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EXHIBIT F

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ZONING, USE, BULK, AND OTHER REGULATIONS  
AND STANDARDS APPLICABLE TO THE REAL ESTATE

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139 A. Provisions not Applicable. The provisions of the Zoning Ordinance, Subdivision  
140 Control Ordinance and other Village ordinances, to the extent they are limited  
141 by or in conflict with the definitions, regulations and standards set forth below,  
142 shall not apply to the development of the Real Estate.

144 B. Definitions. The following definitions shall be used in interpreting the standards,  
145 regulations and other provisions applicable to the Real Estate:

149 1. Accessory Use, Building or Structure.

152 (a) An "accessory use" is one which:

155 (1) Is subordinate to and serves a principal building or principal  
156 use;

158 (2) Is subordinate in area, extent or purpose to the principal  
159 building or principal use served;

161 (3) Contributes to the comfort, convenience, or necessity of  
162 occupants of the principal building or principal use served;  
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165 (4) Is located on the same zoning lot as the principal building or  
166 principal use served with the single exception of such acces-  
167 sory off-street parking facilities as are permitted to locate  
168 elsewhere than on the same zoning lot with the building or  
169 use served.

172 (b) An "accessory building or structure" is a building or structure  
173 devoted to an accessory use and includes, but is not limited to, the  
174 following:

177 (1) A garage, shed, or building for domestic storage;

179 (2) Storage of goods used in or produced by manufacturing  
180 activities, on the same lot or parcel of ground with such  
181 activities, unless storage is excluded by the district regula-  
182 tions;

184 (3) Off-street motor vehicle parking area, and loading and  
185 unloading facilities;

187 (4) Public utility communication, electric, gas, water, and sewer  
188 lines, their supports, and incidental equipment; and

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- 191 (5) Central heating or air-conditioning facilities, solar energy  
 192 collectors for the purpose of providing energy for heating  
 193 and/or cooling whether as part of a structure or incidental  
 194 to a group of structures in the nearby vicinity;
- 197 (c) No accessory buildings shall be used for residential living quarters.
- 200 2. Building. Any structure with substantial walls and roof securely affixed to  
 201 the land and entirely separated on all sides from any other structure by  
 202 space or by walls in which there are no communicating doors, windows, or  
 203 openings; and which is designed or intended for the shelter, enclosure, or  
 204 protection of persons, animals, or chattels.
- 206 3. Building Height. The vertical distance measured from the surface of the  
 207 first finished floor of a building to the highest point of a building, exclud-  
 208 ing chimneys and rooftop mechanical appurtenances.
- 210 4. Building Setback Line. A line parallel to the street line at a distance from  
 211 it, regulated by the front yard requirements hereinafter set forth.
- 213 5. Clinic, Medical and Dental. An establishment (but not including a hospi-  
 214 tal) where patients are admitted for study or treatment by two or more  
 215 licensed physicians or dentists and their professional associates, practic-  
 216 ing medicine or dentistry together.
- 218 6. Club or Lodge, Private. An association of persons who are bona fide  
 219 members paying annual dues, which owns, hires, or leases a building or  
 220 portion thereof. Food and alcoholic beverages may be served on its prem-  
 221 ises, provided they are secondary and incidental to the principal use and  
 222 appropriate licenses are obtained from the Village.
- 224 7. Commercial Vehicle. Any vehicle other than a passenger vehicle oper-  
 225 ated for the transportation of persons or property in the furtherance of  
 226 any commercial or industrial enterprise, For-Hire or Not-For-Hire, not  
 227 including, however, a recreational vehicle not being used commercially.
- 229 8. Concentration Area. Any part of Parcel 1 or Parcel 4 which: (a) is situ-  
 230 ated within one thousand (1,000) feet of Lake Charles or Harvey Lake or  
 231 within one thousand (1,000) feet of any Undeveloped Zone consisting of  
 232 not less than twenty (20) acres; and (b) is situated more than one thousand  
 233 (1,000) feet distant from the easterly right-of-way line of Butterfield  
 234 Road.
- 236 9. Corner Lot. See Lot, Corner.
- 238 10. Court. An open unoccupied space other than a required yard on the same  
 239 lot with a building, which is totally or partially enclosed by a building or  
 240 buildings and completely open to the sky.
- 242 11. Court, Inner. A court enclosed on all sides by exterior walls of a building  
 243 or by exterior walls and lot lines on which walls are allowable.
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12. Court, Outer. A court enclosed on not more than three sides by exterior walls of a building or by exterior walls and lot lines on which walls are allowable, with one side or end open to a street, driveway, alley or yard.
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13. Coverage, Lot. See Lot Coverage, as defined in the Zoning Ordinance.
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14. Curb Level. See Grade, as defined in the Zoning Ordinance.
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15. Day Care Center. An establishment which receives elderly persons or pre-school or school-age children for short term or extended hours of care and which provides essential personal care, protection, supervision, training and programs to meet the needs of the persons served.
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16. Driveway. The paved area located between the curb of the roadway in the public street and the open or enclosed parking area or building.
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17. Dwelling. A building, or portion thereof, designed or used exclusively for residential occupancy, including single-family dwelling, two-family dwellings, and multiple-family dwellings, but not including mobile homes or other trailers or lodging houses, hotels, or motels.
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18. Dwelling, attached. A dwelling unit having its own ground floor entrance, joined to two (2) or more dwellings by party walls, or other horizontally unifying structural element.
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19. Dwelling, detached. A dwelling which is surrounded on all sides by open space.
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20. Dwelling, multiple-family. A dwelling containing three (3) or more dwelling units.
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21. Dwelling, single-family. A dwelling containing one dwelling unit.
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22. Dwelling, two-family. A dwelling containing two (2) dwelling units.
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23. Floor Area Ratio. With respect to any given tract of land, the ratio obtained by dividing the Gross Floor Area of all buildings situated on such tract by the area of such tract.
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24. Frontage. All the property on one side of a street between two intersecting streets (crossing or terminating) measured along the line of the street, or if the street is dead-ended, then all of the property abutting on one side between an intersecting street and the dead-end of the street.
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25. Gross Floor Area. The sum of the gross horizontal areas of all floors, including basement space (if occupiable for the principal use of the building but not if used for storage or for the maintenance of mechanical equipment), in a building, which areas shall be measured from the exterior faces of the exterior walls or from the centerline of walls separating buildings, as the case may be, but not including mechanical penthouses, floor area devoted to parking or loading, lobbies, courts or atriums.

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26. Hotel or Motel. A building in which rooms or suites are reserved to provide living and sleeping accommodations for temporary guests.
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27. Laboratory, Commercial. A place devoted to experimental study such as testing and analyzing. Manufacturing, assembly, or packaging of products as a principal use is not included within this definition.
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28. Loading and Unloading Space, Off-Street. An open hard surfaced area of land other than a street or public way, the principal use of which is for the standing, loading and unloading of motor trucks, tractors, and trailers to avoid undue interference with the public use of streets and alleys.
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29. Lot. The word "lot" when used alone shall mean a zoning lot unless the context clearly indicates otherwise.
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30. Lot, Corner. A parcel of land situated at the intersection of two or more streets or adjoining a curved street at the end of a block.
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31. Lot Line, Front. That boundary of a lot or tract of land which is along a public or private street, right-of-way or easement of access. On a corner lot, the lot line having the shortest length abutting a street, right-of-way or easement of access is the front lot line.
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32. Lot Line, Rear. The lot line or lot lines most nearly parallel to and most remote from the front lot line. Lot lines other than front or rear lot lines are side lot lines.
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33. Lot Width. The horizontal distance between the side lot lines measured at right angles to the lot depth at the established front building line.
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34. Lot, Zoning. A tract of land which is designated by its owner or developer as a tract to be used, developed or built upon as a single unit. A zoning lot may or may not coincide with a subdivided lot of record.
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35. Manufacture. The making of anything by an agency or process.
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36. Octave Band. A means of dividing the range of sound frequencies into octaves in order to classify sound according to pitch.
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37. Parking Area. A hard-surfaced area other than a street, driveway or public way, designed, arranged, and made available for the parking of private passenger automobiles, recreational vehicles and commercial vehicles of occupants of the building or buildings for which the parking area is developed and is accessory.
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38. Parking Area, Underground. A building or portion of a building designed, arranged, and made available to occupants of the building under which the parking is developed for storage of private passenger automobiles and commercial vehicles.

