VILLAGE OF RICHMOND
UNIFIED DEVELOPMENT ORDINANCE

ADOPTED APRIL 16, 2009

Richmond Municipal Code

TITLE

UNIFIED DEVELOPMENT ORDINANCE

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Chapter 1
General Provisions

Article 1.1

INTRODUCTION

1.1.1. Community Character. Located on the outer edges of the Chicago metropolitan area, the Village of Richmond is a freestanding community surrounded by farmland and natural areas. Like many communities on the fringe of a metropolitan area, Richmond still has a central business district that retains the character of small towns and villages of an earlier era (which many people find charming and attractive). Fortunately, Richmond has found viable economic uses for its downtown as businesses began to seek larger facilities on the edge of the Village. However, the new development threatens to change the character of the Village.

How can the Village retain its small town image as it grows? Common planning concepts, like "density" and "land use," are very imprecise in dealing with community character issues. As Richmond grows, Village residents will face numerous new issues, all of which relate to community character. These issues will range from in-fill development in the older parts of the community to character of new large-scale developments on the periphery of the community. Another important consideration is the community's relationship to the region and how Richmond can grow up to its neighbors and retain its traditional freestanding character.

Today, residential neighborhoods in Richmond are very well contained around the urban center—the historic downtown—but there are thousands of acres of undeveloped land at the periphery that can be developed. Residents talk about small town atmosphere. As one drives through central Richmond, one characteristic that becomes obvious is the community's diversity of buildings and land uses. The Village's slow evolution over its history has led to a rich mix of use, scale, height, and parcel size. Diversity is part of the Village character and a strong asset. Diversity reduces the monotony or sameness often associated with contemporary development practices and is critical for preserving Richmond's small town character.

What is community character? It is a means of organizing the physical, social, and economic factors that make up a community so that they can be viewed as a totality rather than as separate and independent facts. It is a framework that not only defines terms but also defines relationships and functions. For example, transportation consequences are associated with each community character type. In choosing the desired character of an area, we must understand the consequences of the choices.

Communities are composed of a variety of interrelated systems. For example, residents participate in social and economic activities, requiring a physical setting which, in turn, impacts the environment. Community character incorporates this material into a comprehensive system. No single way of looking at character provides all that is needed. The most important character elements may differ depending on a variety of factors. A second way of looking at character is by observing community scale and the community's relationship to its surroundings. Scale relationships also occur at the individual human or building scale. Scale failure can change community character as surely as change of type.

Similarly, Richmond's community character is influenced and defined by the natural environment. The Village is situated in the glaciated area of northern Illinois. The moraines, glacial uplands, and wetland stream corridor features are a key element of the environment and the visual character of the Village. But most of the area around Richmond is completely disturbed by farming and farm drainage improvements. Nevertheless, this environment provides a wide and diverse habitat for a wide range of wildlife, including migratory fowl, wetlands species, woodland birds, and

mammals. Habitat protection is an important objective to ensure diversity and health of the environment.

Resource protection usually focuses on a single resource that can be easily described—wetlands, forest and woodlands, steep slope, floodplain, drainage ways. However, while these resources can be mapped in isolation the environment is highly interconnected: each is an integral part of a larger ecosystem. While some species may have very specific habitat needs, many species have habitat ranges that include a number of natural resources. Habitats or resources may interact. Protecting areas of interaction may be as important as protecting either resource in isolation.

1.1.2 The Need for this Ordinance. This Unified Development Ordinance is a collection of all land use and land improvement regulations, requirements and procedures in the Village of Richmond and is intended to serve as a guide and manual for preserving and perpetuating the unique character of Richmond and it addresses various topics regarding the development, improvement and use of land in the Village of Richmond and its environs.

The existing patterns of urban development have seriously eroded the quality of life and economic vitality and destroyed the character of some cities and villages. The practices of segregating land uses and relying upon auto-dependent design criteria have resulted in widespread loss of prime agricultural land and open space; increased traffic congestion and air pollution; loss of community heritage; environmental degradation; increased housing and infrastructure costs; inadequate provision of schools, recreation and other public services; and growing areas of crime, poverty and declining property values. The resultant loss of community identity adds to these problems by discouraging citizen awareness of, and participation in, community affairs and the withdrawal of individuals from the social life of the community.

The primary purpose of this Unified Development Ordinance is not merely to provide minimum regulations necessary to facilitate safe and orderly growth, but to implement the goals, objectives and policies of the Village of Richmond Comprehensive Plan; to ensure that growth is an integral part of the community and contributes to the formation of functional neighborhoods and town centers; to increase collective security and community identity to promote civic awareness and responsibility; and, to enhance the quality of life for the entire Village to ensure the greatest possible economic and social benefits for all Richmond residents, merchants and visitors.

To these ends, the Richmond Unified Development Ordinance, and related maps, illustrations and diagrams have been prepared with due consideration of future growth; the promotion of a coherent neighborhood-scaled built environment which respects local and regional architecture and the landscape; the promotion of an integrated and balanced transportation system based on pedestrian, (future) transit and automobile use; the adequate provision of water and sewer infrastructure, schools, parks, and other public necessities; and, for the preservation and enhancement of the natural environment through the protection and restoration of floodplain, forests, wetlands and prairies and by landscaping in the public realm.

The justification for this approach taken by this Unified Development Ordinance is derived from growing amounts of evidence of general dissatisfaction with existing urban areas that have grown largely under the prevailing model of development and as evidenced during formulation of the Richmond Comprehensive Plan and the Village of Richmond Vision Plan. Low-density development increases the cost of living in order to finance, maintain, and replace infrastructure. Auto-dependent design standards increase paved surface areas that in turn increase water run-off, soil erosion, and water supply contamination. Low density development and increased paved surfaces also deplete urban forest cover, decrease property values, and increase traffic congestion, noise, and pollution.

Under this model a majority of a municipality's time and money is spent replacing and extending infrastructure and mitigating the negative impacts of development. Assessed on a project by project basis the total effects and subsequent costs are hidden by immediate tax base increases and owner profits. However, if assessed at the community level over the long term, all additional development conforming to the model described above becomes a burden on the community, and eventually the increased cost of building and living in such areas prevents growth from continuing.

This occurs long before an area reaches full economic potential and physical build-out. A development model which addresses these problems must treat a community as a highly complex organism, not merely as a collection of individual market segments to exploit, or an opportunity for real estate speculation. To counter this, the intent of this Unified Development Ordinance is to focus on the physical (man-made and natural) attributes that contribute to community character, including community design at the building, block and neighborhood scale, and the inter-relatedness of transportation, the natural environment, economic development and neighborhood design.

1.1.3. General Development Objectives. The objective of the Unified Development Ordinance is to carry out and achieve the goals and objectives of the Village of Richmond Comprehensive Plan, "Invest in the Past to Plan for the Future" Urban Land Institute Technical Assistance Panel report (April, 2003), and the Village of Richmond Vision Plan (October 2004). The Comprehensive Plan provides a clear vision of the community's expectations and aspirations, and strategies for community character and orderly development in the Village of Richmond and its environs.

1.1.4. Organization of this Document.

The Unified Development Ordinance approaches regulations from the most general to the most specific across the document and within each Chapter, Article and Section. The document is organized into six Chapters: General Provisions; Decision-Making, Administration and Enforcement Responsibilities; Non-Conformities; Development Review Procedures; Use Districts; and, Land Use and Development Standards.

Chapter 1, General Provisions, set forth all of the regulations affecting the entire Title, including recitals, definitions and legal foundations and is the most general of all the Chapters of the Unified Development Ordinance.

Chapter 2, Decision-Making, Administration and Enforcement Responsibilities, establishes the roles and responsibilities for administering and enforcing the regulations in the Unified Development Ordinance.

Chapter 3, Non-Conformities, addresses the issue of non-conformities in the Village and how to deal with their eventual elimination.

In Chapter 4, Development Review Procedures, the processes, procedures, and application requirements for site plan review, subdivision plats, rezoning, Special Uses, planned developments and variations.

Chapter 5, Use Districts, establishes all of the various zoning districts in the Village and the conditions for establishing uses in each district and, in some instances, for specific uses. The uses permitted in each District may be found in this Chapter, as well as the performance standards for all land uses in the Village.

In Chapter 6, Land Use and Development Standards are found all of the regulations governing the use of and improvement of land in the Village, as well as regulations pertaining to the use of signs, landscaping, parking, and outdoor illumination. This Chapter also includes all of the regulations pertaining to the physical design, improvement and development of land and public improvements in and within one and one-half miles of the Village's limits, including contribution requirements for land for schools and parks.

Finally, in Chapter 7, Standards and Specifications for Required Public Improvements are found all of the regulations governing the construction of public utilities, streets, sidewalks, and other public improvements, and development in the floodplain in the Village.

Article 1.2

PURPOSE AND APPLICABILITY

1.2.1. Title and Jurisdiction. This Title shall be now be referred to and cited as the "Unified Development Ordinance of the Village of Richmond" and shall apply to the development and improvement of land and the uses of structures, land and water within the corporate limits of the Village of Richmond, and to the subdivision of land and the public improvements placed thereon in and within one and one-half (1-1/2) miles of the corporate limits of the Village of Richmond.

1.2.2. Purpose and Intent. This Title is adopted for the following purposes:

A. To implement the goals, objectives and policies of the Village of Richmond Comprehensive Plan.

B. To promote the public health, safety, morals, comfort and general welfare of the people;

C. To divide the Village into zones or districts regulating and restricting therein the location and use of building, structures and land for residence, business, manufacturing and other specified purposes;

D. To protect the character and stability of the agricultural, residential, business, and manufacturing areas within the Village and to promote the orderly and beneficial development of such areas;

E. To protect and enhance biodiversity as expressed in the Chicago Wilderness Biodiversity Recovery Plan.

F. To minimize development on and destruction of sensitive natural resource areas and wildlife habitat.

G. To reduce the quantity and improve the quality of stormwater runoff from expected development.

H. To minimize impervious surface areas.

I. To reduce pressure to encroach on resource buffer areas.

J. To reduce soil erosion.

K. To provide adequate light, air, privacy and convenience of access to property.

l. To regulate the intensity of use of lot areas, and determine the area of open spaces surrounding buildings, necessary to provide adequate light and air and to protect the public health;

M. To establish building lines and the location of buildings designed for residential, business, and manufacturing or other uses within such areas;

N. To fix reasonable standards to which buildings or structures shall conform therein;

O. To prohibit uses, buildings or structures incompatible with the character of development or intended uses within specified zoning districts;

P. To limit congestion in the public streets and protect the public health, safety, convenience and general welfare by providing for the off-street parking of motor vehicles and the loading of commercial vehicles;

Q. To protect against fire, explosion, noxious fumes, and other hazards in the interest of the public health, safety, comfort and general welfare.

R. To prevent the overcrowding of land and undue concentration of structures, so far as is possible and appropriate in each district, by regulating the use and bulk of buildings in relation to the land surrounding them;

S. To preserve and enhance the taxable value of land and buildings throughout the Village;

T. To provide for the gradual elimination of non-conforming uses of land, buildings and structures which are adversely affecting the character and value of desirable development in each district;

U. To prevent additions or alterations or remodeling of existing buildings or structures in such a way as to avoid the restrictions and limitations lawfully imposed herein;

V. To facilitate and insure the preservation of sites, areas and structures of historical, architectural and aesthetic importance;

W. To define and limit the powers and duties of the administrative officers and bodies provided herein;

X. To regulate or forbid any structure or activity which may hinder solar access to solar energy necessary for the proper functioning of a solar energy system;

Y. To enhance aesthetic values within the Village;

Z. To encourage the use of alternative and renewable energy sources;

AA. To protect the character and the social and economic stability of all parts of the Village and to encourage the orderly and beneficial development of the community through appropriate growth management techniques assuring the timing and sequencing of development, promotion of infill development in existing neighborhoods and non-residential areas with adequate public facilities, to assure proper urban form and open space separation of urban areas, to protect environmentally critical areas and areas premature for development;

BB. To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation, and other public requirements and facilities;

CC. To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the Village, having a particular regard to the avoidance of congestion in the streets and highways and the pedestrian traffic movements appropriate to the various uses of land and buildings, and to provide for the proper location and width of streets and building lines;

DD. To establish reasonable standards of design and procedures for subdivisions and resubdivisions in order to further the orderly layout and use of land and to ensure proper legal descriptions and monumenting of subdivided land;

EE. To ensure that public facilities and services are available concurrent with development and will have a sufficient capacity to serve the proposed subdivision or development and that the community will be required to bear no more than its fair share of the cost of providing the facilities and services through requiring developers and subdividers to pay fees, furnish land, or establish mitigation measures to ensure that the development or subdivision provides its fair share of capital facility needs generated by the development or subdivision;

FF. To preserve the natural beauty and topography in the Village and to ensure appropriate development with regard to these natural features;

GG. To prevent the pollution of air, streams, and other surface waters; to assure the adequacy of drainage facilities; to safeguard the water table, and to encourage the wise use and management of natural resources throughout the Village in order to preserve the integrity, stability, and beauty of the community and the value of land;

HH. To provide for open space through the most efficient design and layout of the land, including the use of average density in providing for minimum width and area of lots, while preserving the density of development as established in the Village of Richmond Comprehensive Plan and this Title;

II. To ensure that land is subdivided only when subdivision is necessary to provide for uses of land which market demand exists and which are in the public interest;

JJ. To remedy the problems associated with inappropriately subdivided lands, including premature subdivision, excess subdivision, partial or incomplete subdivision, scattered and low-grade subdivision;

KK. To preserve the character and quality of Village neighborhoods by maintaining the integrity of those areas which have a discernible character and are harmonious in design;

LL. To raise the level of community expectations for the quality of its environment that brings value to the community, foster the attractiveness and functional utility of the community as a place to live and work;

MM. To prescribe penalties for the violation of and methods for the enforcement of the provisions of this Title or any amendment thereto.

