-maintenance, durable materials and shall be vandal-proof to the extent possible.

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vi. All equipment shall provide a cord management system that minimizes tripping hazards for pedestrians. Charging cords may not cross sidewalks, walkways, or driveways.

b. **Design Considerations**.

i. Electric vehicle charging station equipment shall be located in a manner that will not obstruct pedestrian walkways. A minimum of three feet of clear area shall be maintained.

ii. Electric vehicle charging stations shall provide a safe and clearly delineated area for maneuvering around the vehicle for connecting to the equipment.

iii. A sign indicating that the electric vehicle parking is for use while charging only shall be provided.

iv. All charging stations shall be illuminated. Lighting shall comply with the limitations in Section 10-109.

c. **Maintenance**. All electric vehicle charging station equipment shall be maintained to working condition. Equipment that is no longer functional must be decommissioned within 60 days.

4. **Outdoor Display / Sale of Merchandise / Outdoor Seating for Eating and Drinking Uses.**

a. **Principal Use**. Outdoor seating/display shall be allowed accessory to a legally conforming principal use only.

b. **Location**. Accessory outdoor seating/display areas may be located:

i. On a public sidewalk directly in front of the principal use to which the outdoor seating is accessory so long as:

a) A clear pathway at least five feet wide is maintained to allow through public pedestrian traffic along the sidewalk and from the sidewalk into the entrance to the establishment. A greater width may be required by the Village Manager to ensure the safe and convenient flow of pedestrian traffic, and

b) A clear separation of at least five feet is maintained from any alley, crosswalk, fire hydrant, or similar public or emergency access feature in or near the sidewalk. A greater clear distance may be required by the Village Manager to ensure use of the public or emergency access features.

ii. In a parking lot so long as:

a) No more than 10 percent of the required parking spaces (per Section 10-102-D) are utilized,

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b) The outdoor seating/display area is directly accessible from inside the principal use to which it is accessory, and

c) The outdoor seating/display area is surrounded by a barrier with a minimum height of three feet and maximum height of four feet.

iii. Within the buildable area of the lot, per Section 5-107-B-1(d).

c. **Noise**. No sound production or reproduction machine or device (including, but not limited to musical instruments, loud-speakers, and sound amplifiers) shall be used, operated, or played in an outdoor seating/display area within 50 feet of a residential use or residentially zoned property.

d. **Hours of Operation**. Hours of operation shall be the same as those for the principal use to which the outdoor seating/display area is accessory.

e. **Furnishings**.

i. Tables, chairs, umbrellas, and other furnishings associated with the outdoor seating/display area shall be of sufficient quality design, materials, and workmanship to ensure the safety and convenience of area occupants and compatibility with adjacent uses.

ii. If located on a public sidewalk, no tables, chairs, umbrellas, or other furnishings or equipment associated with the outdoor seating area shall be attached, chained, or otherwise affixed to any curb, sidewalk, tree, post, sign, or other fixture within the outdoor seating/display area.

f. **License Required.** When located on public property a license agreement shall be obtained from the Village for proof of liability insurance and recorded with Cook County.

5. **Solar Energy Collection System, Canopy Mounted.**

a. Canopy solar energy collection systems are permitted over any principal or accessory parking lot.

b. The height of canopy solar energy collection systems shall not exceed the height of the principal building that the parking area serves or 20 feet, whichever is greater.

c. The minimum height of solar energy collection systems shall allow clearance for emergency and service vehicles.

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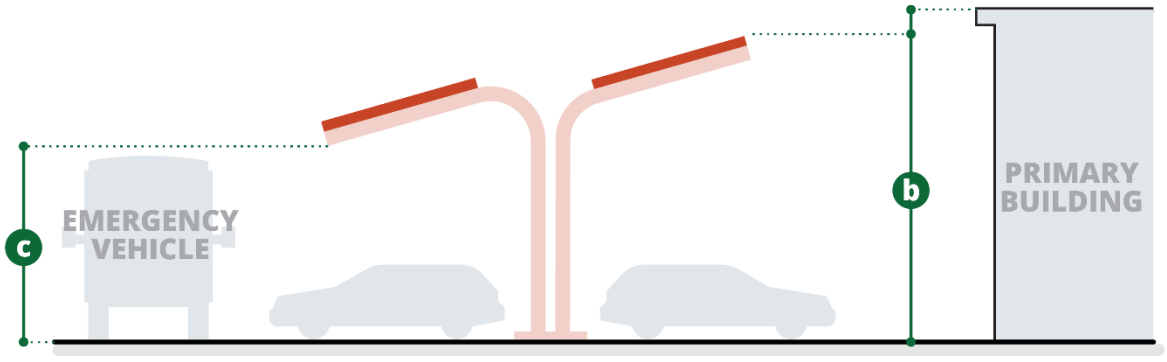