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39. Parking Facility, Off-street. A structure which is designed or used exclusively for the storage of passenger motor vehicles, recreational vehicles and commercial vehicles not exceeding one and one-half (1½) tons in capacity either for accessory or commercial off-street parking spaces.
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40. Parking Space. Space within a public or private parking area or parking facility for the storage of one passenger automobile or commercial vehicle under one and one-half (1½) ton capacity.
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41. Public Utility Facilities. Poles, towers, wires, cables, conduits, vaults, laterals, transformers, pedestals, switchgear and other similar transmission or distribution equipment of a public utility.
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42. Public Way. A thoroughfare for travel or transportation from place to place which is accessible to the public.
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43. Ringelmann Number. The number of the area on the Ringelmann Chart published and used by the U.S. Bureau of Mines that coincides most nearly with the visual density of emission or the light-obscuring capacity of smoke.
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44. Senior Citizen/Elderly/Congregate Housing. Housing constructed, maintained and operated for the exclusive occupancy of individual units therein by: (i) persons who are at least 55 years of age; (ii) persons who are under a disability or are handicapped; or (iii) two (2) to four (4) persons, one of whom meets the occupancy criteria stated in (i) or (ii).
45. Setback Line, Building. See Building Setback Line.
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46. Sign(s). Any identification, description, illustration or illuminated device which is visible from any public place or is located on private property and exposed to the public and which directs attention to a product, service, place, activity, person, institution, business, or solicitation, including any permanently installed or situated merchandise or any emblem, painting, banner, pennant, placard, or temporary sign designed to advertise, identify or convey information, with the exception of national flags. For the purpose of removal, signs shall also include all sign structures.
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47. Smoke Units. The number obtained by multiplying the smoke density in Ringelmann numbers by the time of emission in minutes. For the purpose of the Ringelmann Chart, Ringelmann density reading is made at least once every minute during the period of observation; each reading is then multiplied by the time in minutes during which it is observed, and the various products are added together to give the total number of "smoke units" observed during the total period under observation.
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48. Story. That portion of a building, other than a basement or cellar, included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above it.

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- 402      49. Street. The width of the right-of-way or easement, whether public or  
403 private, which affords a primary means of vehicular access to abutting  
404 properties. A street shall not be considered as the width of pavement or  
405 other improvement on the right-of-way.
  
- 407      50. Street Line. A dividing line between a lot, tract, or parcel of land and a  
408 contiguous street.
  
- 410      51. Structure. Anything built, constructed or placed, which requires location  
411 in or on the ground or is attached to something having a location on the  
412 ground.
  
- 414      52. Structural Alterations. Any change other than incidental repairs which  
415 would prolong the life of the supporting members of a building or struc-  
416 ture, such as bearing walls, columns, beams, or girders.
  
- 418      53. Terrace, Open. A level plane or platform which is located abutting one or  
419 more faces of the principal structure and which is constructed not more  
420 than four feet in height above the average level of the adjoining ground.
  
- 422      54. Undeveloped Zone. A parcel of land and/or water which: (a) is owned by  
423 a person or entity other than the Village, the Vernon Hills Park District or  
424 any school district and is subject to use by the public as a public or  
425 quasi-public conservation area, park, school, lake or waterway; (b) is sub-  
426 ject to a restriction imposed by order court, deed, plat or dedication  
427 which prevents development thereof in a manner otherwise permissible  
428 under applicable Village ordinances or under this Agreement; or (c) is  
429 devoted to any privately owned active or passive recreational use (includ-  
430 ing, without limitation, a golf course). Each part of an Undeveloped Zone  
431 must satisfy one or more of the above three criteria, but an entire Unde-  
432 veloped Zone need not satisfy any single one of such three criteria. An  
433 Undeveloped Zone may be irregular in shape (provided it is reasonably  
434 compact under the circumstances) and may include public or private roads  
435 or easements. No part of the Estate shall qualify as an Undeveloped Zone.
  
- 437      55. Unified Retail Center. A development of ten (10) or more acres which is  
438 devoted principally to retail sale and/or retail service businesses. A Uni-  
439 fied Retail Center may consist of one or more principal buildings, may  
440 contain one or more lots which are devoted to separate uses and may be  
441 owned by different entities. A Unified Retail Center may be developed in  
442 stages or phases and shall initially be under either unified control or single  
443 ownership.
  
- 445      56. Use. The purpose for which land or a building thereon is designed,  
446 arranged or intended, or for which it is occupied, maintained, let, or  
447 leased.
  
- 449      57. Yard, Front. A yard extending across the full width of a zoning lot or  
450 tract of land and lying between the front line of such lot or tract and the  
451 nearest line of the building.

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454 58. Yard, Rear. A yard extending across the full width of a zoning lot or  
455 tract of land and lying between the rear line of such lot or tract and the  
456 nearest line of the principal building which is unobstructed and unoccu-  
457 pied from its lowest level upward except as otherwise permitted.

459 59. Yard, Side. That part of the yard lying between the nearest line of the  
460 principal building and a side lot line, and extending from the required  
461 front yard (or from the front lot line, if there is no required front yard) to  
462 the required rear yard which is unoccupied and unobstructed from its low-  
463 est level upward except as otherwise permitted.

467 C. Permitted and Special Uses. Only the following permitted and special uses shall  
468 be authorized on the Real Estate:

471 Section 1. Residential Uses in Parcels 1-A, 1-B, 3 and 4

473 1.1 Permitted Uses:

476 1.1.1 Detached single-family dwellings;

478 1.1.2 Two-family and attached single-family dwellings;

480 1.1.3 Multiple-family dwellings (but not in Parcel 3);

482 1.1.4 Senior Citizen/Elderly/Congregate Housing (but not in Par-  
483 cel 3);

485 1.1.5 Houses of worship, convents, rectories, parsonages, parish  
486 houses and monasteries, including schools sponsored by and  
487 operated within the sponsor's buildings;

489 1.1.6 Parks, playgrounds, and recreational facilities;

491 1.1.7 Public schools, elementary and high, and private schools  
492 having the same curriculum as ordinarily given in the pub-  
493 lic schools;

495 1.1.8 Nurseries, provided all plants sold shall be grown on the  
496 premises;

498 1.1.9 Extraction of sand, gravel or other raw materials (but only  
499 as to that part of Parcel 1-B within Lake Charles and only  
500 for the purpose of extracting materials to be used for con-  
501 struction of improvements relating to the Real Estate  
502 within twenty (20) years from the date hereof);

504 1.1.10 Farms, excluding the raising of livestock and poultry  
505 thereon;

- 508 1.1.11 Golf courses and driving ranges (but no driving range shall
- 509 have lights for night use without the approval of the Cor-
- 510 porate Authorities);
- 512 1.1.12 Off-street parking areas and parking facilities, as required
- 513 or permitted by Paragraph K below;
- 515 1.1.13 Accessory uses (specifically including public and private
- 516 sanitary sewer and/or water systems and facilities); and
- 518 1.1.14 Any use determined by the Corporate Authorities to be
- 519 similar and compatible to the uses listed above.
- 523 1.2 **Special Uses:**
- 526 1.2.1 Any building owned or leased by a public utility as a branch
- 527 office or distribution center;
- 529 1.2.2 Any public building erected or leased by any department of
- 530 municipal, state, county or federal government;
- 532 1.2.3 Convalescent care facilities;
- 534 1.2.4 Hospitals, provided that such buildings may not cover more
- 535 than thirty percent (30%) of the total lot area and such
- 536 buildings shall be set back an additional two (2) feet from
- 537 all lot lines for every foot of building height;
- 539 1.2.5 Storage and service of school buses;
- 541 1.2.6 Day care centers;
- 543 1.2.7 Riding stables; and
- 545 1.2.8 Any use determined by the Corporate Authorities to be
- 546 similar and compatible to the uses listed above.