NN. To prevent unwise development s from increasing the flood or drainage hazards to others.

OO. To protect new building and major improvements to building from flood damage.

PP. To protect human life and health from the hazards of flooding.

QQ. To lessen the burden on the taxpayer for flood control projects, repairs to flood-damaged public facilities and utilities and flood rescue and relief operations.

RR. To maintain property values and a stable tax base by minimizing the potential for creating flood blighted areas.

SS. To make federally subsidized flood insurance available for property in the Village by fulfilling the requirements of the National Flood Insurance Program.

1.2.3. Separability. In accordance with the following, it is hereby declared that the several provisions of the Title are separate:

A. If any court of competent jurisdiction determines any provision of the Title to be invalid, such determination shall not affect any other provision of this Title, not specifically included in the court's judgment order.

B. If any court of competent jurisdiction determines any provision of the Title to be invalid as applied to a particular lot, parcel, building, structure or use, such determination shall not affect the application of such provision to any other lot, parcel, building, structure or use not specifically included in the court's judgment order.

1.2.4. Repeal of Conflicting Ordinances. All prior ordinances or parts of ordinances of the Village of Richmond in conflict herewith are hereby repealed.

1.2.5. Publication and Effective Date. By authority of the Village President and Village Board, this Unified Development Ordinance shall be printed in pamphlet form and copies thereof shall be available at the Office of the Village Clerk. This Title shall be in full force from and after its passage, approval and publication in the manner provided by law, and shall take effect on May 1, 2009. The corporate authorities may establish a fee to be charged any person desiring a copy of the text of this Title to defray the costs of printing such text.

1.2.6. Illustrations. The illustrations used in this Title are not drawn to scale and are intended only to graphically represent the requirements and concepts contained herein, and are not intended, nor should they be construed, to represent every situation or circumstance which may exist in the Village of Richmond. When there is a conflict between the text of the Unified Development Ordinance and an illustration herein, the text shall prevail.

1.2.7. Zoning Map. The location and boundaries of the Districts established by this Title are indicated upon the map entitled, "Official Zoning Map, Village of Richmond, Illinois," which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Unified Development Ordinance. The Official Zoning Map shall be on file in the Village Clerk's Office and shall be the final authority as to the current zoning status of land and buildings, subject to such authorized amendments, which may be in effect.

1.2.8. Official Map. The location of all existing and future streets, highways, parks, public grounds and public ways, including, but not limited to schools, bicycle trails, municipal parking areas, public

works garages and facilities, wastewater treatment plants, wells and storage reservoirs, laid out, adopted and established by this Title are indicated upon the map entitled "Official Map of the Village of Richmond," which together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Unified Development Ordinance. The Official Map shall be on file in the Village Clerk's Office. All annexation plats and subdivision plats which may hereafter be approved by the Village President and Village Board of the Village of Richmond and recorded in the Office of the Recorder of Deeds of McHenry County (or, the County in which the property shown thereon is located) shall be, and such annexation and subdivision plats are hereby, designated a part of the Official Map of the Village of Richmond.

1.2.9. Annexed Land. All territory which may hereafter be annexed to the Village of Richmond, shall be classified R-1 District until otherwise classified by amendment as provided herein. In the event owners requesting annexation of their property desire a classification other than R-1 District, a petition shall be submitted for the desired zoning classification simultaneously with the petition for annexation. *(Ord. 2020-02)*

1.2.10. Boundary Lines. In the event that uncertainties exist with respect to the intended boundaries of the various districts as shown on the Zoning Map, the following rules shall apply:

A. District boundaries are the centerlines of the streets or alleys, unless otherwise indicated. Where designation of a boundary line on the Zoning Map coincides with the location of a street or alley, the centerline of such street or alley shall be construed to be the boundary of such district.

B. Where the district boundaries do not coincide with the location of streets or alleys, but do coincide with lot lines, such lot lines shall be construed to be the boundary of such district.

C. Where the district boundaries do not coincide with the location of streets, alleys, or lot lines, the district boundary shall be determined by the use of the scale shown on the Zoning Map.

D. When a lot held in one ownership on the effective date of this Title is divided by a district boundary line, the entire lot shall be construed to be within the more restrictive district.

E. All streets, alleys, public-ways, and railroad rights-of-way, if not otherwise specifically designated, shall be deemed to be in the same zone as the property immediately abutting upon such alleys, streets, public-ways and railroad rights-of-way. Where the center line of a street, alley, public-way or railroad rights-of-way serves as a district boundary, the zoning of such areas, unless otherwise specifically designated, shall be deemed to be the same as that of the property abutting up to such center line.

F. Boundaries indicated as approximately following municipal boundary limits shall be construed to follow municipal boundary limits.

G. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.

H. Boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines.

I. Streets, alleys, public ways or railroad right-of-way which are shown on the zoning map and which have heretofore been vacated, or which may be vacated hereafter, shall be in the same district as the land abutting both sides of the street, alley, public way or railroad right-of-way involved. If the land abutting each side of the street, alley, public way or railroad right-of-way, was located in different districts before the said street, alley public way or railroad right-of-way was vacated, the center line of such vacated street, alley, public way or railroad right-of-way shall be the district boundary line of the respective zoning districts.

1.2.11. Interpretation.

A. In their interpretation and application, the provisions of this Title shall be held to be the minimum requirements for the promotion of the public health, safety, morals and welfare.

B. Where the conditions imposed by any provision of this Title upon the use of land or buildings or upon the bulk of buildings are either more restrictive or less restrictive than comparable conditions imposed by any other provisions of this code or of any other law, ordinance, resolution, rule or regulations of any kind, the regulations which are more restrictive (for which impose higher standards or requirements) shall govern.

C. Nothing in this Title shall be deemed to be a consent, license or permit to use any property, to locate, construct, or maintain any building, structure or facility, or to carry on any business, industry, occupation or trade.

1.2.12. Incorporation by Reference. Any and all standards and other codes, regulations and public records incorporated by reference into this unified development ordinance have been adopted in accordance with the requirement established in Chapter 65, Act 5, Section 1-3-1 *et seq*. and Chapter 50, Act 220, Section 1001 *et seq.* of the Illinois Compiled Statutes.

1.2.13. Disclosure by Trustee of Land Trust. Whenever any trustee of a land trust or any beneficiary or beneficiaries of a land trust make application to the Village of Richmond or any of its agencies pursuant to the provisions of this Title relating to the land which is the subject of trust, any interest therein, improvements thereto, or use thereof, such application shall identify each beneficiary of such land trust by name and address and define his interest therein. All such applications shall be verified by the applicant in his capacity as trustee, or by the beneficiary as the beneficial owner of an interest in such land trust.

1.2.14. Successor to Rule or Standard Making Agencies. Whenever a governmental or private agency is referred to as the promulgator of a rule or standard, the rule or standard shall continue to be incorporated by reference within this Title in the event that the same rule or standard is adopted by a successor agency in name or substance.

1.2.15. Private Agreements. This Title is not intended to abrogate any easement, covenant, or other private agreement; provided, that where the regulations of this ordinance are more restrictive or impose higher standards or requirements than easement, covenants, or other private agreements, the requirements of this ordinance shall be controlling.

Article 1.3

DEFINITIONS

1.3.1. Use of Definitions. In the construction of this code, the definitions contained in this article shall be observed and applied, except when the context clearly indicates otherwise;

1.3.2. Rules. In the construction of this Title, the rules contained in this Article shall be observed and applied, except when the context clearly indicates otherwise.

A. Words used in the present tense shall include the future; and words used in the singular number shall include the plural number, and the plural, the singular.

B. The words "shall" and "will" are mandatory and not discretionary.

C. The word "may" is permissive.

D. The word "lot" shall include the words "plot", "piece", and "parcel".

E. Unless otherwise specified, all distances shall be measured horizontally.

F. Whenever a word or term defined hereinafter appears in the text of this Title, its meaning shall be construed as set forth in the definition thereof.

G. The masculine gender shall include the feminine and neuter.

H. All measured distances shall be expressed in feet and shall be calculated to the nearest tenth (0.10) of a foot.

I. The word "person" shall include the words "association", "corporation", "estate", "governmental agency", "individual", "joint venture", "partnership", "venture", or any other legal entity.

J. The word "building" shall include the word "structure".

K. The phrase "used for" shall include the phrases "arranged for", "designed for", "intended for", "maintained for", and "occupied for".

1.3.3. Definitions. The following words and terms when used in the interpretation and administration of this Title shall have the meaning set forth herein except where otherwise specifically indicated. Words and terms not defined here shall be defined as specified in the latest published edition of Webster's New Collegiate Dictionary.

Accessory Structure (Use): shall mean a structure (use) customarily incidental to and auxiliary to the use of a principal structure (use) on the same premises with such principal structure (use). When the wall of an accessory structure is a part of or joined to the wall of the principal structure such accessory structure shall be construed as a part of the principal structure.

Adult Care Center: shall mean a building or group of buildings providing daytime care to six (6) or more handicapped persons or senior citizens unrelated by blood or marriage to, and not legal wards or foster children of the attendant adult within an occupied residence.

Adult Use: *See Section 4.3.4.A, herein.*

Adult-Use Cannabis Business Establishment: An adult-use cannabis cultivation center, craft grower, processing organization, infuser organization, dispensing organization or transporting organization. *(Ord. #2019-23, 10.17.19)*

Adult-Use Cannabis Craft Grower: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, dry, cure and package cannabis and perform other necessary activities to make cannabis available for sale at a dispensing organization or use at a processing organization, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder. *(Ord. #2019-23, 10.17.19)*

Adult-Use Cannabis Cultivation Center: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to cultivate, process, transport and perform necessary activities to provide cannabis and cannabis-infused products to licensed cannabis business establishments, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder. *(Ord. #2019-23, 10.17.19)*

Adult-Use Cannabis Dispensing Organization: A facility operated by an organization or business that is licensed by the Illinois Department of Financial and Professional Regulation to acquire cannabis from licensed cannabis business establishments for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder. *(Ord. #2019-23, 10.17.19)*

Adult-Use Cannabis Infuser Organization or Infuser: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder. *(Ord. #2019-23, 10.17.19)*

Adult-Use Cannabis Processing Organization or Processor: A facility operated by an organization or business that is licensed by the Illinois Department of Agriculture to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder. *(Ord. #2019-23, 10.17.19)*

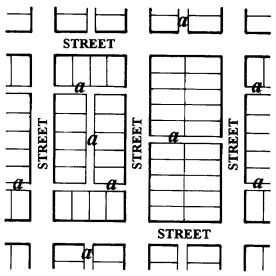
Adult-Use Cannabis Transporting Organization or Transporter: An organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder. *(Ord. #2019-23, 10.17.19)*

Agricultural Labor Housing: shall mean dwelling units, which may include mobile homes, for use by full-time, temporary or permanent employees engaged in agricultural pursuits. This housing unit is considered an accessory structure and its use is accessory to the zoning lot's agricultural use or uses.

Agriculture: shall mean any land, or land and structures, which is primarily used and intended for one or more of the following: the growing of farm crops, truck garden crops, livestock husbandry, apiculture, aquaculture, dairying, floriculture, horticulture, nurseries, tree farms, sod farms, pasturage, viticulture, wholesale greenhouses; and, accessory uses customarily incidental to agricultural activities. For the purpose of this Title, "agriculture" shall not include livestock feeding yards or livestock sales yards, or the extraction of sand, gravel, or limestone even when such activity is related to an agricultural purpose.