Figure 7 Solar Energy Collection System, Canopy Mounted

6. **Solar Energy Collection System, Ground Mounted.**

   a. Ground-mounted solar energy collection systems shall be permitted in accordance with the principal structure setbacks on the front, street sides, and any applicable accessory structure setbacks.

   b. The maximum height of ground-mounted solar energy collection systems shall be five feet, measured from the grade at the base of the pole to the highest edge of the system.

   c. The minimum clearance between the lowest point of the system and the surface on which the system is mounted shall be 12 inches.

   d. Ground-mounted solar energy collection systems shall be exempt from the impervious surface limits if the ground directly under the solar panel is planted with native plantings and groundcover other than turf grass.

   e. All parts of the freestanding system shall be set back five feet from the side and rear lot lines and shall not be located in an easement.

   f. **Sites 1-5 Acres in Area**. In addition to meeting the standards in a-e above, ground mounted solar energy collection systems occupying 1-5 acres in area shall also meet the following requirements:

      i. **Decommissioning Required**. Any solar energy use that is not actively in use for 12 consecutive months shall be decommissioned by the operator. The operator shall have six (6) months to fully decommission the use, including all panels, structures, accessories, and appurtenances, shall be entirely removed from the lot.

      ii. **Decommissioning Plan**. Prior to receiving approval, the applicant for any solar energy use shall submit a decommissioning plan to ensure that the project is properly decommissioned, which shall include:

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a) Procedures for the removal of structures, debris, and cabling, including those below the soil surface,

b) Provisions for the restoration of the natural soil and vegetation, and

c) A provision that the terms of the decommissioning plan shall be binding upon the owner or operator and any of their successors, assigns, or heirs.

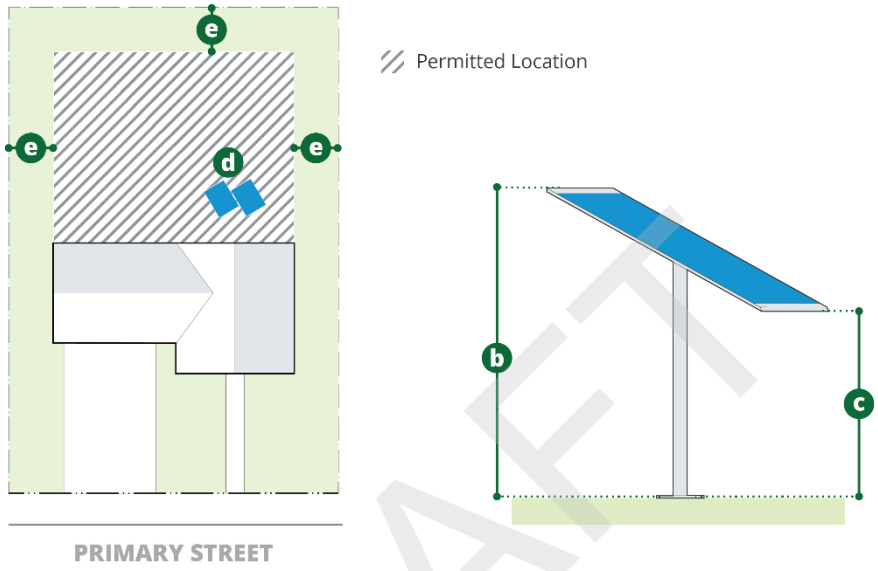

Figure 8 Solar Energy Collection System, Ground Mounted

7. **Solar Energy Collection System, Roof Mounted.**

a. Roof-mounted solar energy collection systems may be located on any roof face of principal or accessory buildings. Systems should be flush mounted when possible.

b. Systems on structures 35 feet or less in height shall not extend beyond 12 inches parallel to the roof surface.

c. Systems on structures greater than 35 feet in height shall not extend beyond 36 inches parallel to the roof surface.

d. Systems on all structures shall not extend above the highest peak of a pitched roof.