550 Section 2. **Non-Residential Uses in Parcel 1-B and That Portion of Parcel 4 Which is**  
 551 **More Than One Thousand (1,000) Feet Distant from the Westerly**  
 552 **Right-of-Way Line of Milwaukee Avenue**

- 556 2.1 **Permitted Uses Throughout:**
- 559 2.1.1 Hotels and motels;
- 561 2.1.2 Business and professional offices and office buildings
- 562 (including corporate headquarters);
- 564 2.1.3 Research and development facilities including the testing
- 565 of products but not including the manufacture of products

- 567 (except as incidental to the research and testing of prod-  
568 ucts);
- 570 2.1.4 Museums (as to Parcel 4 only);
- 572 2.1.5 Greenhouses (as to Parcel 4 only);
- 574 2.1.6 Accessory uses; and
- 576 2.1.7 Any use determined by the Corporate Authorities to be  
577 similar and compatible to the uses listed above.
- 581 2.2 Permitted Uses in Limited Portions of Parcels (i.e. Limited to  
582 Hotels, Office Buildings, Clubs, Restaurants, Etc. as Provided in  
583 Paragraph "H" of Article VIII of this Agreement):
- 586 2.2.1 Antique shops;
- 588 2.2.2 Arcades for electronic games;
- 590 2.2.3 Art Galleries;
- 592 2.2.4 Bakeries (provided that all goods produced on the premises  
593 are sold at retail on the premises);
- 595 2.2.5 Banks and savings and loan associations (but not including  
596 drive-in or drive-through facilities without the approval of  
597 the Corporate Authorities);
- 599 2.2.6 Barber and beauty shops;
- 601 2.2.7 Book and stationery stores;
- 603 2.2.8 Camera and photographic stores;
- 605 2.2.9 Candy, confectionary and ice cream stores;
- 607 2.2.10 Card and gift shops;
- 609 2.2.11 China and glassware stores
- 611 2.2.12 Clinics (medical and dental);
- 613 2.2.13 Cocktail lounges;
- 615 2.2.14 Coin and philatelic shops;
- 617 2.2.15 Drug stores and pharmacies;
- 619 2.2.16 Dry cleaners and laundries (drop-off and pick-up only);

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- 622 2.2.17 Florist shops;
- 624 2.2.18 Furrier shops;
- 626 2.2.19 General retail sales;
- 628 2.2.20 Hobby and craft shops;
- 630 2.2.21 Jewelry stores;
- 632 2.2.22 Leather goods and luggage stores;
- 634 2.2.23 Office supply stores;
- 636 2.2.24 Optical shops;
- 638 2.2.25 Physical culture and health services, reducing salons;
- 640 2.2.26 Package liquor stores;
- 642 2.2.27 Photographic studios;
- 644 2.2.28 Private clubs;
- 646 2.2.29 Restaurants (including those serving alcoholic beverages  
647 but excluding drive-in and drive-through)
- 649 2.2.30 Shoe stores;
- 651 2.2.31 Sporting goods stores;
- 653 2.2.32 Retail tailor and dressmaking shops;
- 655 2.2.33 Toy stores;
- 657 2.2.34 Travel agencies;
- 659 2.2.35 Video stores;
- 661 2.2.36 Wearing apparel shops;
- 663 2.2.37 Accessory uses; and
- 665 2.2.38 Any use determined by the Corporate Authorities to be  
666 similar and compatible to the uses listed above.

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- 671 Section 3. Non-Residential Uses in Parcels 1-A and 3
- 673 3-1 Permitted Uses Throughout Parcel 3:
- 676 3.1.1 Blueprinting and photostating;
- 678 3.1.2 Bookbinding;
- 680 3.1.3 Engraving, printing and publishing;
- 682 3.1.4 Lithographing;
- 684 3.1.5 Warehouse storage of nonhazardous materials, products and  
685 equipment, wholly enclosed within a building;
- 687 3.1.6 Wholesale sales and warehouses;
- 689 3.1.7 Sales rooms accessory to permitted uses; and
- 691 3.1.8 Light manufacturing, fabricating, processing, assembly,  
692 repairing, storing, servicing or testing of materials, goods  
693 or products;
- 695 3.1.9 Business and professional offices and office buildings;
- 697 3.1.10 Research laboratories;
- 699 3.1.11 Accessory uses; and
- 701 3.1.12 Any use determined by the Corporate Authorities to be  
702 similar and compatible to the uses listed above.
- 706 3.2 Permitted Uses in Limited Portions of Parcels 1-A and 3 (i.e. Lim-  
707 ited to an Aggregate Area of Not More than Twenty (20) Acres  
708 Abutting Butterfield Road, as Provided in Paragraph "G" of Article  
709 VIII of this Agreement):
- 712 3.2.1 All uses identified or referred to above in Section 2.2 (other  
713 than cocktail lounges and medical clinics);
- 715 3.2.2 Art and school supply stores;
- 717 3.2.3 Bicycle shops;
- 719 3.2.4 Food stores, delicatessens, grocery stores and supermar-  
720 kets;
- 722 3.2.5 Furniture stores;
- 724 3.2.6 Hardware stores;

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- 727 3.2.7 Household appliance stores;
- 729 3.2.8 Interior decorating stores;
- 731 3.2.9 Locksmith shops;
- 733 3.2.10 Meat markets;
- 735 3.2.11 Music stores;
- 737 3.2.12 Paint and wallpaper stores;
- 739 3.2.13 Pet stores;
- 741 3.2.14 Professional and business offices;
- 743 3.2.15 Radio, t.v., hi-fi and record stores;
- 745 3.2.16 Schools, music & dancing;
- 747 3.2.17 Shoe and clothing repair shops;
- 749 3.2.18 Variety stores;
- 751 3.2.19 Accessory uses; and
- 753 3.2.20 Any use determined by the Corporate Authorities to be
- 754 similar and compatible to the uses listed above.
- 758 3.3 Special Uses in the Limited Portions of Parcels 1-A and 3 Described
- 759 in Section 3.2:
- 762 3.3.1 Business and trade schools;
- 764 3.3.2 Carpet, rug and tile stores;
- 766 3.3.3 Cocktail lounges;
- 768 3.3.4 Equipment rental (outdoor);
- 770 3.3.5 Medical clinics;
- 772 3.3.6 Properly screened outdoor sales;
- 774 3.3.7 Any use determined by the Corporate Authorities to be
- 775 similar and compatible to the uses listed above.

780 Section 4. Non-Residential Uses in Parcels 2 and 5 and That Portion of Parcel 4  
781 Which is Within One Thousand (1,000) Feet of the Westerly Right-of-Way  
782 Line of Milwaukee Avenue

784 4.1 Permitted Uses:

787 4.1.1 All uses identified or referred to above in Section 3.2;

789 4.1.2 Cocktail lounges;

791 4.1.3 Clinics;

793 4.1.4 Day care centers;

795 4.1.5 Equipment rental (indoor);

797 4.1.6 Hotels and motels;

799 4.1.7 Movie Theatres and entertainment complexes;

801 4.1.8 Museums (as to Parcel 4 only);

803 4.1.9 Business and professional offices and office buildings  
804 (including corporate headquarters);

806 4.1.10 Off-street parking areas and parking facilities;

808 4.1.11 Accessory uses (specifically including public and private  
809 sanitary sewer and/or water systems and facilities); and

811 4.1.12 Any use determined by the Corporate Authorities to be  
812 similar and compatible to the uses listed above.

816 4.2 Special Uses:

819 4.2.1 Any building owned or leased by a public utility as a branch  
820 office or distribution center;

822 4.2.2 Any public building erected or leased by any department of  
823 municipal, state, county or federal government;

825 4.2.3 Animal clinic;

827 4.2.4 Animal hospital;

829 4.2.5 Automobile, new car dealerships with new car showrooms,  
830 auto preparation and service bays, new car storage and  
831 similar accessory uses normally consistent with a new car  
832 dealership. Used car sales shall be permitted only in con-  
833 junction with a new car dealership, and shall be limited to a  
834 maximum of three (3) square feet of outdoor display area

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- 836 for each one (1) square foot of new car indoor display or  
 837 sales showroom (excluding office space);
- 839 4.2.6 Automobile service stations and/or mini-marts and/or auto-  
 840 mobile laundries;
- 842 4.2.7 Banks and savings and loan associations, drive-in and drive-  
 843 through;
- 845 4.2.8 Business and trade schools;
- 847 4.2.9 Equipment rental (outdoor);
- 849 4.2.10 Funeral parlors;
- 851 4.2.11 Gunsmiths and gun shops;
- 853 4.2.12 Property screened outdoor sales;
- 855 4.2.13 Restaurants, drive-in and drive-through;
- 857 4.2.14 Wholesale sales; and
- 859 4.2.15 Any use determined by the Corporate Authorities to be  
 860 similar and compatible to the uses listed above.

864 D. Floor Area Ratio.

- 867 1. Residential Uses. There shall be no floor area ratio limitations in either  
 868 single-family, two-family or multiple-family residential developments  
 869 within the Real Estate.
- 871 2. Non-Residential Uses. Except with respect to Parcel 5, upon submission  
 872 of a Preliminary Plan for a development which includes a commercial  
 873 building, office building, hotel or limited industrial building, a separate  
 874 tract of land (which may be, but need not be, a separate zoning lot) shall  
 875 be assigned to each such building. The floor area ratio within any such  
 876 tract assigned to a commercial building (other than a hotel) shall not  
 877 exceed .35. The floor area ratio within any such tract assigned to a hotel,  
 878 office building or limited industrial building shall not exceed .5. There  
 879 shall be no floor area ratio limitation for individual buildings within  
 880 Parcel 5; provided the aggregate floor area ratio of all buildings within  
 881 Parcel 5 shall not exceed 1.0.