Aircraft Hangars/Tiedowns: shall mean an area used for the temporary storage of aircraft, and may either enclosed or unenclosed.

Airstrip/Runway: shall mean a strip of ground used for the landing and take-off of airplanes.



Alley (a)

Alley: shall mean a public or private way primarily designed to serve as a secondary means of access to those parcels whose principal frontage is on a public street.

Amusement Arcade: shall mean an establishment devoted to the use of four (4) or more coin-operated amusement devices.

[Use is not listed in Permitted Use Table and is similar to "Animal Shelter"]
Animal Hospital: shall mean a place where animals are given medical or surgical treatment and the boarding of animals is limited to short-term care incidental to the hospital use.

Animal Shelter: shall mean any space designated to provide for the temporary accommodation of five (5) or more common household pets which are stray or not wanted by their owner, until appropriate disposition or adoption of such pets can be effectuated.

Antenna: shall mean an arrangement of wires, metal rods, parabolic or concave dishes, or similar materials used for the transmission and/or reception of electromagnetic waves.

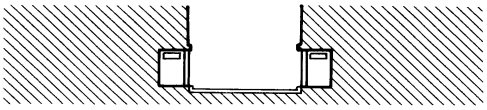
Antenna Tower: shall mean any structure designed for the purpose of mounting an antenna.

Apartment: shall mean a room or suite of rooms, including complete kitchen and bathroom facilities, in a multiple dwelling structure, which is arranged, designed, used or intended to be used as a residence for one family.

Apartment Hotel: shall mean a building or portion thereof designed for or containing both individual guest rooms or suites of rooms, and dwelling units, the majority of which are for permanent guests. Maid and janitor service may be provided but kitchen facilities are not necessarily included.

Arbor: shall mean a leafy, shady recess formed by tree branches, or latticework intertwined with shrubs or vines.

Arcade: shall mean a building frontage type where the building façade above the ground level overlaps the public sidewalk while the ground level portion of the building maintains a setback or is located at the build-to line.



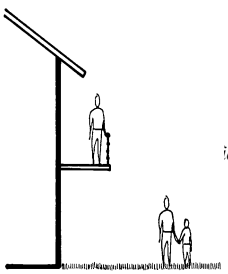
Arcade

Artwork: shall mean any object, such as a sculpture, figure, statue, monument, painting, photograph or the like constructed out of such materials as stone, clay, wood, or metals, which exhibits individual expression and creativity.

Automobile Wrecking Yard: *See* **Wrecking Yard, Motor Vehicle.**

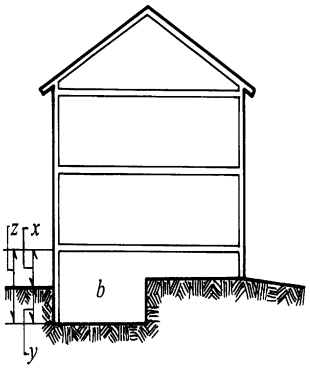
Awning: shall mean a roof-like cover of fabric stretched over a rigid frame projecting from and supported entirely by the elevation of a building and designed and intended to provide overhead weather protection over a window, walk, door or the like. Awnings may be fixed or retractable, meaning they can be retracted, folded, or collapsed against the face of the supporting building.

Balcony: shall mean an elevated platform open to the elements, not supported by the ground and projecting from an upper story and enclosed entirely by a railing.



Bar: shall mean a room(s) or a counter accessory to the principal use of the building or tenant space in the building where alcoholic

beverages are served for consumption on the premises and may provide for dancing.



Basement (b), Where x > y and z ≤ 14 feet

Basement: shall mean a space within a building which has one-half or more of its floor-to-ceiling height above the average level of the adjoining ground and with a floor-to-ceiling height of not less than six and one-half (6.5) feet.

Bay Window: shall mean a window projecting beyond the wall line of the building and not supported by a foundation.

Bed and Breakfast, Inn: shall mean an operator-occupied residence providing accommodations for a charge to the public with no more than five (5) guest rooms for rent, in operation for more than ten (10) nights in a twelve month period. Breakfast may be provided to the guests only. Bed and breakfast establishments shall not include hotels, motels, boarding houses, or food establishments.

Bedroom: shall mean any room designed, intended, or used principally for sleeping purposes, including a study or a den.

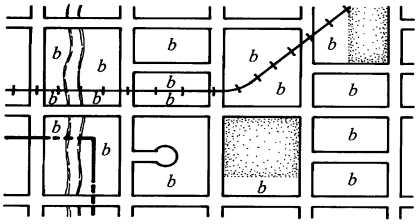
Berm: shall mean soil of good quality, uncompacted, raised generally above the surrounding finish grade with side slopes generally no steeper than three (3) horizontal units to one (1) vertical unit (3:1); generally a man-made slope.



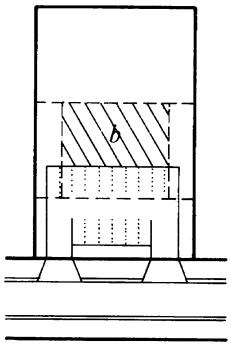
Berm

Block: shall mean a tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad right-of-way, shorelines of waterways, municipal, township and county boundary lines.

Body Shop, Motor Vehicle: shall mean any building or portion thereof used for the repair or straightening of a motor vehicle body or frame, or painting of motor vehicles. Maintenance, service and engine repair may be performed as an accessory function to the body work.



Block (b)



Buildable Area (b)

Breezeway: shall mean a covered pedestrian passageway, as between a house and a garage, but otherwise exposed to the elements.

Buildable Area: shall mean the area of a lot or parcel remaining after yard, parking or any other requirements of this ordinance have been satisfied.

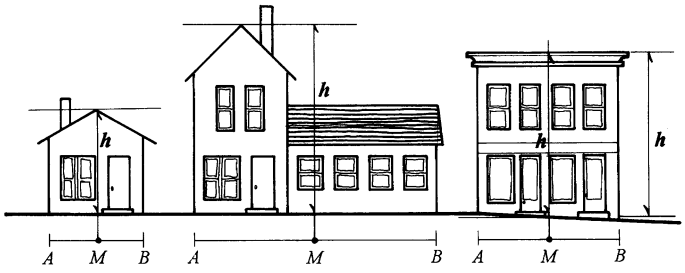
Building: shall mean a roofed, structure designed or intended for the enclosure, shelter or protection of persons, animals or other property. All forms of vehicles, even if immobilized, are excluded from this definition.

Building Coverage: shall mean the area of a zoning lot occupied by the principal building(s) and accessory structures.

Building Line: shall mean a line parallel to adjacent property lines at a specified distance from said property lines establishing the minimum open space to be provided between building(s) and an adjacent lot line. Also known as "building setback line" or "setback line."

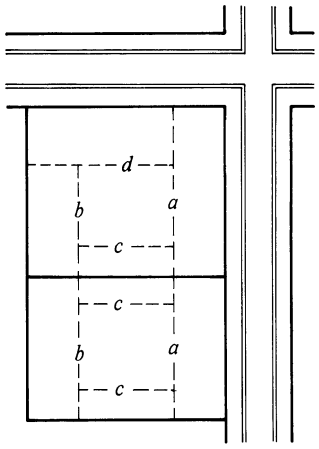
Build-to Line: *See* **Building Line.**

Building Height: shall mean the vertical distance of a building measured at the midpoint of the front wall of a building between the finished grade at the front wall of the building and the highest point of the roof or parapet walls, excluding chimneys, mechanical equipment, cooling towers, storage tanks, bulkheads, spires, water towers, and antennae attached to or resting upon the building.



Building Height (h)

Where building height (h) is measured at M, the midpoint between A and B



Building Lines (Setbacks)

Where a = Front Building Line
b = Rear Building Line
c = Side Building Line
d = Corner Side Building Line

Bulk: shall be the term used to describe the size and mutual relationships of buildings and other structures as to size, height, coverage, shape, location of exterior walls in relation to lot lines, to the center line of streets, to other walls of the same building, and to all open spaces relating to the building or structure.

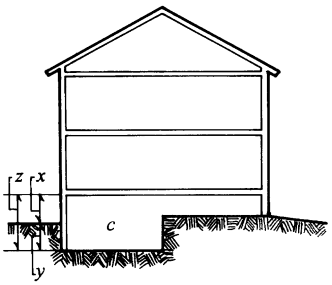
Burial Building: shall mean any building used for the interment of bodies or other remains of persons who have died, including mausoleums, vaults or columbaria.

Business: shall mean an occupation, employment or enterprise which occupies time, attention, labor and materials, or wherein merchandise is exhibited, bought or sold, or where services are offered for compensation.

Caliper: shall mean the diameter of a tree trunk six (6) inches above the existing grade or proposed planted grade and in conformance with the provisions of the Code of Standards (Z60.1-1986 or latest version) published by the American Association of Nurserymen, Inc.

Canopy: shall mean a roof like structure that projects from the elevation of a building over a door, walk, window, or the like, and is supported by the building and the ground and is open to the elements on at least three sides; or a freestanding roof like structure above an outdoor services area, such as a gasoline station pump island.

Car Wash: shall mean a structure, or portion thereof, containing facilities for washing automobiles, and may utilize production-line methods using a conveyor, blower, steam-cleaning device; or other mechanical devices, and may include detailing services.



Cellar (c),
Where x < y and z ≤ 14 feet

Cellar: shall mean a space within a building with less than one-half of its floor-to-ceiling height above the average finished grade of the adjoining ground or with a floor-to-ceiling height of less than six and one-half (6.5) feet.

Club or Lodge: shall mean a group of people organized for a common purpose to pursue common goals, interest, or activities and usually characterized by certain membership qualifications, payment of dues, regular meeting, and constitution and by-laws.

Cluster: shall mean plant material installed as a clump or group as opposed to individual specimens. An odd number of shrubs is desired.

Cocktail Lounge: shall mean a room or an establishment where alcoholic beverages are served for consumption on the premises and may provide for dancing or live entertainment on the premises.

Commercial Use: shall mean an activity carried out for pecuniary gain.

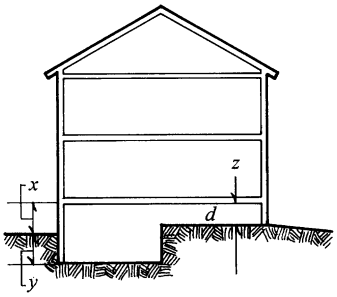
Country Club: shall mean a land area and building containing recreational facilities, clubhouse and usual accessory uses, typically open only to members and their guests for a membership fee.

Commercial Recreation: shall mean any establishment or use of land which provides active recreational opportunities, including but not limited to, waterslides and water parks, batting cages, miniature golf, go-cart racing, carnival games, and the like.

Condominium: shall mean an estate in real property consisting of an individual interest in common with other purchasers in a portion of real property, together with a separate interest in space in a building and/or separate interest in other portions of such real property.

Convalescent Home: shall mean an establishment for the care of the aged or infirm, or a place of rest for those suffering bodily disorders, but excluding contagious or communicable diseases and excluding surgery.

Conventional Energy System: shall mean an energy system utilizing fossil fuel, nuclear, or hydroelectric energy and components of such system, including transmission lines, burners, furnaces, tanks, boilers, related controls, distribution systems, room or area units, and other components.



Crawl Space (d),
where x < y and z ≤ 4.5 feet

Crawl Space: shall mean a space between the ceiling of one story and the floor of the next story above, which normally contains pipes, ducts, wiring and lighting fixtures and permits access but is too low for an individual to stand. A crawl space may be a cellar area no more than four and one-half (4.5) feet in height, or, if between a ceiling and a shed roof or a flat roof, a cockloft.

Cul- de-sac: Shall mean a short street having one end open to traffic and being terminated at the other end by a vehicular turn-around.

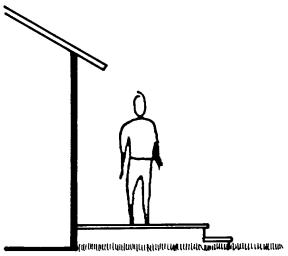
Day Care Center: shall mean any child care facility which regularly provides day care for less than twenty-four hours per day for more than eight (8) children in a family home, or more than three children in a facility other than a family home, including senior citizen buildings as defined by 225 ILCS 10/2.09 and licensed by the Illinois Department of Children and Family Services.

Day Care Home: shall mean a residence licensed by the Illinois Department of Children and Family Services for the care of at least three (3) but not more than twelve (12) children for less than twenty-four

(24) hours per day. The maximum number of children permitted includes the family's natural, foster or adopted children and all other persons under the age of twelve. The term does not include residences or facilities which receive only children from a single household.