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e. All materials used for racking, mounts, mounting clamps, and flashings shall be of a color consistent with the color of the roof surface to minimize visibility, or black.

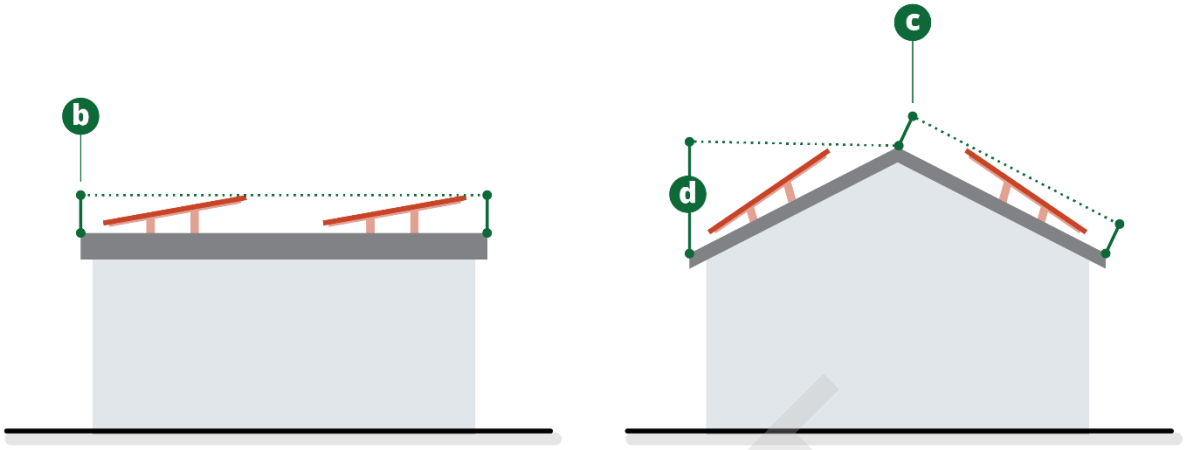

Figure 9 Solar Energy Collection System, Roof Mounted

5-108. Temporary Uses

A. **Temporary Uses Table**.

1. **Permitted Uses (P)**. Uses which are marked as "P" in the table shall be allowed temporary uses subject to all applicable regulations of this Zoning Code.
2. **Temporary Uses (T)**. Uses which are marked as "T" in the table shall be allowed temporary uses after the approval of a Temporary Use Permit, as detailed in Section 2-110.
3. **Special Uses (S)**. Uses which are marked as "S" in the table shall require approval with a Special Permit as detailed in Section 2-113 prior to establishment.
4. **Prohibited Uses**. A blank space in the table indicates that a use is prohibited.
5. **Uses Not Listed**. A use not specifically listed is prohibited unless, through the Interpretation process established in Section 2-107, it is determined that the use is a part of a general use type as described in Section 5-104-C.
6. **Additional Regulation**. If a use has supplemental standards, they are referenced in the Additional Regulation column. Supplemental standards shall apply to the use, regardless of whether it is a permitted or special use.

Table 5-108-A: Temporary Uses by Office District

Use	Additional Regulation	O-1	O-2	O-3	O-4
Civic Uses of Public Property					
Contractor Trailer / Temporary Real Estate Sales	5-108-B-1	T	T	T	T
Farmers Market					

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Table 5-108-A: Temporary Uses by Office District					
Use	Additional Regulation	O-1	O-2	O-3	O-4
Garage Sales					
Parking of Trailers, Boats, and Other Vehicles					
Portable Outdoor Storage Device	5-108-B-2	T	T	T	T
Seasonal Sales	5-108-B-3	T	T	T	T
Tents	5-108-B-4	T	T	T	T

B. **Temporary Use Supplementals Standards.**

1. **Contractor Trailer / Temporary Real Estate Sales.**

   a. Contractors' trailers and temporary real estate sales model units are allowed when accessory to a construction project or a new development.

   b. Contractors' trailers and temporary real estate sales model units shall be limited to a period not to exceed the duration of the active construction phase of such project or the active selling and leasing of space in such development.

   c. Contractors' trailers and temporary real estate sales model units shall not contain any sleeping or cooking accommodations, except if located in a model unit.

   d. No such trailer, unit, or office shall be used as the general office or headquarters of any firm.

   e. Contractors' trailers and temporary real estate sales model units shall be located within the buildable setback of the lot where it is located.