- 884 E. Ingress and Egress Systems. The provisions of Sections 13.7.2, 14.7.2, 15.7.2 and  
 885 16.7.2 of the Zoning Ordinance shall not be applicable to development on the  
 886 Real Estate. However, all buildings and uses maintained within the Real Estate  
 887 shall have access to a public street or a private street which in turn has access  
 888 to a public street.

892 F. Height.

895 1. Without the prior approval of the Corporate Authorities, building heights  
896 within the Real Estate shall not exceed the following:

899 (a) Except as otherwise provided in the succeeding provi-  
900 sions of this paragraph F, buildings may be constructed to a maxi-  
901 mum height of three (3) stories or thirty-six (36) feet, whichever is  
902 greater, provided, however, that buildings containing commercial  
903 uses may be constructed to a maximum height of three (3) stories  
904 or fifty (50) feet, whichever is greater.

906 (b) Within any Concentration Area, nursing homes, hospitals  
907 and buildings containing multiple-family residential dwelling units  
908 may be constructed to a maximum height of six (6) stories or  
909 seventy-two (72) feet, whichever is greater.

911 (c) Within Parcel 5, office buildings and hotels may be con-  
912 structed to a maximum height of twelve (12) stories or one hundred  
913 forty-four (144) feet, whichever is greater; within Parcels 1-B, 2  
914 and 4, hotels may be constructed to a maximum height of eight (8)  
915 stories or ninety-six (96) feet, whichever is greater, and office  
916 buildings may be constructed to a maximum height of six (6) stories  
917 or seventy-two (72) feet, whichever is greater.

919 (d) Notwithstanding (b) and (c) above, within that part of  
920 Parcel 4 situated within three hundred (300) feet of the easterly  
921 right-of-way line of Lakeview Parkway, no buildings may be con-  
922 structed to a height in excess of three (3) stories or thirty-six (36)  
923 feet, whichever is greater.

925 (e) Within Parcel 3, non-residential buildings may be con-  
926 structed to a maximum height of four (4) stories or forty-eight (48)  
927 feet, whichever is greater, provided, however, that within three  
928 hundred (300) feet of the southerly boundary of Parcel 3 such  
929 non-residential buildings shall not exceed two (2) stories or  
930 twenty-four (24) feet, whichever is greater.

932 (f) Accessory buildings or structures in single-family resi-  
933 dential developments (except for garages) shall not exceed ten (10)  
934 feet in height. Garages in single-family residential developments  
935 shall not exceed twenty-five (25) feet in height. Accessory build-  
936 ings or structures in multiple-family residential and non-residential  
937 developments shall not exceed twenty-five (25) feet in height  
938 except that accessory parking structures may be built to the height  
939 of the building served by such accessory parking structure.

942 2. No chimney or rooftop mechanical appurtenances shall exceed fifteen (15)  
943 feet in height and all such rooftop mechanical appurtenances shall be  
944 screened from view.

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949 G. Building Setback and Yard Requirements.

951 1. Front Yard Setbacks.

954 (a) In detached single-family residential developments, front yard set-  
955 backs shall be provided as follows:

959	<u>Lot Size</u>	<u>Front Yard Setback</u>
962	19,999 square feet or less	25 feet
964	20,000 square feet -	30 feet
965	39,999 square feet	
967	40,000 square feet -	40 feet
968	79,999 square feet	
970	80,000 square feet or more	65 feet

973 (b) In two-family and attached single-family residential developments,  
974 a front yard setback of not less than twenty (20) feet shall be pro-  
975 vided.

977 (c) In multiple-family residential developments, a front yard setback  
978 of not less than thirty (30) feet shall be provided.

980 (d) In commercial, office and limited industrial developments, a front  
981 yard setback of not less than thirty (30) feet shall be provided along  
982 a local street and a front yard setback of not less than forty (40)  
983 feet shall be provided along a collector street.

985 (e) In developments containing the uses identified or referred to here-  
986 inabove in Sections 1.1.5, 1.1.7, 1.1.8, 1.2.1, 1.2.2 and 1.2.4, a front  
987 yard setback of not less than sixty-five (65) feet shall be provided.

989 (f) On public streets, front yard setbacks shall be measured from the  
990 nearest right-of-way line of such streets. On private streets or  
991 easements of access, front yard setbacks shall be measured from  
992 the nearest curb line.

996 2. Side and Rear Yard Setbacks.

999 (a) In single-family residential developments, side yards shall be pro-  
1000 vided as follows:

	<u>Lot Size</u>	<u>Side Yard</u>
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1008	11,999 square feet or less	7 feet
1010	12,000 square feet -	
1011	19,999 square feet	10 feet
1013	20,000 square feet -	
1014	39,999 square feet	15 feet
1016	40,000 square feet -	
1017	79,999 square feet	25 feet
1019	80,000 square feet or more	30 feet
1022	(b) In single-family residential developments, rear yards shall be provided as follows:	
1023		
1027	<u>Lot Size</u>	<u>Rear Yard</u>
1030	19,999 square feet or less	35 feet or 20% of the depth of the lot, whichever is greater
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1032		
1034	20,000 square feet or more	50 feet or 20% of the depth of the lot, whichever is greater
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1039	(c) In two-family and attached single-family residential developments, a side yard setback of not less than seven (7) feet shall be provided on each side of a building (except a side yard shall not be required where a side yard line is coterminous with a party wall) and a rear yard of not less than thirty (30) feet, or twenty (20) percent of the depth of the lot, whichever is greater, shall be provided.	
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1046	(d) In multiple-family residential developments, side yard setbacks of not less than thirty (30) feet shall be provided and rear yard setbacks of not less than thirty (30) feet, or twenty (20) percent of the depth of the lot, whichever is greater, shall be provided.	
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1051	(e) In commercial and office developments, a side yard setback of not less than thirty-five (35) feet shall be provided and a rear yard setback of not less than forty (40) feet shall be provided.	
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1055	(f) In limited industrial developments, side and rear yard setbacks of not less than twenty-five (25) feet shall be provided unless the limited industrial building is greater than two (2) stories in height in which event side and rear setbacks of not less than thirty (30) feet shall be provided.	
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- (g) In developments containing the uses identified or referred to hereinabove in Sections 1.1.5, 1.1.7, 1.1.8, 1.2.1, 1.2.2 and 1.2.4, side yard setbacks of not less than twenty-five (25) feet shall be provided and a rear yard setback of not less than fifty (50) feet, or twenty percent (20%) of the lot depth, whichever is greater, shall be provided.

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3. Setback Requirements from Milwaukee Avenue, Illinois State Route 60 and Butterfield Road. Notwithstanding the foregoing yard requirements, no commercial, office or limited industrial building shall be constructed within one hundred (100) feet, plus one foot for each foot of building height in excess of thirty-five (35) feet, of the right-of-way (existing as of the date of issuance of a building permit for such building) of either Milwaukee Avenue, Illinois State Route 60 or Butterfield Road.

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4. Distances Between Buildings.

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- (a) In commercial, office and limited industrial developments, no building shall be maintained within twenty (20) feet of any other building. For purposes of this provision, any two or more user spaces sharing one or more common walls or separated solely by an outdoor sales area being maintained in conjunction with one of the adjacent uses, shall be considered to be a single building, regardless of the form of ownership of such user space.

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- (b) In multiple-family residential developments, no two (2) story building shall be maintained within twenty-five (25) feet of any other building and no three (3) story building shall be maintained within thirty (30) feet of any other building.

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5. Buffer Strips Along Public Rights-of-Way. In commercial, office and limited industrial developments, a landscaped buffer strip of not less than twenty-five (25) feet in depth with such depth to be provided in any yard abutting a public right-of-way, measured from the lot line abutting said public right-of-way. In commercial, office and limited industrial developments abutting Milwaukee Avenue, Illinois State Route 60 and Butterfield Road such buffer strip shall be not less than fifty (50) feet in depth measured from the lot line abutting the right-of-way existing as of the date of issuance of a building permit for such development. Driveways for ingress and egress may be located within such landscaped buffer strip.