Deciduous: shall mean plants which do not retain leaves or needles during the winter season of the year.

Deck: shall mean a level, unenclosed platform serving as a floor and located above the finished grade, and usually directly adjoining or attached to a building.



Deck

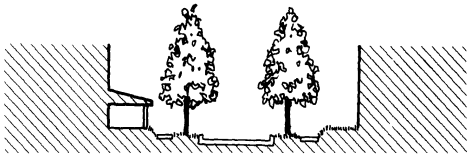
Development Administrator: shall mean the Village Administrator or other individual designated by the Village President and Village Board to enforce this Title, or his or her designee.

Disability: shall mean a personal condition which is: (*i*) attributed to mental, intellectual, or physical impairment or a combination or mental, intellectual, or physical impairments; (*ii*) likely to continue for a significant amount of time or indefinitely; and, (*iii*) results in functional limitation in three or more of the following areas of major life activities self-care: recaptive or expressive language; learning; mobility; self-direction; capacity for independent living; economic self-sufficiency; and reflects the person's need for a combination and sequence of special interdisciplinary or generic care treatment, or other service of life-long or extended duration, but is not the result of a communicable disease or substance abuse or alcohol abuse.

District, Zoning: shall mean a section of the corporate areas of the Village of Richmond within which the regulations governing the use of land are uniform.

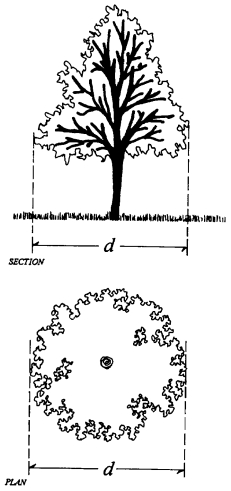
Dog Run: shall mean an enclosed outdoor area intended for the exercising and/or containment of dogs or other animals.

Dooryard: shall mean a building frontage type where the building façade is set back from the frontage line and the space between the frontage line and the building façade is elevated.



Door Yard

Dormitory: shall mean a building where sleeping accommodations, dining facilities and common bathroom facilities are provided for more than ten (10) unrelated individuals, exclusive of the resident family, who are students or members of a religious order, college, university, convent, monastery or other institutional use.



Drip Line (d)

Drip Line: shall mean the zone lying between the trunk of a tree or shrub and the extreme outer edge of the leaf and branch structure, i.e., the diameter of the leaf and branch structure extended vertically down to the soil surface.

Drive-Up Facility: shall mean a facility or establishment which is designed, intended or used for transaction of business with customers in automobiles. A drive-up facility may be the principal or an auxiliary function of the business. A drive-up facility does not include mail or parcel collection boxes.

Driveway: shall mean a private roadway providing vehicular access from a street or alley to adjacent property.

Dwelling: shall mean a building or portion thereof designed or used exclusively for residential occupancy, including single-family, two-family, and multiple-family dwellings, but not including hotels, motels or lodging houses.

Dwelling, Accessory: shall mean a room or group of rooms meeting habitable room sizes as required by the Village Building Code which are arranged, designed, used and intended for use as living quarters for one household, including sleeping, cooking, eating and sanitation facilities, and may be located in a free-standing accessory structure and having its own exterior entrance.

Dwelling, Apartment: shall mean a building or portion thereof in which a dwelling unit or a portion thereof is located above or below another dwelling unit, or above or below any other independently used portion of the building.

Dwelling, Attached Single-Family: shall mean a building consisting of dwelling units each of which is attached by common vertical wall to at least one other dwelling unit with each dwelling unit having a separate exterior entrance and occupying the ground, including, but not limited to, the following: "townhouse", "rowhouse", "duplex", "four-plex", "three-plex". In addition, no dwelling unit or portion thereof within an attached dwelling shall be located above or below another dwelling unit, and each dwelling unit shall have its primary access to the outside on the ground floor.

Dwelling, Detached Single-Family: shall mean a free-standing building containing one dwelling unit.

Dwelling, Duplex: shall mean a building containing two (2) dwelling units where one (1) dwelling unit is joined with the other dwelling unit on one (1) side by a common wall. No dwelling unit or portion thereof within a duplex dwelling shall be located above or below another swelling unit. Each dwelling unit shall have an exterior located on the ground floor.

Dwelling, Efficiency: shall mean a dwelling unit consisting of not more than one habitable room together with cooking and sanitary facilities.

Dwelling, Farm: shall mean a detached single-family dwelling unit located on land used primarily for agricultural purposes, which is used or intended for use by the person engaged in the agricultural use of the subject property.

Dwelling, Multiple-Family: shall mean a building, or portion thereof, consisting of three (3) or more dwelling units with varying arrangements of entrances and party walls and one or more of the dwelling units do not occupy the ground, including but not limited to the following: "apartment", "condominium", "cooperative", "manor home", "coach house", "three-flat", and "six-flat".

Dwelling, Rooming House: shall mean a building or a portion thereof utilized as a dwelling unit which is the primary residence of the owner and which contains lodging rooms for occupancy at a monthly rate of compensation by permanent residents who are not related to the owner. A rooming house maintains a common household. Rooming house dwellings include boarding houses and lodging houses, but exclude residential care facilities.

Dwelling, Studio: shall mean a dwelling unit that has only one combined living and sleeping room and may have a separate room containing only kitchen facilities and a separate room containing only sanitary facilities.

Dwelling, Two-Family: shall mean a building consisting of two (2) dwelling units where one dwelling unit is located on the first floor and the second dwelling unit is located on the second floor and each dwelling may or may not have a separate exterior entrance.

Dwelling Unit: shall mean one or more rooms, including at least one complete permanently installed bathroom and not more than one complete kitchen facility arranged, designed, or used a living quarters for

not more than one family. Each dwelling unit shall have an independent entrance, cooking, sleeping and sanitary facilities.

Easement: shall mean a grant by a property owner for the use of a strip or parcel of his land by the general public, a corporation, or a certain person(s) for a specific purpose(s).

Eave: shall mean the projecting lower edges of a roof, overhanging the wall of a building.

Evergreen: shall mean plants which continuously retain leaves or needles over four seasons of the year.

Extended Care Facility: shall mean an institution or a distinct part of an institution which is licensed or approved to provide health care under medical supervision for twenty-four (24) or more consecutive hours to two or more patients.

Façade: shall refer to matters of spatial definition and shall mean the vertical surface of a building set along a frontage line. Facades are subject to visual definition by building height, setback lines, recess lines, and transition lines.

Family: shall mean excepting domestic servants, any number of persons related by blood or marriage, or adoption not to exceed five (5) persons not so related, using common cooking facilities and living and eating together on the premises as a single housekeeping unit.

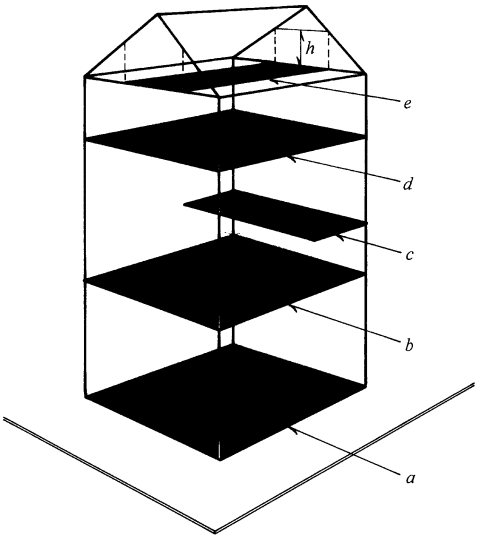
Farm: shall mean any real property used for commercial agricultural purposes.

Fence: shall mean a free standing structure of metal, masonry, composition or wood or any combination thereof permanently installed by being partially buried in the ground and rising above ground level, and used for confinement, screening, or partition purposes, including the following: (*i*) *Fence, decorative*; A fence having a regular pattern that has more than twenty-five percent (30%) of the surface open and unobstructed to vision, light and air, when viewed perpendicular to the plane of the fence and intended primarily for aesthetic purposes; (*ii*) *Fence, natural;* A living barrier that is made of natural growth, such as shrubs, hedges, evergreens and similar planted vegetation; and, (*iii*) *Fence, solid*; a fence having a regular pattern that has less than twenty-five percent (30%) of the surface open and unobstructed to vision, light and air, when viewed perpendicular to the plane of the fence and intended primarily for privacy or security purposes.

Festoon Lighting: shall mean a group of two or more incandescent light bulbs hung or strung overhead, or on a building or structure, which are exposed to persons on a public right-of-way, or which are not shaded or hooded to prevent the direct rays of light from being visible from the property line.

Floor Area, Gross (GFA): shall mean the sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls or from the center line of walls separating two buildings and shall include cellar floor area; elevator shafts, escalators and stairwells at each floor; floor space used for mechanical, telephone and electrical equipment, open or enclosed, except when located on the roof; penthouses, except mechanical penthouses; attic space having headroom of seven feet, ten inches (7'10") or more; interior balconies and mezzanines; enclosed porches; outdoor display areas; interior off-street parking and loading facilities; and, floor area devoted to accessory uses.

Floor Area, Net (NFA): shall mean the gross floor area of the several floors of the building less cellar floor area when used for storage; elevator shafts, escalators and stairwells at each floor; floor space used for mechanical, telephone and



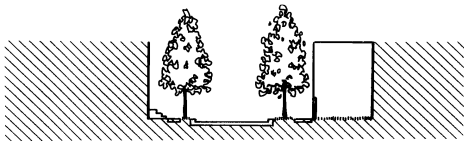
Floor Area

Floor Area = a + b + c + d + e
(include e only if h ≥ 7'10")

electrical equipment, open or enclosed, except when located on the roof; penthouses, except mechanical penthouses; attic space having headroom of seven feet, ten inches (7'10") or more; public restrooms, interior balconies and mezzanines and other interior common areas designed primarily for pedestrian circulation; enclosed porches; outdoor display areas; interior off-street parking and loading facilities; and, entrance lobbies.

Food Store: shall mean an establishment where the principal use is the retail sale of food, including meats, produce, bakery and dry goods, and may include accessory preparation of food for consumption on or off the premises.

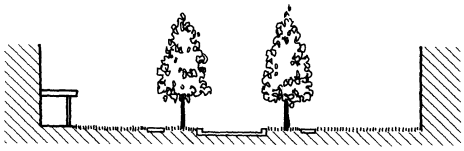
Forecourt: shall mean a building frontage type where the building façade is set back and is replaced with a low wall, fence or hedge at the frontage line.



Forecourt

Fraternal Organization: shall mean a group of individuals formally organized for a common interest, usually cultural, religious, or entertainment, with regular meetings and formal written membership requirements.

Front Lawn: shall mean a building frontage type where the building façade is set back substantially from the frontage line and is uninterrupted by fences, porches and other structures.



Front Lawn

Fuel Station: shall mean any building, land area, or other premises, or a portion thereof, used or intended to be used only for the retail dispensing or sale of motor vehicle fuels and fluids.

Garage, Private: shall mean a building, or an accessory portion of the principal building, for the private use of the owner or occupant of the principal building, designed or used for the storage and shelter of motor vehicles with no facilities for mechanical service or repair of a retail nature.

Garage, Public: shall mean a building or portion thereof, other than a private garage, designed or used for the care, storage, of motor vehicles, or where such vehicles are kept for remuneration, hire or sale.

Garden Center: shall mean a place of business where the primary business is retail or wholesale nursery products and produce are sold to consumers, and may include a nursery and/or greenhouses; import most of the items sold; and, the sale of plants, nursery products, fertilizers, potting soil, garden tools and utensils and equipment, hardware, and materials for terrace walls, walks, driveways and patios.

Garden Shed: shall mean an accessory structure used primarily for the storage of residential garden or lawn equipment and supplies.

Gasoline Station: See "Fuel Station."

Ground Covers: shall mean woody or non-woody plants with a maintained or unmaintained average mature height less than twelve (12) inches.

Group Home: shall mean a dwelling for five (5) or more persons not related by blood, marriage or adoption who live together as a single housekeeping unit, and which contains common cooking facilities and common living and eating areas. Group Homes include, but are not limited to, convents, residences for disabled persons, orphanages and monasteries. Group Homes do not include residences that serve as an alternative to incarceration for persons convicted of criminal offenses, or residences for persons whose primary reason for placement therein is the treatment of a communicable disease.

Gun Shop: shall mean a business of selling, transferring, bartering, or renting firearms and/or ammunition. *(Ord. 2026-06)*

Habitable Space: shall mean space in a structure designed for living, sleeping, eating or cooking, but excluding bathrooms, toilet compartments, closets, halls, storage or utility spaces and similar areas.