2. **Portable Outdoor Storage Device.**

   a. Only one portable outdoor storage device may be located on a lot at a time.

   b. No portable outdoor storage devices shall block any public sidewalk or public/private street or right of way or interfere with their use.

   c. The portable outdoor storage device shall not exceed:

      i. Eight feet (8) in width,

      ii. Twelve (12) feet in length, and

      iii. Eight feet (8) in height.

   d. The portable outdoor storage device must be located on a hard paved surface approved by the Village Manager.

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e. Every portable outdoor storage device must be locked and secured when not being loaded or unloaded.

3. **Seasonal Sales.**

a. Seasonal sales areas may use a maximum of 20 percent of the parking spaces required for the operation of the principal use or 2,000 square feet, whichever is less.

b. Seasonal sales areas shall not block circulation and movement of emergency vehicles.

c. Seasonal sales areas shall not block pedestrian walkways in a manner which reduces the width of that walkway to less than five feet.

d. Seasonal sales hours of operations shall be limited to between 7 am and 10 pm.

e. No more than four seasonal sales shall be conducted in one calendar year.

4. **Tents.**

a. No tent shall be allowed to remain for a period of more than four (4) days longer than the period during which the principal or accessory use with which it is associated with is allowed to remain or, in the absence of any such period, ten (10) days.

b. Unless waived in writing by the Village Manager, every tent shall comply with bulk, yard and space requirements applicable to accessory structures pursuant to Section 5-107-B-1(d).

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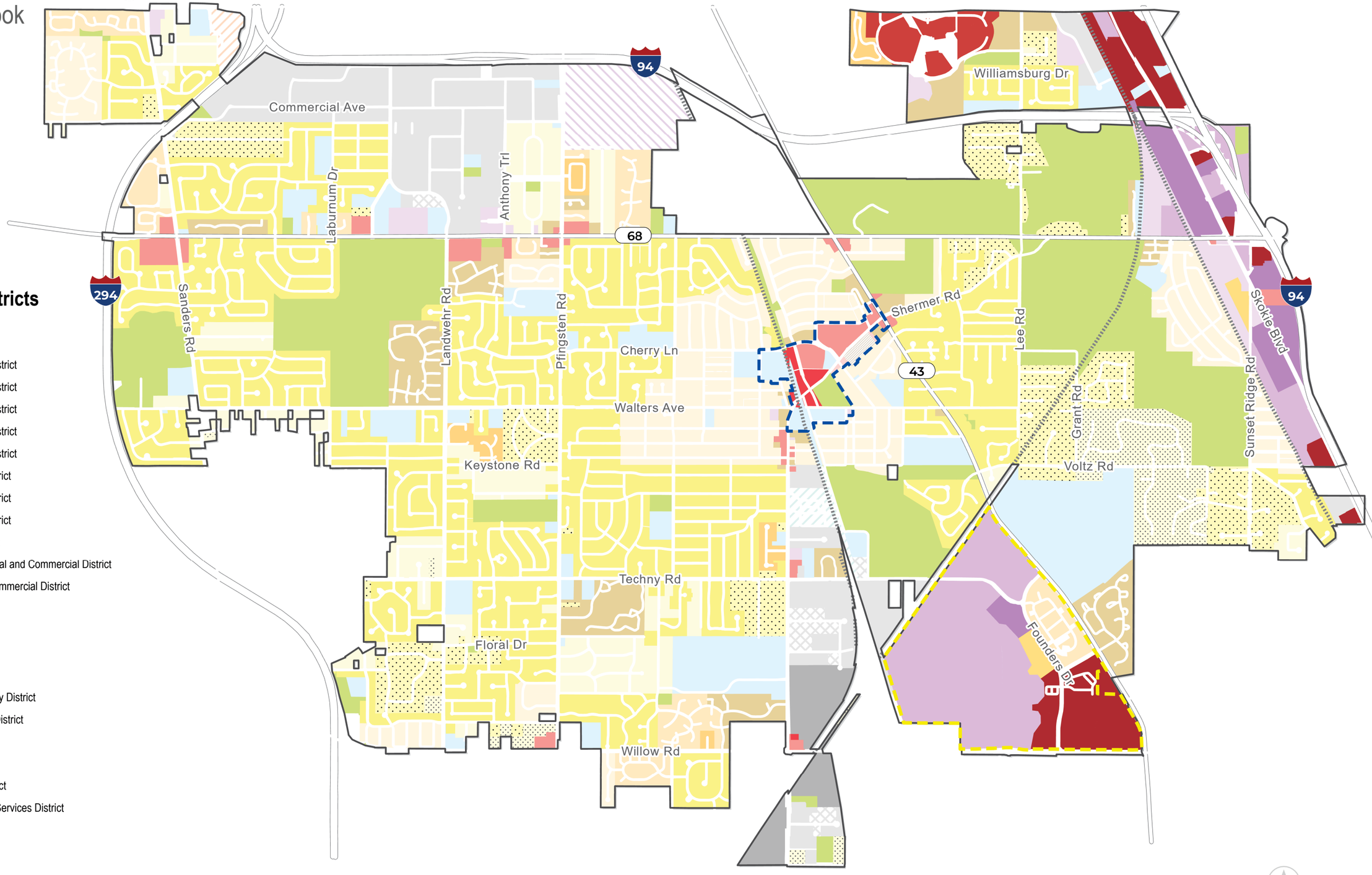
Proposed Zoning Map