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6. Setback Requirements from Lake Charles and Harvey Lake. Except for piers, marinas, clubhouses and other water dependent uses, no structure may be constructed within one hundred (100) feet of Lake Charles or Harvey Lake without approval of the Corporate Authorities.

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Required Minimum Square Footage of Habitable Area In Residential Dwelling Units.

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For purposes hereof, habitable area shall be the horizontal square foot area of all floors of a dwelling unit above the finished grade, measured from the inside surfaces of

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1121 all perimeter walls enclosing the dwelling unit. Habitable area shall not include cellars,  
 1122 garages, attics, basements, porches, patios, atriums, or similar areas which are acces-  
 1123 sory to a dwelling unit except that finished recreation rooms may be permitted in a  
 1124 basement and will be counted as habitable area, provided such area does not exceed ten  
 1125 (10) percent of the total habitable floor area requirement. Where the dwelling unit is  
 1126 multi-level, the tabular square foot area can be divided evenly or unevenly between  
 1127 levels provided the total required square foot requirement is met.

1131 1. Detached Single-Family Residential Dwelling Units.

1134	Lot Size Per Dwelling Unit	Minimum Habitable Area
1135	(Square Feet)	(Square Feet)
1138	80,000 +	3,400
1139	40,000 - 79,999	3,000
1140	20,000 - 39,999	2,600
1141	12,000 - 19,999	2,300
1142	9,000 - 11,999	2,150

1146 2. Two-Family and Attached Single-Family  
 1147 and Multiple-Family Residential Dwelling Units.

1150 (a) Multiple-Family:

1152	One-bedroom dwelling unit.....	1,000 square feet
1153	Two-bedroom dwelling unit.....	1,200 square feet
1154	Three-bedroom dwelling unit.....	1,400 square feet
1155	Four-bedroom dwelling unit.....	1,600 square feet

1158 (b) Two-Family and Attached Single-Family:

1160	Two-bedroom dwelling unit.....	1,200 square feet
1161	Three-bedroom dwelling unit.....	1,400 square feet
1162	Four-bedroom dwelling unit.....	1,600 square feet

1165 3. The Corporate Authorities shall reasonably establish the required square  
 1166 foot requirements for habitable area for any other combination of bed-  
 1167 rooms and floor or level building designs.

1171 I. Lot Area, Lot Width and Lot Coverage.

1173 1. Detached Single-Family Residential Dwelling Units.

1176 (a) All detached single-family residential dwelling units shall be con-  
 1177 structed on lots having an area of not less than ten thousand  
 1178 (10,000) square feet except that up to twenty percent (20%) of the  
 1179 detached single-family residential dwelling units constructed or  
 1180 being constructed on the Real Estate from time to time may be  
 1181 constructed on lots having an area of not less than nine thousand  
 1182 (9,000) square feet.

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(b) Detached single-family residential dwelling units shall be constructed on lots having not less than the following lot widths:

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Lot Size

Minimum Lot Width

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11,999 square feet or less

75 feet

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12,000 square feet -  
19,999 square feet

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20,000 square feet -  
39,999 square feet

100 feet

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40,000 square feet  
79,999 square feet

135 feet

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80,000 square feet  
or more

200 feet

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(c) On cul-de-sacs, lot width shall be measured along a line parallel to, and 30 feet behind, the front yard setback line.

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2. Two-Family and Attached Single-Family Residential Dwelling Units.

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(a) All two-family and attached single-family residential dwelling units shall be constructed on lots having an area of not less than five thousand (5,000) square feet for each dwelling unit.

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(b) All two-family residential dwelling units shall be constructed on lots having a width of not less than sixty-five (65) feet.

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(c) All attached single-family residential dwelling units shall be constructed on lots having a width of not less than twenty-five (25) feet per dwelling unit.

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3. Multiple-Family Residential Dwelling Units.

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(a) Each development including one or more buildings which contain multiple-family residential dwelling units shall be constructed on a lot of not less than one hundred twenty thousand (120,000) square feet of land area. The calculation of the area of any lot devoted to such a development shall be made on a so-called "gross" acreage basis so that the amount of land within any detention/retention basin, wetlands area, road right-of-way, private park site, common area or the like is included in such area; but no part of any lake or golf course may be included in any such calculation.

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(b) Each development including one or more buildings which contain multiple-family residential dwelling units shall be constructed on an assigned tract of land (which may be, but need not be, a

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separate zoning lot) having an area of not less than three thousand (3,000) square feet of land for each dwelling unit constructed within that development; provided, however, that, within a Concentration Area, each such development shall be constructed on such an assigned tract having an area of not less than one thousand seven hundred forty (1,740) square feet for each dwelling unit constructed within that development.

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(c) Each development including one or more buildings which contain multiple-family residential dwelling units shall be constructed on a lot having a width of not less than two hundred (200) feet.

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4. Commercial, Hotel, Office and Limited Industrial Uses.

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(a) All buildings containing commercial, hotel, office or limited industrial uses shall be constructed on lots having an area of land of not less than forty thousand (40,000) square feet.

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(b) All buildings containing commercial, hotel, office or limited industrial uses shall be constructed on lots having a width of not less than two hundred (200) feet.

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(c) No development containing commercial, hotel, office or limited industrial uses shall be constructed with a ratio of lot coverage to the total site area devoted to the principal building or buildings of more than sixty percent (60%).

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(d) Notwithstanding anything contained herein to the contrary, no minimum lot size or lot width or maximum ratio of lot coverage shall be applicable to any individual in-line store within a Unified Retail Center or to any individual building within a unified development containing more than one building (but not including outlots in shopping centers).

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5. Other Permitted and Special Uses.

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The uses identified or referred to hereinabove in Sections 1.1.5, 1.1.7, 1.1.8, 1.2.1, 1.2.2 and 1.2.4 shall be constructed on lots having an area of not less than two (2) acres and having a width of not less than two hundred (200) feet.

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J. Trash Collection Areas. In all office, commercial, limited industrial and multiple-family residential developments, refuse and trash collection areas shall be screened from view on four sides, one of which may include a gate or entrance door.

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1302 K. Off-Street Parking and Loading.

1305 1. Scope of regulations.

1308 (a) The off-street parking and off-street loading requirements for all  
1309 buildings and structures erected, altered, or enlarged, and all uses  
1310 of land established, within the Real Estate shall be limited to the  
1311 regulations of this Paragraph K.

1313 (b) When the intensity of use of any building, structure, or premises is  
1314 increased through the addition of dwelling units, gross floor area,  
1315 seating capacity, or other units of measurement, such increase  
1316 shall be permitted only if the parking and loading requirements for  
1317 the addition are also satisfied.

1319 (c) Whenever the use of a building or structure is changed to a new use  
1320 on any portion of the Real Estate (other than the Estate),  
1321 off-street parking and loading shall be provided as required by this  
1322 Agreement for such new use. Whenever the existing use of a build-  
1323 ing or structure on the Estate shall hereafter be changed to a new  
1324 use, off-street parking and loading shall be provided as Owner rea-  
1325 sonably determines necessary.

1327 (d) Nothing in this Paragraph K shall be deemed to prevent the volun-  
1328 tary establishment of off-street parking and loading areas and  
1329 facilities in excess of the minimum requirements to serve any  
1330 existing or subsequently established use of land or buildings, pro-  
1331 vided that all regulations herein governing the location, design, and  
1332 operation of such areas and facilities are adhered to.

1336 2. Use of parking and loading areas and facilities.

1339 (a) Parking areas and off-street parking facilities for a given use shall  
1340 be principally for the parking of motor vehicles of the employees,  
1341 patrons or occupants of the use and their guests.

1343 (b) Off-street loading facilities for a given use shall be used only for  
1344 loading or unloading of goods, for the use of which such loading  
1345 facilities are accessory, for the storage of vehicles (not to exceed  
1346 twenty-four (24) hours) and such facilities shall not be used for  
1347 repair or storage of vehicles.

1351 3. Location of parking.

1354 (a) All off-street parking spaces serving buildings or uses maintained  
1355 within a Unified Retail Center shall be located within said Unified  
1356 Retail Center, provided, however, that off-street parking spaces  
1357 serving an individual use need not be located on the same lot as the  
1358 use to be served.