Health Club: shall mean a facility designed for the major purpose of physical conditioning and fitness or weight reduction which includes, but is not limited to such equipment as free weights, weight resistance machines, cardiovascular machines, whirl pools, saunas, showers, lockers, swimming pools, or basketball and racquet courts. This shall not include municipal owned recreation buildings.

Health and Welfare Facility: shall mean a facility specializing in medical treatment, physical therapy (alcohol and drug treatment), assisted living for all ages, retirement communities, and shelters.

Height (for landscaping): shall mean reference to the general mature height of plant materials installed above the adjacent elevation of soil or paving. Specified height of a screening may be provided by a berm, combination of a berm and planting, or a structure unless otherwise specified herein.

Home Improvement Center: shall mean an establishment where home improvement materials, including but not limited to, kitchen and bathroom accessories and fixtures, wall coverings, window coverings, heating and air conditioning, plumbing and electrical supplies, painting and decorating material, tools and residential construction and remodeling materials and supplies are sold for retail. Outdoor storage of building materials may be provided but is accessory to the principal use and structure and only as permitted by the district in which it is located.

Home-Based Business: shall mean a business, profession, occupation or trade conducted for pecuniary gain entirely within a residential building, or, when permitted by this Title, within a structure that is accessory to a residential building.

Hospital: shall mean an institution providing primary health services and medical or surgical care to in-patients suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions and including as an integral part of the institution, related facilities such as laboratories, pharmacies, out-patient facilities or training facilities.

Hotel: shall mean a building designed for transient occupancy containing lodging rooms or suites accessible from a common interior hall or entrance, providing living, sleeping and sanitary facilities. A central kitchen, meeting rooms, dining room and recreation room are generally provided.

Impervious Cover: see "Impervious Surface"

Impervious Surface: shall mean any surface in the urban landscape that cannot effectively absorb or infiltrate rainfall.

Institution: shall mean an organization having a social, educational or religious purpose, such as a school, church, hospital, reformatory, etc.

Joint Solar Energy System: shall mean a solar energy system that supplies energy for structures or processes on more than one lot or in more than one condominium unit or leasehold, but not to the general public and involving at least two owners or users.

Junk Yard: shall mean an open area of land and any accessory building or structure thereon which is used for buying, selling, exchanging, storing, baling, packing, disassembling, or handling waste or scrap materials, including vehicles, machinery, and equipment not in operable condition or parts thereof, and other metals, paper, plastics, rags, rubber tires, and bottles. Two (2) or more inoperable motor vehicles stored on a zoning lot shall be considered a junkyard. A "junkyard" includes a motor vehicle wrecking yard, but does not include an establishment located in the applicable manufacturing district engaged

exclusively in processing of scrap iron or other metals to be sold only to establishments engaged in manufacturing of steel or metal alloys.

Kennel: shall mean any lot or premises, or portion thereof, whether public or private, on which more than four (4) dogs, four (4) cats, or four (4) other household domestic animals over four (4) months of age are kept or on which more than two (2) such animals are maintained, boarded, bred, or cared for in return for remunerations or are kept for the purpose of sale.

Laboratory: shall mean a building, or portion thereof, in which scientific research, investigation, testing, analyzing, or experimentation is conducted on a regular basis but not devoted to the manufacturing of a product or products.

Livestock: shall mean any animal customarily kept by humans for the purpose of providing food, clothing, or work, including but not limited to equine, bovine, ovine, caprine, porcine, and fowl, but excluding bees.

Livestock Feeding Yard: shall mean land or an enclosure designed or used for the purpose of concentrated feeding or fattening of livestock for market.

Livestock Sales Yard: shall mean land or an enclosure or structure designed or used for holding livestock for the purpose of sale or transfer by auction, consignment, or other means.

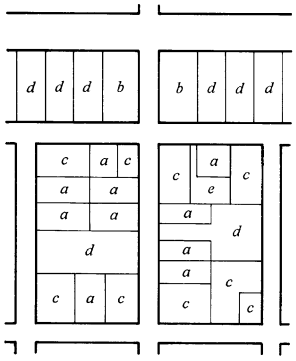
Liquor Store: shall mean a place of business selling beer, wine and/or distilled liquors at retail, to the general public in sealed bottles or containers for consumption or use away from the premises where said establishment is located.

Logistics Facility: See "Warehouse and Distribution Center."

Lot: shall mean land which is part of a subdivision, the plat of which has been recorded in the Office of the County Recorder of Deeds, of McHenry County or it may be and consist of a part of such recorded lot, or it may include parts of or a combination of several lots when adjacent to one another and used as one parcel.

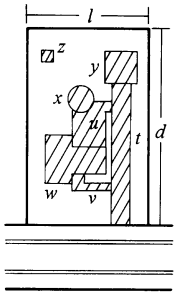
Lot Area: shall mean the area of a horizontal plane bounded by the front, side and rear lot lines. Calculation of the required minimum lot area shall not include street right-of-way, whether dedicated to the public or a private street or easement for street purposes and, when adjacent a water course, drainage way, channel or stream, the area included in floodplain or easements reserved for the maintenance of said surface waters.

Lot, Corner: shall mean a lot which is situated at and abuts the intersection of two or more streets or adjoins a curved street at the end of a block.



Lots:

(a) Interior Lot
(b) Gateway Lot
(c) Corner Lot
(d) Double Frontage Lot
(e) Flag Lot



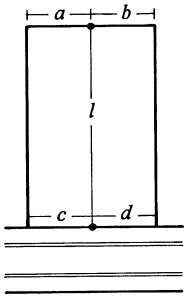
Lot Coverage (m)

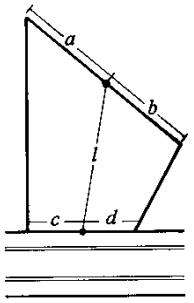
$$\text{where } m = \frac{(t + u + v + w + x + y + z)}{\text{area of lot } (l \times d)}$$

Lot Coverage: shall mean the percentage of a zoning lot occupied by buildings, including accessory buildings and structures, driveways, sidewalks, decks, and patios.

Lot, Corner: shall mean a lot which has its front and one side yard bordering on a street.

Lot Depth: shall mean the distance between the midpoints of the front lot line and the midpoint of the rear lot line.





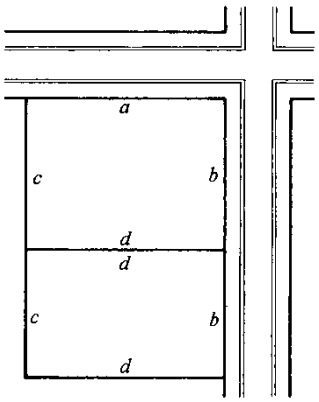
Lot Depth (l): *where a=b and c=d*

Lot, Double Frontage: shall mean a lot which has its rear and front yard bordering on a street.

Lot, Flag: shall mean a lot with access provided to the bulk of the lot by a narrow corridor of property and the narrow corridor frontage is the only public street frontage.

Lot, Gateway: shall mean a lot which has its front, rear and one side yard bordering on a street.

Lot, Interior: shall mean a lot which has only its front yard bordering on a street.

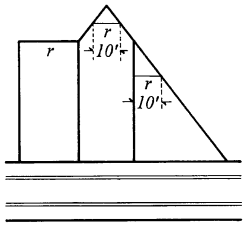


Lot Lines:
(a) Corner Side Yard Line
(b) Front Yard Line
(c) Rear Yard Line
(d) Side Yard Line

Lot Lines: shall mean the lines bounding a lot as defined herein. On a corner lot, the Development Administrator shall designate which of the two lines abutting a street right-of-way shall be considered a corner lot line and which shall be considered a front lot line.

Lot Line, Front: shall mean a street right-of-way forming a boundary of a lot. On a corner lot, the Development Administrator shall designate which of the two lot lines abutting a street right-of-way shall be considered a front lot line and which shall be considered a side lot line.

Lot Line, Rear: shall mean a lot-line which is opposite and most distant from the front lot-line and, in the case of irregular lot lines, triangular or gore-shaped lots, a line ten feet in length within the lot, parallel to and at the maximum distance from the front lot-line.

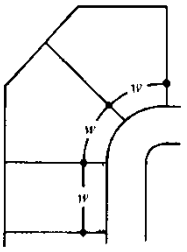


Rear Lot Line (r)

Lot of Record: shall mean a lot which is part of a subdivision, the plat of which has been recorded in the office of the McHenry County Recorder of Deeds, or a legally created parcel of land, the deed to which is recorded in the office of said County Recorder.

Lot Line, Side: shall mean any lot boundary line not a front lot line or a rear lot line setback.

Lot Width: shall mean the horizontal distance between the side lot lines of a lot measured within the lot boundary along the front building line.



Lot Width (w)

Lot, Zoning: shall mean a single tract of land under common ownership, wholly within the boundaries of the Village and on one side of a public street, and which has frontage on a public street or private drive approved as part of a subdivision, which is designated by its owner or developer as a tract to be used, developed or built upon as a unit, under single ownership or control and which meets all requirements of this Title. The division of a zoning lot may or may not result in the creation of two or more zoning lots, and a zoning lot(s) may or may not coincide with a lot of record.

Lounge: shall mean a room(s) accessory to the principal use of the building or tenant space in the building where alcoholic beverages are served for consumption on the premises and may provide for live entertainment on the premises.

Low Growing Shrubs: shall mean a woody shrub with a maintained or unmaintained average mature height of three (3) feet or less.

Lumber Yard: shall mean an establishment where the principal activity is the retail and wholesale sale of wood products and generally involving outdoor storage of building materials and supplies.

Manufacture: shall mean an economic activity engaged in the mechanical or chemical transformation of materials or substances, including the assembling of component parts, the manufacturing of products and the blending of materials such as lubricating oils, plastics, resins or liquors, into new products.

Manufactured Housing or **Manufactured Housing Unit:** shall mean a building assembly or system of building sub-assemblies, designed for habitation as a dwelling for one or more persons, including the necessary electrical, heating, ventilation and other service systems, which is of closed or open construction and which is made or assembled by a manufacturer, on or off the building site, for installation, assembly and installation, on the building site, with a permanent foundation.

Manufacturing: shall mean the mechanical or chemical transformation of materials or substances into new products including the assembling of components; parts, the manufacturing of products and the blending of materials.

Massing: shall refer to the shape and form a building takes on through architectural design. There are ten (10) architectural design elements which create urban space. A specific project need not incorporate all ten elements: *(1)* building silhouette--a similar pitch and scale to roof line; *(2)* spacing between building facades; *(3)* setback from property line; *(4)* proportion of windows, bays, and doorways and vertical or horizontal elements tied together in bands across the façade length; *(5)* proportion of primary façade-size of arcades similar in area and height to width ratios; *(6)* location and treatment of entryway; *(7)* materials used in the building's exterior; *(8)* building scale; *(9)* landscaping; and, *(10)* shadow patterns form decorative features with the light and dark surfaces from materials used and projections form window bays and create visual breaks.

Medical, Dental Clinic: shall mean an establishment where one or more licensed doctors of medicine or dentistry engage in the practice of medicine, operating on a group or individual basis with pooled facilities such as coordinated laboratory, x-ray and allied departments, for the diagnosis and treatment of humans, and may include a drug prescription counter (not a pharmacy) for dispensing prescription drugs and pharmaceutical products to the patients of said medical or dental clinic.

Mini-Mart, Motor Vehicle: shall mean a fuel station which offers or includes as an accessory use, the retail sale of merchandise or services not related to dispensing fuel, the maintenance, service or repair of motor vehicles.

Minimum Contiguous Area: shall mean the area that may constitute a separate or detached part of any zoning district classification as set forth in this Title.

Mobile Home: shall mean a movable or portable structure designed and intended for permanent habitation and constructed to be towed on its own chassis (comprised of frame and wheels) from the place of construction to the location or subsequent locations, and designed to be used without a permanent foundation and connected to utilities for year round occupancy with or without a permanent foundation. The term shall include: (1) units containing parts that may be folded, collapsed, or telescoped when being towed and that may be expanded to provide additional cubic capacity; (2) units composed of two or more separately towable components designed to be joined into one integral unit capable of being separated again into the components for repeated towing; and (3) units designed to be used for residential, commercial, educational or industrial purposes, excluding, however, recreational vehicles.

Mobile Home Park: shall mean an area of land or lands upon which five or more independent mobile homes are harbored for rent.

Motel: shall mean a building offering transient occupancy containing lodging rooms directly accessible from an exterior hall or entrance, providing living, sleeping and sanitary facilities, whether such establishment is designated as a hotel, inn, automobile court, motor inn, motor lodge, tourist court, or otherwise.

Natural area: shall mean an area of land, not necessarily undisturbed, which either retains or has been substantially restored to its original natural or native character.