Village of Northbrook



Proposed Zoning Districts

- Techny Overlay
- Village Green Overlay
- R1: Single Family Residential District
- R2: Single Family Residential District
- R3: Single Family Residential District
- R4: Single Family Residential District
- R5: Single Family Residential District
- R6: Multi-Family Residential District
- R7: Multi-Family Residential District
- R8: Multi-Family Residential District
- RS: Residential Specialty District
- MFRC: Multiple Family Residential and Commercial District
- RLC: Residential and Limited Commercial District
- O1: Campus Office District
- O2: Limited Office District
- O3: General Office District
- O4: Boulevard Office District
- C1: Specialty Commercial Legacy District
- C2: Neighborhood Commercial District
- C3: Central Business District
- C4: Regional Shopping District
- C5: Boulevard Commercial District
- ICS: Industrial and Commercial Services District
- I1: Restricted Industrial District
- I2: Light Industrial District
- IB: Institutional Building District
- OS: Open Space District
- VGRC: Village Green Residential and Commercial District

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07/10/2025

July 15, 2025

PCD-25-10: 2890 & 2990 DUNDEE ROAD - Rezoning

Northbrook Plan Commission Meeting

Zoning Relief Process

1

- **Preliminary Review of Sketch Plan by Board of Trustees**
- The Board reviews schematic plans of the proposal.
- The Board of Trustees provides initial comments on a proposal, indicating whether or not they see major issues that need to be addressed by the Applicant before they submit detailed plans.
- The Board of Trustees provides direction for a designated body to conduct the Public Hearing on the application if a formal application is filed.

2

- **Technical Review of Formal Application**
- Applicant files Formal Application
- Review of detailed plans, traffic study, financial impact analysis, etc. by Village Staff (Engineering, Police, Fire, Public Works, Zoning, Sustainability) and Village consultants
- Once technical issues are addressed, a public hearing can be scheduled.



3

- **Public Hearing Held by Northbrook Plan Commission or Northbrook Board of Trustees**
- Notice goes to neighbors by certified mail; a sign is posted on the property; and notice is published in the local newspaper.
- The Applicant presents their proposal, the neighbors are able to speak and ask questions/voice concerns.
- The body conducting the public hearing makes a recommendation on the request to approve or deny