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(b) Except as specifically provided in (a) above, off-street parking spaces shall be located on the same lot as the use served, except when the Corporate Authorities authorize, for a specific use, all or part of the required off street parking spaces to be located on a lot that does not contain the principal use or structure, provided such facilities are within one thousand (1,000) feet, measured along the shortest line of a public access, of said building. In cases where off-street parking spaces are permitted on a lot other than the lot on which the structure or use served is located, a covenant running with the land shall be recorded in the office of the Recorder of Deeds of Lake County, Illinois, for the lot upon which the accessory off-street parking spaces are located, with the same requirements and conditions attaching to such substitute accessory use lot as would otherwise apply for such off-street parking spaces. Copies of the recorded covenant shall be filed with the Zoning Administrator. The covenant shall not be released until such time as either one of the following conditions occur:

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(1) The structure on the lot containing the principal use is terminated; or

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(2) Another lot of the required size, within the required distance, is properly developed and used for the required off-street parking spaces, in place of the initial lot used for such off-street parking spaces, with the same requirements, covenants, and conditions attaching to such substitute accessory use lot as were theretofore approved by the Corporate Authorities.

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(c) Off-street parking spaces for different buildings, structures or uses, or for a mixed use building or structure on a given lot or parcel, may be provided collectively when peak period demand of users differ; provided, however, that the total number of spaces so located together shall not be less than eighty percent (80%) of the sum of the separate requirements for each use, and provided further that such facilities are maintained in the same ownership as the use or uses served.

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(d) Parking areas shall not be maintained within twelve (12) feet of any side or rear lot line or within any required landscaped buffer strip, but may be maintained in any other setback area or yard. The aforesaid twelve (12) foot portion of any side or rear yard shall be attractively landscaped except where driveways for ingress and egress are located.

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4. Computation of parking requirements.

In determining the number of off-street parking spaces required:

- (a) Where fractional spaces result, any fraction of one-half or less may be disregarded, while a fraction in excess of one-half shall be counted as one (1) parking space.
- (b) Areas designated for loading and unloading, and driveways shall not be considered as parking spaces.

5. Parking requirements for permitted and special uses. The parking requirements for the Real Estate shall be those set forth in the Zoning Ordinance except as modified by the following:

- (a) Manufacturing and Industrial Uses (other than warehousing): 1.0 space per 600 square feet of gross floor area.
- (b) Warehousing: 1.0 space per 1,000 square feet of gross floor area and 3.0 spaces per 1,000 square feet of office space within any warehouse.
- (c) Retail Trade.
  - (1) General commercial/retail - 1.0 space per 200 square feet of gross floor area (except that in a Unified Retail Center there shall be not less than 1.0 space per 250 square feet of gross floor area).
  - (2) Eating and drinking establishments - 1.0 space per 3 seats. Establishments with a drive-thru window shall provide a minimum of 5 stacking spaces per window.
  - (3) Household appliance stores, furniture stores, motor vehicle sales - 2.0 spaces per 1,000 square feet of gross floor area.
- (d) Services and Institutions.
  - (1) Business and professional offices, Corporate headquarters - 1.0 space per 333 square feet of gross floor area (unless the use contains 100,000 square feet of gross floor area or less, in which event the parking requirement shall be not less than 1.0 space per 300 square feet of gross floor area). Offices in any warehouse shall be governed by (b) above.
  - (2) Bank, savings and loans, and financial institutions - 1.0 space per 300 square feet of gross floor area. Drive-thru establishments shall provide 3 stacking spaces per teller or customer service area.

- 1470 (3) Hotel, motel - 1.0 space per dwelling unit; with additional
- 1471 parking spaces for the retail/service/entertainment areas
- 1472 per these regulations.
- 1474 (4) Convalescent Care Facilities, hospitals - 1.0 space per 3
- 1475 patient beds plus 2.0 spaces per staff doctor.
- 1477 (5) Dental and medical clinic or office - 5.0 spaces per 1,000
- 1478 square feet of gross floor area.
- 1480 (6) Day care center, nursery school, pre-school - 2.0 spaces per
- 1481 1,000 square feet of gross floor area.
- 1483 (7) Business school, commercial school, trade school, vocational
- 1484 school - 1.0 space per employee plus 1.0 space per student
- 1485 based on rated design capacity.
- 1487 (8) Dance school, music school, vocal school - 1.0 space per
- 1488 employee plus 1.0 space per each three (3) students based on
- 1489 rated design capacity.
- 1491 (9) Governmental services - 1.0 spaces per 333 square feet of
- 1492 gross floor area.

1496 (e) Cultural and Entertainment Uses.

- 1499 (1) Art gallery, historic site and library. - 2.0 spaces per 1,000
- 1500 square feet of gross floor area, plus 1.0 space for every 3
- 1501 persons of auditorium design capacity.
- 1503 (2) Community center, convention hall, exhibition hall, meeting
- 1504 hall, recreation building - 1.0 space per 1,000 square feet of
- 1505 gross floor area plus 1.0 space for every 3 persons of audito-
- 1506 rium design capacity.
- 1508 (3) Theater - 1.0 space per 3.5 seats.

1512 (f) Residential

- 1515 (1) Detached Single-Family; 2.0 spaces per
- 1516 Two-Family and Attached dwelling unit
- 1517 Single-Family (including (both of which shall
- 1518 townhomes but excluding be within a garage)
- 1519 coach homes and manor homes)
- 1521 (2) Coach Homes and Manor Homes 2.0 spaces per
- 1522 dwelling unit
- 1523 (at least one of
- 1524 which shall be
- 1525 within a garage)

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1529	(3)	Multiple-Family	2.0 spaces per dwelling unit
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1532	(4)	Guest Parking (in developments containing two-family and attached single-family; coach homes; manor homes and multiple-family dwelling units)	As approved by the Corporate Authorities up to a maximum of 0.5 spaces per dwelling unit
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1541	(5)	Senior Citizen/Elderly/ Congregate Housing	0.5 spaces per dwelling unit
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6. Design and maintenance of parking areas and off-street parking facilities.

- 1549 (a) Every parking area shall be graded for proper drainage and provided with an all-weather surface, designed by a registered engineer, maintained at all times in such manner as will prevent the release of dust, and shall be kept free of dust, trash and debris. The required maintenance shall include snow removal during the winter season of those portions of the parking areas then being used.
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- 1557 (b) Every parking area and off-street parking facility shall be designed so that all parking spaces open directly upon an aisle or driveway and so that safe and efficient vehicular access to such spaces is provided.
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- 1562 (c) Every parking area and off-street parking facility shall be designed with appropriate means of vehicular access to a street, in such manner as will minimize interference with traffic movements on adjacent roadways.
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- 1567 (d) Entrances and exits to and from a parking area or off-street parking facility shall be at least sixteen (16) feet in width but not more than thirty-six (36) feet in width.
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- 1571 (e) Within commercial, office, hotel and limited industrial developments, the perimeter of all parking areas and all landscaped islands within parking areas shall be curbed. No wheel guards or bumper stops shall be required.
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- 1576 (f) Within commercial, office, hotel and limited industrial developments, where hazards exist which can be minimized or eliminated by lighting, or where parking use extends into hours of darkness, the Corporate Authorities may require lighting of the parking areas in such manner and during such hours as may be deemed necessary in the interest of public safety and security. Such lighting facilities shall be arranged and operated so that they neither
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unreasonably disturb occupants of adjacent properties, nor interfere with traffic. Parking area light levels shall be deemed adequate if:

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(1) a minimum average of 1.0 footcandles per square foot (for retail uses) and 0.6 footcandles per square foot (for all other uses) is maintained for the entire parking area; and

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(2) an average of 0.33 footcandles per square foot (for retail uses) and 0.25 footcandles per square foot (for all other uses) is maintained in all locations within the parking area; and

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(3) shielded luminaries are utilized adjacent to residential areas.

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(g) No public parking area shall be used for the sale, repair, storage, dismantling or servicing of any vehicles, equipment materials or supplies.

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(h) Off-street parking spaces and aisles shall be designed as follows:

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(i) With respect to all multiple-family residential, commercial, office and limited industrial uses, off-street parking spaces shall be a minimum of nine feet (9') in width and a minimum of eighteen feet (18') in length except that off-street parking spaces provided for compact automobiles to the extent permitted, may be a minimum of seven and one-half feet (7.5') in width and a minimum of thirteen and one-half feet (13.5') in length. Off-street parking spaces (other than parking spaces for compact automobiles) may be two feet (2') less in length than the above minimum length requirements whenever overhang occurs.