Nightclub: shall mean an establishment where alcoholic beverages are served for consumption on the premises and live entertainment is provided. The establishment may provide for dancing and a menu for prepared food items during hours of operation.

Nursery: shall mean a land or structure(s) or a combination thereof used to raise flowers, shrubs, trees, and other plant material for sale.

Nursery School: *See* **Day Care Center**.

Nursing Home: shall mean an extended or intermediate care facility licensed or approved to provide full-time convalescent or chronic care to individuals who by reasons of advanced age, chronic illness or infirmity are unable to care for themselves.

Office, Accessory: shall mean a room or group of rooms meeting habitable room sizes as required by the Village Building Code which are arranged, designed, used and intended for use as a private office and having no sleeping, cooking, eating or sanitation facilities, located in a freestanding building and having its own exterior entrance accessory to a residential dwelling unit.

Ornamental Tree: shall mean a tree with an unmaintained average mature height less than twenty (20) feet. Flowers, spring and fall color, and interesting growth habits are characteristics of these trees.

Overlay District: shall mean a set of regulations which add an additional layer of design provisions to an underlying zoning district.

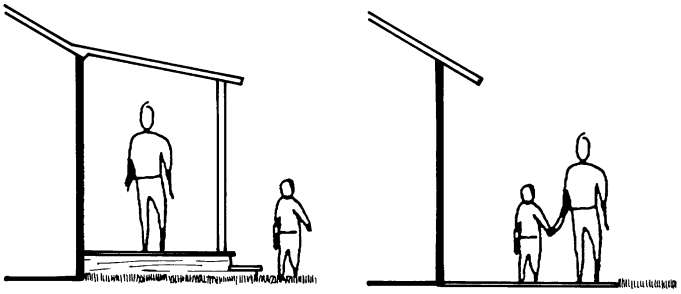
Parking, Temporary: shall mean parking on a surface paved in accordance with the driveway and off-parking specifications found in the Village of Richmond Unified Development Ordinance for a period less than 24 hours.

Parking Area, Public: shall mean an open area other than a street or alley, used for the temporary parking of more than four (4) automobiles or commercial vehicles, and available for public use, whether free, for compensation, or as an accommodation for clients, customers or employees.

Patio: shall mean a level, unenclosed surfaced area located at grade and usually directly adjoining or attached to a building.

Personal Wireless Service: *See Section 4.3.8.B, herein.*

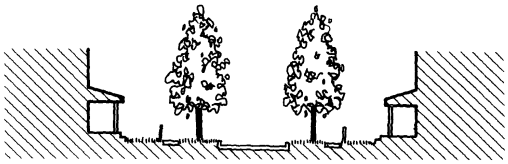
Personal Wireless Service Facility: *See Section 4.3.8.B, herein.*



Porch ***Patio***

Porch: shall mean a roofed platform projecting from the wall of a building and having direct access to or from the building to which it is attached. A porch has no solid walls other than the wall of the building to which it is attached. A porch may be enclosed with a mesh screen to keep out unwanted insects, but is otherwise exposed to the elements throughout the year.

Porch and Fence: shall mean a building frontage type where the building façade is set back substantially from the frontage line and the porch encroaches in the setback.



Porch and Fence

Property Owners Association: shall mean a private, not-for-profit corporation of property owners that operates and maintains various common properties in a subdivision or development.

Pub: *See* **Tavern.**

Queuing Space: shall mean the reservoir space occupied by any number of cars that must be accommodated while awaiting ingress or egress to specified business or service establishments.

Recess Line: shall refer to matters of spatial definition and shall mean a line prescribed for the full width of the façade, above which the façade is set back. Also see, *Transition Line*.

Recreational Vehicle: shall mean any 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: (*i*) *Boats* -- meaning any vessel used for water travel, a boat mounted on a trailer shall be considered one vehicle; (*ii*) *Camping Trailers* -- meaning a folding or collapsible vehicle without its own motive power, designed as temporary living quarters for travel, camping, recreation or vacation use; (*iii*) *Motor Homes* -- meaning a temporary dwelling designed and constructed for travel, camping, recreational or vacation use as an integral part of a self-propelled vehicle; (*iv*) *Off-Road Vehicles* -- meaning vehicles intended primarily for recreational use off of roads where state vehicle licenses are required, e.g. dune buggy, go-cart, snow mobile; (*v*) *Racing Car/Cycles* -- meaning vehicles intended to be used in racing competition, such as a race car or racing cycle, a racing car/cycle mounted on a trailer shall be considered one vehicle; (*vi*) *Travel Trailers* -- meaning vehicles without its own motive power, designed to be used as a temporary dwelling for travel, camping, recreational or vacation uses; (*vii*) *Truck Campers* -- meaning a structure designed primarily to be mounted on a pick-up truck or truck chassis and designed to be used as a temporary dwelling for travel, camping, recreational or vacation uses, when mounted on a truck, such structure shall be considered one vehicle; (*viii*) *Vans* -- meaning noncommercial motor vehicles licensed by the State of Illinois as a Recreational Vehicle; and (*ix*) *Vehicle Trailers* -- meaning 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 eligible to be licensed or registered and insured for highway use, a vehicle trailer with a vehicle mounted on it shall be considered one vehicle.

Recycling Center: shall mean a facility that is not a junkyard, in which recoverable resources from used materials and products are purchased, collected, sorted, processed to a condition for reuse, or temporarily stored prior to sale to others who will use the recovered resources to manufacture new products.

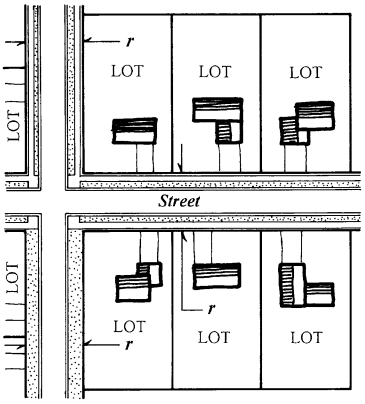
Recycling Collection Center: shall mean a building or a portion thereof in which recoverable resources from used products and materials are collected and temporarily stored prior to delivery or sale to others who will process the recoverable resources.

Remodel, remodeling: shall mean to remake, redecorate the interior or exterior of a structure without making structural alterations.

Renovation: shall mean to restore to an earlier condition.

Repair Facility, Motor Vehicle: shall mean any building, or portion thereof, used for the repair or replacement of engines, transmissions, differentials, drive trains, or any part thereof, in addition to the replacement of parts, service and incidental repairs to motor vehicles, but excluding operations specified under "motor vehicle body shop."

Restaurant: shall mean any building or part thereof where a menu of food items are cooked and prepared for compensation, for the general public for immediate consumption on and/or off the premises, including any part of such building or part thereof which may be used for dining by the general public. The retail sale of beer, wine and other alcoholic beverages for consumption on the premises and dancing may be provided on the premises. Reheating of already prepared food by microwave and/or the selling of already prepared food for consumption off premises does not constitute a restaurant.



Right-of-Way (ROW) (r)

Rest Home: *See* **Convalescent Home**.

Right-of-Way, Public: shall mean the land opened, reserved, or dedicated for a street, sewer, water, walk, drainage course, or other public purpose.

Roadside Stand: shall mean a structure for the display and sale of agricultural products, with no space for customers within the structure.

Roll-off Dumpster: Any container designed to be transported by special trucks, which are used for purposes of collecting construction and demolition debris and other waste-type substances.
(Ord. 2021-15 dated 10/5/21)

Roll-off Dumpster Business: Any business that rents roll-off dumpsters to third parties.
(Ord. 2021-15 dated 10/5/21)

Rooming House: shall mean a building or portion thereof converting a room or suite of rooms rented as sleeping and living quarters, but without cooking facilities and with or without an individual bathroom for compensation.

Sanitarium: *See* **Hospital.**

Satellite Station: shall mean any disc antenna with an essentially solid surface, whether flat, concave, or parabolic which is designed for receiving television, radio or data electromagnetic or microwave signals from satellites or other satellite stations.

School, Commercial: shall mean a school which principally offers, for profit, specific courses of instruction in business, trade, industry or other trained skills, but does not offer academic instruction equivalent to the standards prescribed by the School Code of Illinois.

School, Private: shall mean an institution conducting regular academic instruction at kindergarten, elementary, junior high and senior high school levels, operated by non-governmental organizations, which programs are accepted by the State of Illinois in lieu of public instruction. This shall not include private commercial schools.

School, Public: shall mean a public institution conducting regular academic instruction at the kindergarten, elementary, junior high and senior high school levels equivalent to the standards prescribed by the School Code of Illinois.

Screen: shall mean a structure or planting composed of sufficient material to obstruct vision beyond the screen. Generally, a screen is intended to provide in excess of ninety-percent (90%) opaque obstruction to vision during all seasons of the year.

Self-Service Storage Facility: shall mean a building or group of buildings in a controlled access and fenced compound that contains various sizes of individual, compartmentalized, and controlled access stalls or lockers for the storage of customer's goods or wares.

Service Facility, Motor Vehicle: shall mean an establishment where gasoline or other motor fuel, lubricating oil or grease, or fluids for operating or protecting motor vehicles, or accessories to provide added value and convenience to the owner of the vehicle are offered for sale to the public and servicing vehicles with such products is performed on the premises.

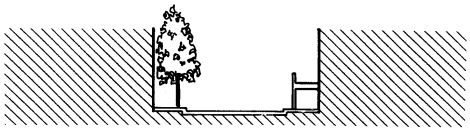
Septic System: shall mean an underground system with a septic tank used for the discharge of domestic sewage waste.

Service Station: shall mean a gasoline station, a portion of which is used for the repair or replacement of engines, transmissions, differentials, drive trains or any part thereof, in addition to the replacement of parts, service and incidental repairs to motor vehicles, but excluding operations specified under "motor vehicle body shop."

Setback: shall refer to matters of spatial definition and shall mean the mandatory distance between a frontage line and a façade, or a lot line and an elevation.

Shade Tree: shall mean a large tree of standard growth habit with an average mature height in excess of twenty (20) feet. The main purpose of this type of tree in landscape designs is to provide shade and scale against buildings.

Shop Front: shall mean a building frontage type where the building façade is aligned directly on the frontage line with the building entrance at grade.



Shop Front

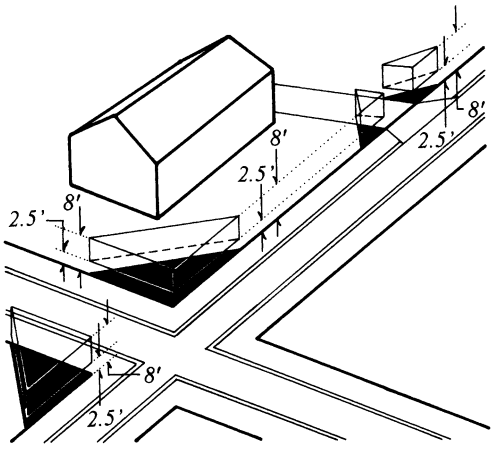
Shopping Center: shall mean a group of more than four (4) business establishments planned, developed and managed as a unit, located on the same lot with off-street parking provided on the property.

Shrub: shall mean a branched woody plant with an unmaintained average mature height less than eight (8) feet.

Sign: shall mean every device, frame, letter, figure, character, mark, plane, point, design, picture, stroke, stripe, trademark, or reading matter, which is used or intended to be used to attract attention or convey information when the same is placed in view of the general public.

Site, Building: shall mean the ground area of a building or a group of buildings together with all open spaces as required by this Ordinance.

Sight Triangle: shall mean a triangular area established on private property at the intersection of two (2) streets or a street and a driveway in which nothing shall be erected, planted, or allowed to grow so as to limit or obstruct the sight distance of motorists and pedestrians.



Sight Triangle

Smoke Shop/Vape Shop: shall be an establishment engaged primarily (meaning in excess of 50% of total sales) in the retail sale and display of tobacco, tobacco products, alternative nicotine products, electronic cigarettes, vape or vaping products, including, without limitation, vapes, vaporizers, vape pens, vapor cigarettes and alternative vapor transmission modalities and paraphernalia associated with any of the foregoing. The term "Smoke Shop/Vape Shop" shall not include Cannabis Business Establishments. *(Ord. 2026-21)*

Solar Collector: shall mean *(i)* An assembly, structure, or deign, including passive elements, used for gathering, concentrating, or absorbing direct or indirect solar energy, specially designed for holding a

substantial amount of thermal energy and to transfer that energy to a gas, solid, or liquid or to use that energy directly; or *(ii)* A mechanism that absorbs solar energy and converts it into electricity; or *(iii)* A mechanism or process used for gathering solar energy through wind or thermal gradients; or *(iv)* A component used to transfer thermal energy to a gas solid, or liquid, or to convert it into electricity.