4

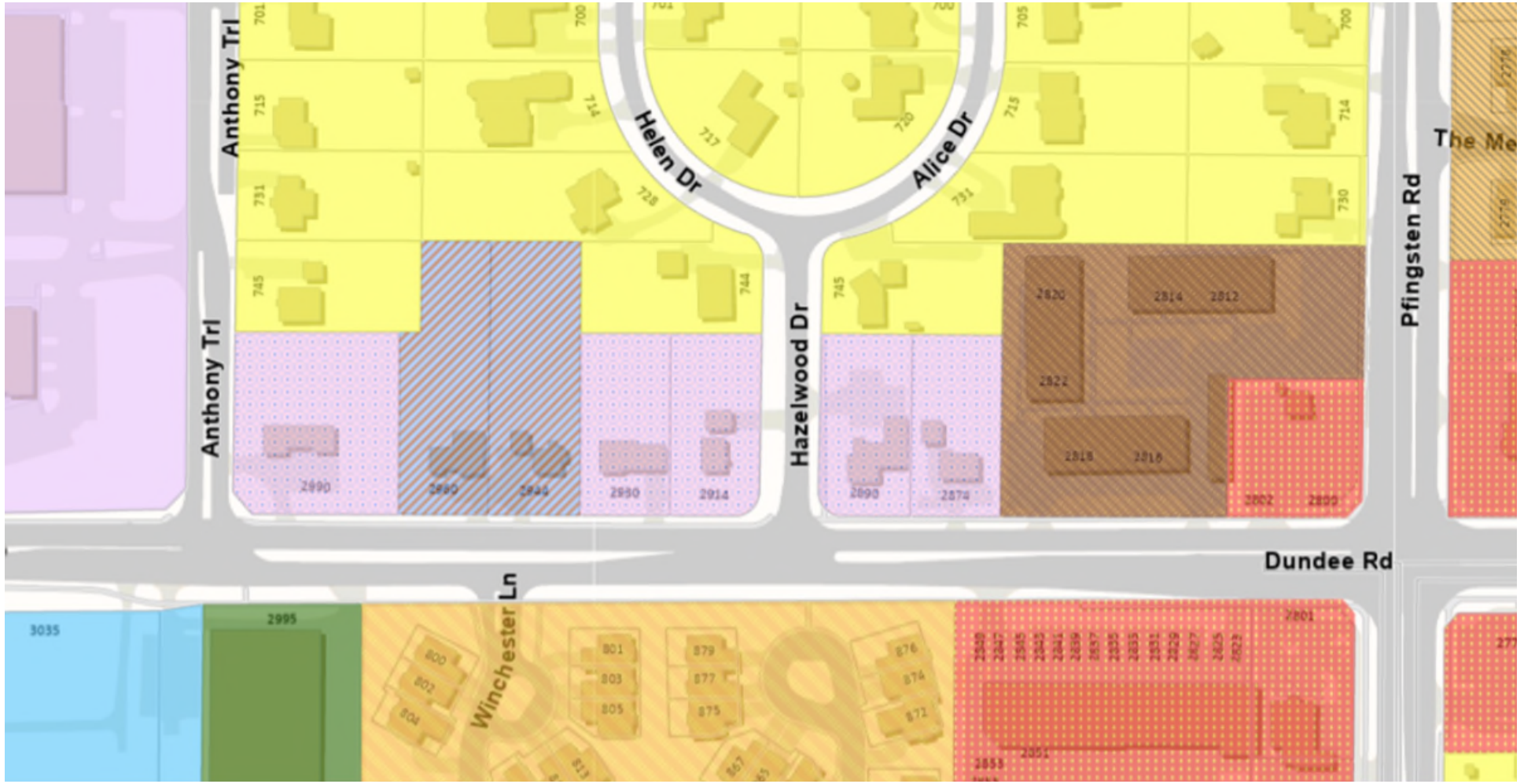
- **Board of Trustees Review of Recommendations & Makes Decision (approve or deny)**
- The Board of Trustees reviews the record of the public hearing, including all of the public testimony and makes a final decision – they may also ask for further changes before making a decision.
- Board of Trustees adopts documents formally approving or denying the application.