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(ii) With respect to commercial uses providing off-street parking spaces at 90° angles, aisles shall be not less than twenty-four feet (24') in width. With respect to all other uses, aisles widths shall be not less than the following:

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STALL  
ANGLE

AISLE  
WIDTH

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90°  
60°  
45°

24'  
18'  
16'

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(iii) Off-street parking spaces for compact automobiles may be provided for any given use (but not in outdoor parking areas accessory to commercial uses), provided they are appropriately marked and signed, with the following limitations:

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**NUMBER OF OFF-STREET PARKING SPACES REQUIRED**

**PERCENTAGE OF OFF-STREET PARKING SPACES WHICH MAY BE DESIGNATED FOR USE BY COMPACT AUTOMOBILES**

1647	0 - 49	5%
1648	50 - 99	15%
1649	100 - 199	20%
1650	200 or more	25%

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(i) Landscaping, when required within a parking area, shall be provided pursuant to a plan approved by the Corporate Authorities, specifying the location, type and size of all plant materials to be used. The provisions of Section 19.7.9 of the Zoning Ordinance requiring not less than 180 square feet of landscaping for every 15 parking spaces shall not apply to the Real Estate provided a reasonable amount of landscaping is provided.

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(j) Handicapped parking spaces shall be provided in accordance with Village building codes.

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(k) The minimum standards for automobile parking areas and drives shall be 10" of Aggregate Base Course, crushed Type CA6, or equal thereto, and 2 1/2" of Bituminous Concrete Surface, which shall be applied in two (2) lifts. The minimum standards for main traffic lanes and truck drives shall be 12" of Aggregate Base Course crushed Type CA6, or equal thereto, and 3" of Bituminous Concrete Surface, which shall be applied in two (2) lifts. The minimum standard for truck maneuvering areas shall be 12" of Aggregate Base Course, crushed Type CA6, or equal thereto, and 4" of Bituminous Concrete Surface which shall be applied in two (2) lifts. Notwithstanding the foregoing, Owner shall have the right to use the gravel derived from the area in and around Lake Charles for the construction of parking areas and drives constructed on the Real Estate, if such gravel meets Village standards for construction purposes.

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(l) Subject to the approval of the Corporate Authorities, a lesser number of parking spaces than required herein may be provided so long as the owner of the parcel in question provides sufficient landscaped area to satisfy the minimum parking requirements set forth herein. In such a case, additional parking spaces, up to the minimum parking requirement set forth herein, shall be provided if the Corporate Authorities determine that such additional parking is necessary within six (6) months of notice of such determination.

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7. Location of off-street loading spaces.

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(a) Required off-street loading spaces shall be located on the same lot or parcel as the use served.

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(b) No off-street loading space shall be located within forty (40) feet of the closest point of intersection of two (2) or more public rights of way.

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(c) No loading space shall be located in any required yard adjacent to a public street. Access lanes to enclosed loading docks within the building are permitted in all yards.

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8. Off-street loading requirements for permitted and special uses. The off-street loading requirements for permitted and special uses within the Real Estate shall be limited to the following:

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(a) For hotels or apartment-hotel buildings wherein there are contained exhibition halls, convention halls, auditoriums, office facilities or retail shops, one (1) off-street loading and unloading space for the first one hundred and fifty thousand (150,000) square feet of gross floor area, plus one (1) additional off-street loading space for each one hundred and fifty thousand (150,000) square feet of gross floor area or fraction thereof in excess thereof.

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(b) For buildings containing eating and drinking establishments exceeding ten thousand (10,000) square feet of gross floor area, one (1) off-street loading and unloading space.

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(c) For retail shops exceeding thirty thousand (30,000) square feet, one off-street loading space. None shall be required for movie theatres.

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(d) For banks, business, or professional offices or public administration buildings containing forty thousand (40,000) to two hundred thousand (200,000) square feet of gross floor area, one (1) off-street loading and unloading space, plus one (1) additional such space for each additional two hundred thousand (200,000) square feet of gross floor area or fraction thereof in excess of two hundred thousand (200,000) square feet.

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(e) For buildings containing furniture and appliance stores, wholesale stores, or machinery sales and having eight thousand (8,000) to thirty thousand (30,000) square feet of gross floor area, one (1) off-street loading and unloading space, plus one (1) additional space for each additional thirty thousand (30,000) square feet of gross floor area or fraction thereof in excess of thirty thousand (30,000) square feet.

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(f) For buildings containing manufacturing uses, research and testing laboratories, laundry and dry-cleaning establishments, printing, binding, publishing, and issuing of newspapers, periodicals, books, and other reading matter, warehouse and storage facilities, engraving shops, assembly of materials and products, processing and distribution of materials and products, and other similar uses having more than ten thousand (10,000) square feet of gross floor area,

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exclusive of basement area, and less than forty thousand (40,000) square feet of gross floor area, one (1) off-street loading and unloading space, plus one (1) additional such space for each additional sixty thousand (60,000) square feet of gross floor area in excess of forty thousand (40,000) square feet.

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9. Design and maintenance of off-street loading facilities.

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- (a) Except as otherwise provided herein, off-street loading spaces may be internal or external. A required off-street loading space for all uses other than those set forth in subsection 8(e) above shall be at least eight (8) feet in width and at least twenty (20) feet in length, exclusive of access drives, aisles, ramps, maneuvering space, columns, and work areas, and shall have a vertical clearance of not less than fourteen (14) feet. A required off-street loading space for uses specified in subsection 8(e) above shall be at least ten (10) feet in width and at least thirty (30) feet in length, exclusive of access drives, aisles, ramps, maneuvering space, columns and work areas, and shall have a vertical clearance of not less than fourteen (14) feet. Off-street loading spaces in a yard adjacent to a street shall be enclosed and shall be at least ten (10) feet in width and at least fifty (50) feet in length, exclusive of access drives, aisles, ramps, maneuvering spaces, columns and work areas, and shall have a vertical clearance of not less than fourteen (14) feet. Where a use is not required to have a loading space, provisions shall be made for incidental deliveries and refuse pickup.

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- (b) Each required off-street loading space shall be designed with appropriate means of vehicular access to a street or drive, in a manner which will least interfere with traffic movements and no area allocated to any off-street loading spaces shall be used to satisfy the space requirements for any off-street parking facilities or emergency access drive or portions thereof.

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- (c) All open off-street loading spaces, access drives, aisles, and maneuvering space shall be improved with a compacted base and a permanent wearing surface.

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- (d) Open off-street loading spaces facing Milwaukee Avenue or Illinois State Route 60 shall be screened from adjacent uses by a fence, wall or door, or any combination thereof or a densely planted screen consisting of trees and/or hedges.

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10. In the calculation of the required turning radius for trucks and other vehicles, the area falling within dedicated streets and right of ways shall be included.

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Performance Standards for Industrial Developments. All industrial activities shall be established and maintained without creating disturbing influences to the use and occupancy of adjoining properties and in accordance with the following performance standards.

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It is the intent of these standards to provide that industrial activities shall be established and maintained in order that each permitted use shall be a good neighbor to adjoining properties by the control of emission of noise, odor, glare, vibration, smoke, dust, liquid wastes, and other nuisances.

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The architectural and engineering plans shall bear the signature and seal of the appropriate qualified professional and the certification that all performance standards will be complied with based upon the submitted plans and documents. The Village shall have the right to conduct its own investigation to determine compliance with the performance standards.

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1. **Compliance.** The performance standards set forth herein shall be complied with and any use which fails to comply with these standards shall be in violation of the Zoning Ordinance and be subject to penalties provided for such violation. It shall be deemed a violation of these standards for any qualified professional to falsely certify as to the compliance of submitted plans and documents with the performance standards specified herein.

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2. **Landscaping.** Those portions of property not devoted to buildings, pavement or other permanent improvements shall be landscaped and well maintained. Landscaping shall mean at a minimum, the use of trees and a ground cover defined as grass, decorative stone, shrubs or other plant material allowing water to seep through the ground. Grass may be seeded rather than sodded to achieve the necessary ground cover. Berming can also be used effectively. Berm profile shall not exceed a slope of one (1) foot of elevation in three (3) horizontal feet unless other approved methods of slope stabilization are utilized.

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(a) Landscaping may include:

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(1) Trees planted in conformance with this Agreement and applicable Village ordinances.

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(2) Combination of berming and tree planting.

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(3) Combination of berming and shrub planting.

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(4) Berming with low ground cover.

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(b) No plants shall be placed in such a way as to obstruct pedestrian or vehicular sight of a public right-of-way and no plant shall be placed so as to interfere or cause damage to roadways, utilities or other public works. Species of trees known to cause damage to roadways, underground utilities or other public works shall not be used in an area where such damage could occur.

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(c) Parking areas, building exteriors and all other parts of the tract visible from the public way shall be maintained in a sightly, well-kept condition.