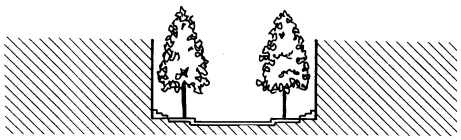
Solar Energy: shall mean radiant energy received from the sun at wavelengths suitable for heat transfer, photosynthetic use, or photovoltaic use.

Solar Energy System: shall mean *(i)* a complete assembly, structure, or design of a solar collector, or a solar mechanism, which uses solar energy for generating electricity or for heating or cooling gases, solids, liquids, or other materials; *(ii)* the design, materials, or elements of a system and its maintenance, operation, and labor systems designed or constructed to interface with a solar energy system; and, *(iii)* any legal, financial, or institutional orders, certificates, or mechanisms, including easements, leases, and agreements, required to ensure continued access to solar energy, its source, or its use in a solar energy system, and including monitoring and educational elements of a demonstration project. Solar Energy System does not include *(i)* Distribution equipment that is equally usable in a conventional energy system except for such components of such equipment as are necessary for meeting the requirements of efficient solar energy utilization; *(ii)* Components of a solar energy system that serve structural, insulating, protective, shading, aesthetic, or other non-solar energy utilization purposes, as defined in the regulations of the Department; and, *(iii)* Any facilities of a public utility used to transmit or distribute gas or electricity.

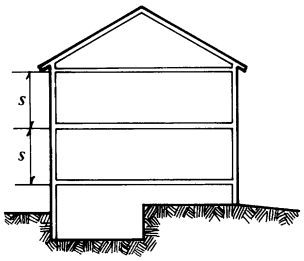
Solar Storage Mechanism: shall mean equipment or elements (such as piping and transfer mechanisms, containers, heat exchangers, or controls thereof, and gases, solids, liquids, or combinations thereof) that are utilized for storing solar energy, gathered by a solar collector,
for subsequent use.

Station, Bus or **Train:** shall mean a building or area specifically designated for the assembly and boarding and unboarding of passengers to/from a train or bus.

Stoop: shall mean a building frontage type where the building façade is aligned directly on the frontage line with the ground floor elevated to provide secure privacy at the windows.



Stoop

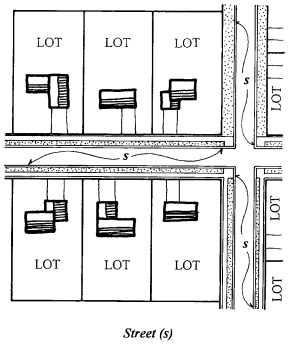


Story (s)

Story: shall mean that portion of a building included between the surface of any floor and the surface of the floor next above; or if there is no floor above, the space between the floor and the ceiling next above.

Street: shall mean the paved or unpaved portion of a public or private right-of-way, other than an alley which affords principal means of vehicular access to abutting property.

Street, Local: shall mean a street of limited continuity used primarily for access to abutting properties and designated "Non-Arterial" by the Public Works Superintendent.



Street (s)

Street Tree: shall mean a tree of standard growth habit acceptable to the Village of Richmond for installing within the public right-of-way.

Street Orientation: shall mean the direction of the architectural front façade of a building in relation to the street.

Structural Alteration: shall mean any change or modification, other than incidental repairs or which are required by provisions of this Title, which would prolong the life of the supporting member of a structure such as bearing walls, columns, beams, girders or foundations.

Structure: shall mean anything erected, the use of which requires more or less permanent location on or in the ground or attached to something having a permanent location on or in the ground, including, for example, buildings, towers, antennae, freestanding signs, decks, garden sheds and swimming pools.

Subdivision: Shall mean a tract of land which is to be, or has been, divided into two or more lots or parcels, for the purpose, whether immediate or future, of transfer or ownership or building development, including all public streets, alleys, ways for public service facilities, parks, playgrounds, school grounds or other public grounds, and all the tracts, parcels, lots or blocks, and numbering of all such lots, blocks or parcels by progressive numbers, giving their precise dimensions. The term subdivision includes re-subdivision and where it is appropriate to the context, relates to the process of subdividing or to the land subdivided. Provided, however, that divisions or exchanges of land meeting one of the following conditions shall not be considered a subdivision and shall be exempt from the requirements of this Ordinance.

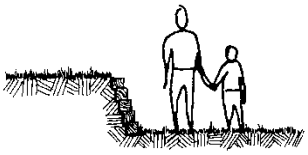
1. The sale or exchange of land between owners of adjoining and contiguous land, proved that it does not create a separate buildable lot or cause an existing lot to become non-conforming under zoning regulations;
2. The conveyance of parcels of land or interest therein for use as right-of-way for railroads or other public utility facilities which does not involve any new streets or easements of access;
3. The conveyance of land owned by railroad or other public utility which does not involve any new streets or easements of access;
4. The conveyance of land owned by railroad or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
5. Conveyances made to correct descriptions in prior conveyances. *(Ord. 2011-01 dated 1/6/2011)*

Swimming Pool: shall mean a structure designed to hold water and maintain a water depth of twenty-four (24) inches or more, but not including hot tubs or wading pools.

Tavern: shall mean an establishment for the retail sale of beer, wine and other alcoholic beverages for consumption on the premises and providing a menu of food items prepared during all hours of operation. The incidental sale of packaged liquor may be provided during the hours of operation. Dancing may be permitted on the premises.

Terminal, Motor Freight: shall mean a building or an area in which freight brought by truck is assembled and/or temporarily stored for routing or reshipment, or in which semi-trailers, including tractor and/or trailer units and other trucks, are parked or stored.

Terrace: shall mean a landscape treatment of mounded earth, rock wall, railroad tie wall or other retaining device used to modify steep grade differences on a lot. A terrace shall not include a patio or deck surface.

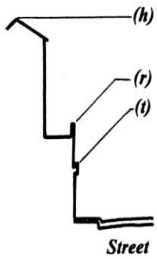


Terrace

Tract: is used interchangeably with the term "lot", particularly in the context of subdivisions, where one "tract" is subdivided into several "lots".

Trailer: shall mean any structure built on a chassis for licensing by the Secretary of State as a trailer and designed for general hauling or recreational purposes.

Transition Line: shall refer to matters of spatial definition and shall mean a line prescribed for the full width of the façade, expressed by a variation in of material or by a limited projection such as a cornice or a balcony.



Transition Line (t)
Building Height (h)
Recess Line (r)

Tree Survey: shall mean a scaled drawing accurately locating and indicating the size, condition and specie (common and botanical names) of all trees having a caliper of four (4) inches or

larger, and the location of any buildings, parking areas, sidewalks and streets on a parcel of property.

Use: shall mean the purpose or purposes for which land, buildings or structures is (are) designed, arranged or intended, or for which they are or may be occupied or maintained.

Use, Conforming: shall mean any use of land, buildings or structures which conforms with the list of permitted uses of the zoning district in which the land, building or structure is located, or which is governed by an active Special Use Permit authorized by the Village Board. If the use is a permitted use but does not conform to the intensity of use regulations of the district in which it is situated, then the use shall not be deemed to be a conforming use.

Use, Non-Conforming: shall mean any building or structure or use of any building or structure or tract of land, lawfully existing or under construction at the time of adoption of this Title or of a later amendment, but does not conform to one (1) or more of the requirements or restrictions of this Title.

Variation: shall mean a modification of the application of this Title in specific cases where practical difficulties or particular hardships, not intended or not common to other property owners in the district, would result from following the strict letter of the Title.

Village: shall mean the Village of Richmond, an Illinois municipal corporation.

Wall, Common: shall mean an interior wall that separates and distinguishes two (2) or more uses located in the same building or structure. A common wall extends from floor to ceiling and from exterior wall to exterior wall, and conforms to the fire resistance requirements of the Village's Building Code.

Warehouse: shall mean a structure, or part thereof, or area used principally for the storage of goods and merchandise.

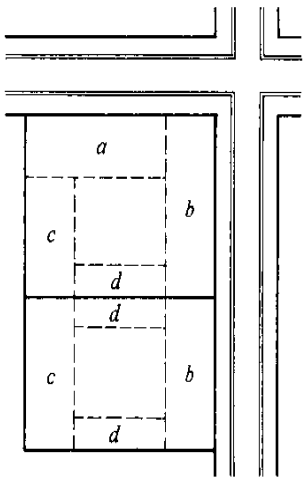
Warehouse and Distribution Center: shall mean a building used in the storage, wholesale, and distribution of manufactured products, supplies, and equipment, but excluding bulk storage of materials that are flammable or explosive or that create hazardous or commonly recognized offensive conditions.

Wholesale Establishment: shall mean a business establishment principally engaged in selling to retailers or distributors rather than consumers.

Wrecking Yard, Vehicle: shall mean a lot or any portion of a lot where two (2) or more motor vehicles or trailers which, for a period of thirty (30) days, have not been capable of operating under their own power, and from which parts have been or are to be removed for sale or reuse, or any land, buildings, or structures used for the wrecking, dismantling, salvage, sale or storage of such motor vehicles, trailers or the parts thereof.

Yard: shall mean an open space on a lot which is unoccupied and unobstructed from its lowest level to the sky, except for permitted yard obstructions, and which extends along a lot line and at right angles or radial thereto to a depth or width specified in the yard regulations for the district in which the zoning lot is located.

Yard, Corner Side: shall mean a yard extending the full length of a corner side lot line and back to a line drawn parallel to the corner side lot line at a distance equal to the required corner side yard depth.



Yards:

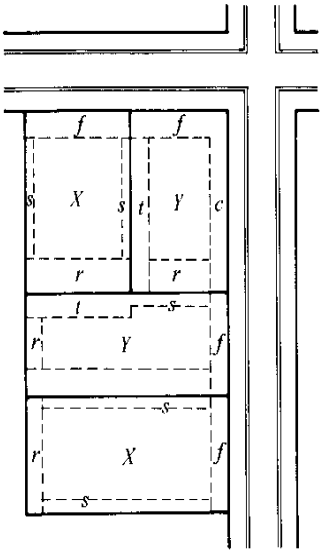
(a) Corner Side Yard
(b) Front Yard
(c) Rear Yard
(d) Side Yard

Yard, Front: shall mean a yard extending along the full length of a front lot line and back to a line drawn parallel to the front lot line at a distance equal to the required front yard depth.

Yard, Rear: shall mean a yard extending along the full length of a rear lot line and back to a line drawn parallel to the rear lot line at a distance therefrom equal to the required rear yard depth, but excluding any area encompassed within a required corner side yard.

Yard, Side: shall mean a yard extending along the full length of a side lot line and back to a line drawn parallel to the side lot line at a distance equal to the required side yard, depth, but excluding any area encompassed within a required front yard or rear yard.

Yard, Transition: shall mean the required front, side, corner side or rear yard on a lot in a commercial or industrial district, or for a non-residential use in a residential district and an adjoining residential use in a residential district, except when such yard is adjacent a railroad right-of-way, alley or street.



Transition Yards (t)

Where
X = residential lot, and
Y = non-residential lot

f = Front Yard
c = Corner Side Yard
s = Side Yard
r = Rear Yard

Chapter 2

Decision-Making, Administration, and Enforcement Responsibilities

Article 2.1

GENERAL PROVISIONS

2.1.1. Purpose. The purpose of this Chapter is to establish the decision-making, administration and enforcement responsibilities connected with the Richmond Unified Development Ordinance. The administration of this Title is hereby vested in the following:

A. The Office of the Development Administrator;

B. The Hearing Officer;

C. The Plan Commission; and,

D. The Village President and Village Board

Article 2.2

THE OFFICE OF THE DEVELOPMENT ADMINISTRATOR

2.2.1. Appointment. The Development Administrator shall be appointed/designated by the Village President with the advice and consent of the Village Board.

2.2.2. Duties of the Development Administrator. The Development Administrator or his duly appointed and acting assistant shall administer and enforce this Title. It shall be the duty of the Development Administrator to:

A. Receive and process applications for zoning certificates for structures or additions thereto for which building permits are required.

B. Receive and process applications for zoning certificates not accompanied by an application for a building permit.

C. Receive and process applications for an occupancy certificate after an on-site inspection and upon completion of a structure or when there is a change of use as herein provided to ensure conformity to the provisions of this Title.

D. Conduct inspections of structures or the use of land to determine whether there is compliance with this Title, and, in cases of any violation, to notify in writing the person or person responsible, specifying the nature of the violation and ordering corrective action.

E. Maintain in current status the Official Zoning Map.

F. Maintain permanent and current records required by this Title, including, but not limited to, zoning certificates, occupancy certificates, useful life determinations and non-conforming use certificates, inspections, and all official action on appeals, variations and amendments.