Existing Conditions

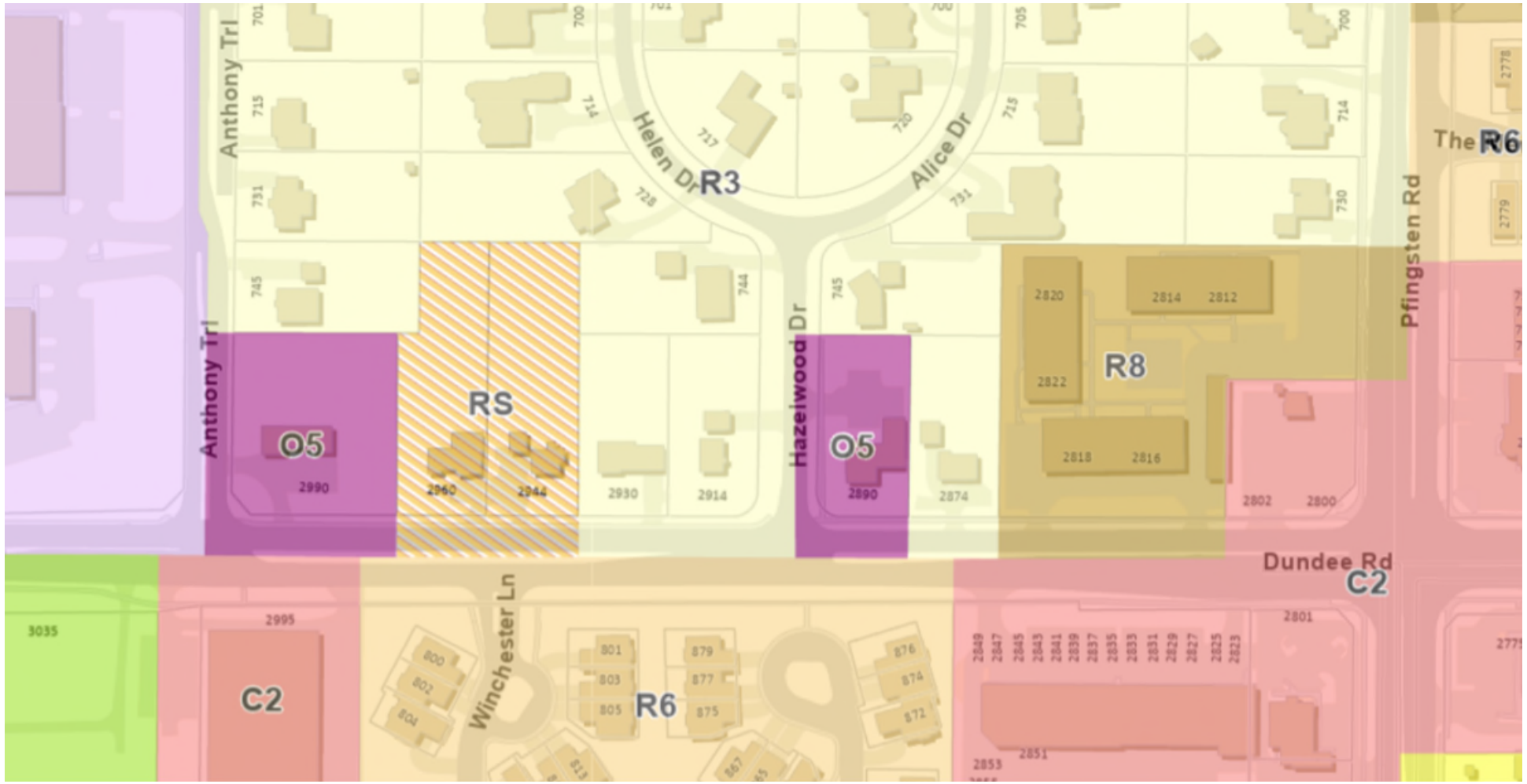
2890 and 2990 Dundee Road



Comprehensive Plan Designation – Neighborhood Office



Zoning Map – O-5 Restricted Office District



2990 Dundee Road



2890 Dundee Road

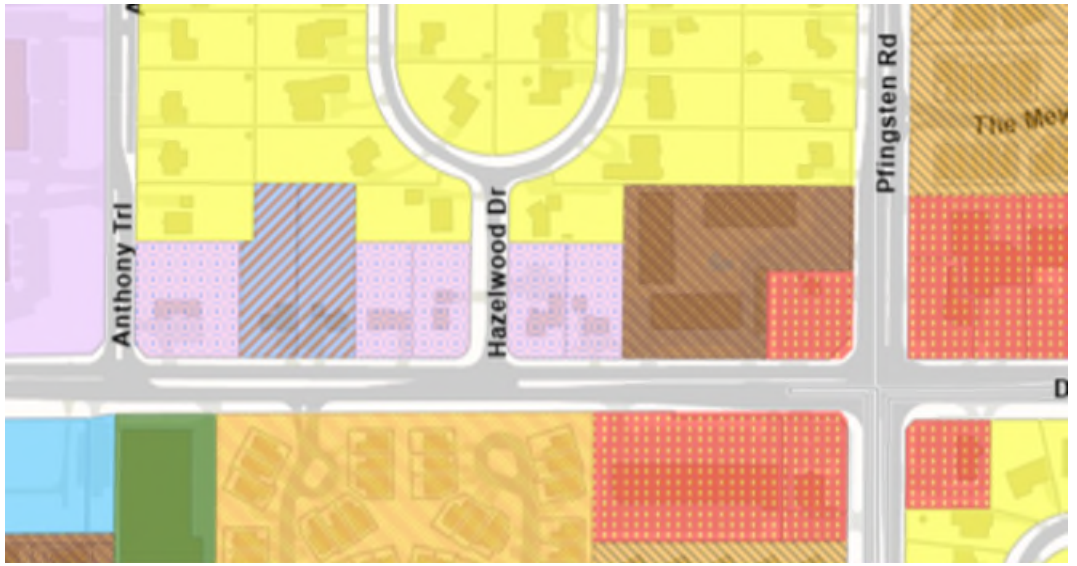


Proposed Plan

BULK, SPACE &YARD REQUIREMENTS	O-2	Proposed O-2	O-5
A. Maximum Height (whichever is less)(10)			
1. Feet	35	35	26
2. Stories	2	2	2
B. Minimum Lot Area and Dimensions (1)(10)			
1. Total Lot Area (square feet)			
a. Planned Development	75,000		75,000
b. All Other Uses	25,000	25,000	20,000
2. Lot Width (feet)	100	100	100
3. Lot Depth (feet)	N/A		N/A
C. Minimum Yard and Setback Requirements (feet) (2)(3)(4)(5)(6)(7)(10)			
1. Front and Corner Side (8)			
a. Yard	30		30
b. Setback	30	30	30
2. Interior Side			
a. Yard	5		10
b. Setback	10	10	10
3. Rear			
a. Yard	5		30
b. Setback	25	25	30
D. Maximum Floor Area Ratio	0.50	N/A	0.35
E. Maximum Lot Coverage (% of lot)	N/A	N/A	50%

Northbrook Comprehensive Plan

NEIGHBORHOOD OFFICE (ON)
Purpose: The ON classification is intended to provide areas to accommodate limited scale office and related uses in a manner that allows it to be an appropriate use adjacent to established single family residential areas. The classification is designed to be used along major roads where single family uses are no longer deemed appropriate.
Principal Land Uses: The primary land uses in the ON classification will be professional office uses. Accessory residential units may be allowed to accommodate live-work arrangements.
Location Standards: The ON classification areas are located in a few areas along Dundee Road.
Applicable Zoning District(s): O-2, and O-5 Districts
Comments: Amendments to the O-2 and O-5 districts may be needed (or a new district created) to achieve the land use, transportation and design objectives of the ON classification. Zoning standards will ensure that new development is (a) designed to be compatible in with neighboring residential areas; (b) screened from neighboring residential areas by suitable landscaping or barriers; and (c) that parking areas are inter-connected to reduce the number of access points on major roads, while directing traffic away from residential areas.