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- (d) All landscape plans must show the proposed land slope with a one (1) foot contour interval, all proposed plantings, drainage facilities, pavements, and other proposed facilities.
- (e) All landscape plans shall be subject to review of the Corporate Authorities in accordance with the provisions of Article 20A of the Zoning Ordinance.

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- 3. **Noise.** At no point on the property line on which the operation is located shall the sound intensity level of any individual operation or plant (other than the operation of motor vehicles or other transportation vehicles) exceed the levels shown in the following table:

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Table of Maximum Permitted Sound Level (Decibels)

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Octave Bank (Frequency) Cycles per Second	Industrial or Commercial Adjoining Same District	Industrial or Commercial Adjoining Residential Properties
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1900  
1901

0 to 75	79	72
75 to 150	74	67
150 to 300	66	59
300 to 600	59	52
600 to 1200	53	46
1200 to 2400	47	42
2400 to 4800	41	38
above 4800	39	38

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Noise testing is to be accomplished at the property line of the noise emitting source, with an octave band analyzer operated by an independent testing authority trained and skilled in the operation of this equipment.

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- 4. **Odors.** The emission of odorous matter in such quantities as to be readily detectable at any point along a property line or which is unwholesome, offensive, harmful or injurious to the public health, comfort or welfare, is prohibited. The measurement of the threshold of odor shall be in accordance with the American Society for Testing and Materials Method D1391-57 "Standard Method for Measurement of Odor in Atmosphere (Dilution Method)" Philadelphia American Society of Testing and Materials, 1957, (which is hereby adopted by reference). Detailed plans for the prevention of odors crossing property lines may be required before the issuance of a building permit.

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- 5. **Glare or Heat.** Any operation producing intense glare or heat shall be performed within a completely enclosed building in such manner as not to create a public nuisance or hazard. Exposed sources of light shall be controlled so that direct or indirect illumination from any source within the property line shall not cause excessive illumination on adjoining properties. Any lights used for exterior illumination shall be planned, erected

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and maintained to direct light away from adjoining properties or public right-of ways.

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- 6. **Vibration.** Any operation or activity shall not cause earthborn vibrations in excess of the following values. Column I shall apply at or beyond the property line, Column II shall apply at or beyond a residence district boundary line. Vibration shall be expressed as displacement in inches and shall be measured with a three-component measuring system:

	I	II
Frequency (Cycles per second)	Displacement Inches	Displacement Inches
1944	0 to 10	.0008
1945	10 to 20	.0004
1946	20 to 30	.0005
1947	30 to 40	.0002
1948	40 and over	.0001

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Impact vibrations (discrete pulses that do not exceed one hundred (100) impulses per minute), shall not cause in excess of twice the displacement values above.

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Any use or portion thereof creating intense earth shaking vibrations such as are caused by heavy drop forges or heavy hydraulic surges, shall be set back at least five hundred (500) feet from all property lines.

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- 7. **Smoke and Particulate Matter.** In addition to the performance standards specified herein, the emission of smoke or particulate matter in such manner or quantity as to endanger or be detrimental to the public health, safety, comfort or welfare is hereby declared to be a public nuisance.

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For the purpose of grading the density of smoke, the Ringelmann Chart, published and used by the United States Bureau of Mines (hereby adopted by reference), shall be employed. The evaluation of smoke by the Ringelmann Chart must be accomplished by a State of Illinois Certified Smoke Reader. Particulate matter size shall be determined by measurement through a 325 mesh sieve which will, in fact, accumulate all +44 micron particles and prove helpful in the measurement process. The emission of smoke or particulate matter of a density greater than No. 2 on the Ringelmann Chart is prohibited.

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The emission from all sources within any property of particulate matter containing more than 10% by weight of particles having a particulate diameter larger than +44 microns is prohibited. Dust and other types of air pollution, borne by the wind from such sources as storage areas, yards, roads and the like within property boundaries, shall be kept to a minimum by appropriate landscaping, paving, oiling, fencing, or other acceptable means. Emission of particulate matter from such sources in excess of the weight limitation herein specified is hereby prohibited.

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The emission of more than ten (10) smoke units per hour per stack is prohibited, including smoke of a density in excess of Ringelmann No. 2. However, during one (1) one-hour period each day, stack may emit up to twenty (20) smoke units when blowing soot or cleaning fires. Only during fire cleaning periods, however, shall smoke of Ringelmann No. 3 be permitted, and then for not more than four (4) minutes.

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The rate of emission of particulate matter from all sources within the boundaries of any property shall not exceed a net figure of one (1) pound per acre during any one (1) hour, after deducting from the gross hourly emission per acre the corrective factors set forth in the following tables for height, velocity, and temperature of emission, respectively. Determination of the total net rate of emission of particulate matter within the boundaries of any property shall be made as follows:

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(a) Determine the maximum emission in pounds per hour from each source of emission and divide this figure by the number of acres of property area, thereby obtaining the gross hourly rate of emission in pounds per acre.

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(b) From each gross hourly rate of emission derived in (a) above deduct the appropriate correction factor (interpolating as required) for height, velocity and temperature of emission set forth in the following corresponding tables, thereby obtaining the net rate of emission from all sources of emission within the boundaries of the property. Such total shall not exceed one (1) pound per acre of property area during any one (1) hour.

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Allowance for Height of Emission\*

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<u>Height of Emission Above Grade (feet)</u>	<u>Correction Pounds/Hours/Acre</u>
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2025  
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50	0.01
100	0.06
150	0.10
200	0.16
300	0.30
400	0.50

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Allowance for Temperatures of Emission\*

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Temperature of Emission (Degrees Fahrenheit)	Correction Pounds/Hours/Acre
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1000

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0.100

2049 \*Interpolate for intermediate value not shown in table.

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8. Gases, Toxic or Noxious matter. No toxic materials shall be detectable at any point beyond the lot line, either at ground level or habitable elevation, whichever is more restrictive. Within the lot line, toxic materials which are released shall not exceed the maximum permissible airborne concentration allowed as safe for an industrial worker contained in the most recent list of "Threshold Limit Values" published by the American Conference of Governmental Industrial Hygienists (hereby adopted by reference). The applicant shall satisfy the Zoning Administrator that proposed levels will be safe to the general population.

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9. Radiation Hazards. The release of radioactive gases or particulate matter shall not exceed the maximum allowable concentration permitted the general population under applicable federal, state, and local laws and regulations when measured at or beyond the lot line at ground level or habitable elevation.

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No activity involving radiation hazards shall be permitted which causes exposure to persons at or beyond the lot lines in excess of the maximum allowable concentration permitted the general population under applicable federal, state, and local laws and regulations.

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10. Fire and Explosion Hazard. The storage, utilization or manufacture of materials or products ranging from incombustible to moderate-burning, as determined by the Village in accordance with generally accepted standards, shall be permitted, subject to compliance with all other performance standards and provided such materials or products are stored, utilized or produced within completely enclosed structures (other than pallets which may be stored outside) having fire-resistive construction in accordance with the 1987 BOCA Code or any subsequent BOCA Code adopted by the Village.

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Manufacturing or processing of materials or products which produce flammable or explosive vapors or gases at ordinary weather temperatures shall not be permitted, except when such materials are used in secondary processes or are required in emergency or standby equipment. Their storage for use as power or heating fuels shall be permitted if in conformity with

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standards prescribed by the National Fire Protection Association and with applicable requirements embodied in the regulations promulgated by the State of Illinois Department of Public Safety.

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11. **Register of Pollutants.** It shall be unlawful for any person to install, erect, construct, reconstruct, alter or add to, or cause to be installed, erected, constructed, reconstructed, altered or added to, any fuel burning, combustion or process equipment or device or any equipment pertaining thereto, or any stack or chimney connected therewith, within the Village excepting domestic heating plants, domestic refuse-burning equipment, locomotives and internal combustion engines until the owner, contractor, installer or other person, or his agent has filed with the Village, an application, in duplicate, for a permit accompanied by a complete listing of emissions into the atmosphere that results from the operation of the aforesaid equipment or processes, both as to kind and quantity and, in addition thereto, a listing of the type and capacity of the equipment used for the collection, absorption, or suppression of each and an estimate of its efficiency, and until a permit therefor has been granted. Said submitted register of pollutants shall be accompanied by an affidavit of a qualified person stating that it is complete and correct and that the proper operation of the plant or process, as designed, will not result in any violation of these provisions.

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12. **Waste.** All sewage and industrial wastes shall be treated and disposed of in such manner as to comply with the standards of the Illinois Environmental Protection Agency. All plans for waste disposal facilities shall be approved by said Agency before issuance of any building permit.

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