Zoning Relief

Zoning Relief

- Rezone from O-5 Restricted Office District to the O-2 Limited Office District

Items to Consider

Items to Consider

a) The **existing uses and zoning classifications** of properties in the vicinity of the subject property.

b) The **trend of development in the vicinity** of the subject property, including changes, if any, in such trend since the subject property was placed in its present plan designation or zoning classification.

c) The extent to which the **value of the subject property is diminished by the existing plan designation** or zoning classification applicable to it.

d) The extent to which such diminution in **value is offset by an increase in the public health, safety and welfare**.

e) The extent, if any, to which the **use and enjoyment of adjacent properties would be affected** by the proposed amendment.

f) The extent, if any, to which the **value of adjacent properties would be affected** by the proposed amendment.

g) The extent, if any, to which the **future orderly development of adjacent properties would be affected** by the proposed amendment.

h) The **suitability of the subject property for uses permitted or permissible under its present plan designation** and zoning classification.

i) The **availability of adequate ingress to and egress** from the subject property and the extent to which traffic conditions in the immediate vicinity of the subject property would be affected by the proposed amendment.

j) The **availability of adequate utilities and essential public services** to the subject property to accommodate the uses permitted or permissible under its present plan designation and zoning classification.

k) The **length of time, if any, that the subject property has been vacant,** considered in the context of the pace of development in the vicinity of the subject property.

l) The **community need for the proposed map amendment** and for the uses and development it would allow.

July 15, 2025

PCD-25-10: 2890 & 2990 DUNDEE ROAD - Rezoning

Northbrook Plan Commission Meeting