G. Prepare and submit an annual report to the Village President and Village Board on the administration of this Title, setting forth such statistical data and information as may be of interest of value in advancing and furthering the purposes of this Title.

H. Prepare and have available in book, pamphlet or map form, on or before March 31st of each year:

1. The compiled text of this Title, including all amendments thereto, through the preceding December 31st; and,

2. An Official Zoning Map, or Maps, showing the zoning districts, divisions, and classifications in effect on the preceding December 31st.

I. Maintain for distribution to the public a supply of copies of the Zoning Map or Maps, the compiled text of this Title, and the rules of the Plan Commission and Hearing Officer. The corporate authorities may establish a fee to be charged any person desiring a copy of such text and/or map to defray the cost of publication of such text and/or map.

J. Act as custodian of the records of the Hearing Officer.

K. Furnish members of the public with such forms for appeals and applications for variations as are approved by the Hearing Officer.

L. Receive on behalf of the Hearing Officer all such forms, when completed and executed by the appellant or applicant, or his agent or attorney.

M. Discharge such other duties as may be placed upon the Development Administrator by this Title.

N. Refer any violation of this Title to the Village Attorney for prosecution or other appropriate action when deemed necessary.

O. Provide clerical and technical services to the Plan Commission, including maintaining records thereof, including review, analysis, reports and recommendations on:

1. Petitions for rezoning

2. Text amendments to this Title

3. Special Use Permit applications

4. Planned Developments

5. Subdivision of property

6. Annexations and annexation agreements

7. Street, alley and plat vacations

P. Review preliminary and final plat applications for compliance with engineering design standards for streets, sidewalks, water distribution and other public improvements, as applicable. The same engineering design review shall be provided on plans submitted under Planned Development procedures.

Q. Review of final plats for land survey documentation requirements of this Title and of applicable Illinois State Statutes.

R. Review all permit applications for compliance with the requirements of this Title and of applicable Illinois State Statutes. *(Ord. 2020-04)*

S. Monitor construction of improvements to be ultimately dedicated to the Village and determine compliance with the instrument to guarantee improvements (escrow agreement or land subdivision bond).

T. Conduct traffic impact analysis or review the same prepared by others as may review other studies prepared by the applicant as may be required.

U. Serve as custodian of the Official Map.

V. The Development Administrator may delegate responsibilities to other personnel within the department, as necessary, to properly administer and enforce the provisions of this Title.

Article 2.3

THE HEARING OFFICER

2.3.1. Establishment. The position of Hearing Officer is hereby created in accordance with 65 ILCS 5/11-13-14.1 of the Illinois Compiled Statutes.

2.3.2. Appointment and Term of Office. The Hearing Officer shall be appointed by the Village President with the advice and consent of the majority of members of the Village Board present and voting thereon. The Hearing Officer shall serve at the pleasure of the Village Board. Vacancies in the position of Hearing Officer shall be filled expeditiously and in the manner herein provided for the appointment of such position.

2.3.3. Duties of the Hearing Officer. The Hearing Officer shall have the following responsibilities with regard to this Title:

A. To hear and decide appeals in which it is alleged there is an error in any order, requirement, decision, interpretation or determination (hereinafter referred to collectively as "decision") made by the Development Administrator.

B. To hear and review all applications for variations from the regulations and restrictions imposed by this Title and as authorized by in Section 4.6.1.D herein and recommend with respect there to the Village Board.

C. To hear and report to the Village President and Village Board on such other matters as may be referred to it by the Village President and Village Board subject to the provisions of this Title.

D. Perform such other duties as may be assigned from time to time by the Village Board.

2.3.4. Meetings and Rules. All meetings of the Hearing Officer shall be held at the call of the Hearing Officer and at such times as he may determine. All hearings required by this ordinance to be conducted by the Hearing Officer shall be open to the public. At meetings and hearings of the Hearing Officer, any interested person may appear in person or by duly authorized agent or attorney. All testimony before the Hearing Officer shall be given under oath. The Hearing Officer shall administer oaths and may compel the attendance of witnesses. The Hearing Officer shall keep minutes of his proceedings and shall also keep records of his hearings and other official actions. Every rule, regulation, decision or determination of the Hearing Officer shall immediately be filed with the Development Administrator and shall be of public record. The Hearing Officer shall adopt his/its own rules and procedures, not in conflict with this Title or applicable Illinois Compiled Statutes.

Article 2.4

THE PLAN COMMISSION

2.4.1. Establishment. A Plan Commission is hereby authorized and established.

2.4.2. Appointment and Terms. The Commission shall be appointed and each member shall have terms as provided in the Village Municipal Code.

2.4.3. Officers. The Village President shall designate with confirmation by the Village Board, one of the members of the Plan Commission as chairman for a period of one (1) year. The Plan Commission shall elect a vice-chairman and such other officers as deemed necessary.

2.4.4. Vacancies. Vacancies shall be filled as soon as possible for the unexpired term of any member whose place has become vacant. In the event that the office of chairman is vacated for any reason, the Village President and Village Board shall immediately appoint a new chairman.

2.4.5. Duties of the Plan Commission. The Plan Commission which as been duly established, is the Plan Commission referred to in this Title and it shall have the following duties:

A. To hear and review all applications for special uses, including planned developments, and recommend with respect thereto, to the Village Board.

B. To initiate, direct and review, from time to time, studies of the provisions of the Unified Development Ordinance and the Comprehensive Plan, and to make reports of its recommendations to the Village Board not less frequently than once each year.

C. To receive and review all plats of subdivision and Class I site plans and recommend with respect thereto to the Village Board.

D. To hear and review all zoning and planning aspects of proposed annexations as referred to it by the Village Board and recommend with respect thereto the Village Board.

E. To hear and review all applications for amendments of the text to this Title and recommend with respect thereto the Village Board.

F. To hear and review all amendments to the Richmond Comprehensive Plan and recommend with respect thereto the Village Board.

G. To hear and review all applications for reclassification of the zoning designation of property and recommend with respect thereto the Village Board.

I. To submit reports and recommend approval or disapproval of preliminary plats and final plats for subdivision to the Village Board.

J. To recommend approval or disapproval of requests for street, alley or plat vacations.

2.4.6. Meetings and Rules. All meetings of the Plan Commission shall be held at the call of the Chairman, and at such time as the Plan Commission may determine. All hearings conducted by said Plan Commission under this Title shall be in accordance with the Illinois Compiled Statutes. In all proceedings of the Plan Commission provided for in this Title, the Chairman, or in his absence, the Vice-Chairman, shall have the power to administer oaths. All testimony by witnesses at any hearing provided for in this Title shall be given under oath. The Plan Commission shall keep minutes of it proceedings, and shall also keep records of its hearings and other official actions. A copy of every rule or regulations, every amendment and Special Use, and every recommendation, order, requirement, decision or determination of the Plan Commission under this Title shall be filed in the Office of the Village Clerk and shall be a public record. The Plan Commission shall adopt its own rules and procedures, not in conflict with this Title or with applicable Illinois Statutes.

2.4.7. Quorum. Four members of the Commission shall constitute a quorum. No meeting or public hearing shall be conducted by the Commission without a quorum being present.

Article 2.5

THE VILLAGE PRESIDENT AND VILLAGE BOARD

2.5.1. Authority. Without limiting any authority granted to the Village President and Village Board by state law or by other ordinances of the Village, the Village President and Village Board shall have the following powers and duties with respect to this Title, to be carried out in accordance with the terms of this Title:

A. To determine whether or not to adopt amendments to the text of this Title after receiving recommendations from the Plan Commission.

B. To determine whether or not to adopt amendments to the Zoning Map after receiving recommendations from the Plan Commission.

C. To determine whether or not to adopt amendments to the Comprehensive Plan after receiving recommendations from the Plan Commission.

D. To determine whether or not to approve (with or without conditions) applications for Class I site plan review after receiving recommendations from the Plan Commission.

E. To determine whether or not to approve (with or without conditions) applications for special uses, as identified and established in this Title, after receiving recommendations from the Plan Commission; and

F. To determine whether or not to approve any decision on an appeal of the Development Administrator after receiving recommendations from the Hearing Officer.

G. To determine whether or not to approve a variation from this Title after receiving recommendations from the Hearing Officer.

Article 2.6

ENFORCEMENT

2.6.1. Complaints Regarding Violations. Any property owner or tenant of real property may notify the Development Administrator in writing, of the alleged violation. Upon receipt of such notice, the Development Administrator shall take whatever action is warranted and inform the complainant in writing what actions have been or will be taken.

2.6.2. Persons Liable. The owner, tenant, or occupant of any building or land or part thereof any architect, builder, contractor, agent, or other person who participates in, assists, directs, creates, or maintains any situation that is contrary to the requirements of this Title may be held responsible for the violation and suffer the penalties and be subject to the remedies herein provided.

2.6.3. Procedures Upon Discovery of Violations

A. If the Development Administrator finds that any provision of this Title is being violated, he shall send a written notice to the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. Additional written notices may be sent at the Development Administrator's discretion.

B. The final written notice (and the initial written notice may be the final notice) shall state what action the Development Administrator intends to take if the violation is not corrected and shall advise that the Development Administrator's decision or order may be appealed to the Hearing Officer in accordance with Section 2.3.3.A.

C. Notwithstanding the foregoing, in cases when delay would seriously threaten the effective enforcement of this Ordinance or pose a danger to the public health, safety, or welfare, the Development Administrator may seek enforcement without prior written notice by invoking any of the penalties or remedies authorized in Section 2.6.4.

2.6.4. Penalties and Remedies for Violations.

A. Any act constituting a violation of the provisions of this Title or a failure to comply with any of its requirements, including violations of any conditions or safeguards established in connection with the grant of a variation or Special Use Permit, shall also subject the offender to a fine not less than $75.00 nor more than $750.00 for each offense.

B. Each day that a violation continues after notification by the Development Administrator that such violation exists shall be considered a separate offense for purposes of the remedies and penalties specified in this Section.

C. Nothing herein shall be construed to prevent the Village of Richmond from taking such other lawful action as is necessary or appropriate to prevent or remedy any violation.

D. This Title may also be enforced by any appropriate equitable action.

E. Any one, all, or combination of the foregoing penalties and remedies may be used to enforce this Title.

Chapter 3
Non-Conforming Lots, Buildings, Structures and Uses

Article 3.1
Purpose

The purpose of this Chapter is to regulate and limit the development and continued existence of uses, structures, and lots legally established prior to the effective date of this Title that no longer conform to the Village's zoning regulations. All such situations are collectively referred to as "non-conformities." A non-conformity may also occur as a result of any subsequent rezoning or amendment to the text of the Unified Development Ordinance. Any non-conforming use, structure, or lot that lawfully existed as of the effective date of this Title and that remains non-conforming, and any uses, structure, or lot that becomes non-conforming as a result of any subsequent rezoning or amendment to the text of this Title, may be continued or maintained only in accordance with the terms of this Chapter.

Article 3.2
General Provisions

3.2.1. **Authority to Continue Non-Conforming Buildings, Structures and Uses.** Any non-conforming building, structure or use which was non-conforming on or before July 17, 1990 and which remains non-conforming, and any building, structure or use which shall become non-conforming upon the effective date of this Title or the adoption of any subsequent amendments thereto, may be continued, some for specified periods of time, subject to the regulations which follow.

3.2.2. Enlargement of Expansion of Non-Conforming Buildings, Structures and Uses. Enlargement, expansion or alteration of an existing non-conforming building, structure or use of land shall not be permitted except where such changes result in bringing the non-conformity into compliance with the requirements of this Ordinance. Non-conforming uses shall not be changed to any use other than one permitted in the district in which it is located.

3.2.3. Maintenance and Repair of Non-Conforming Lots, Buildings, Structures and Uses. Normal maintenance and incidental repair or replacement of fencing, non-bearing walls and partitions, fixtures, wiring, plumbing, parking, landscaping and mechanical equipment may be performed on any non-conforming lot, building, structure or use. Nothing in this Chapter shall be deemed to prevent the strengthening or restoration of an unsafe structure in accordance with any order of a public official charged with protecting public safety, and who finds such building or structure is unsafe in its then-present condition, and that repair or restoration is not in violation of the provisions of this Chapter governing the restoration of partially damaged or destroyed buildings, structures and signs.

3.2.4. Accessory Uses. No new accessory use added to a lot which is non-conforming or to a lot containing a non-conforming building or structure shall increase the degree of non-conformity of said non-conforming lot or lot containing a non-conforming building or structure.

3.2.5. Previous Non-Conforming Lots, Buildings, Structures and Uses. Any non-conforming lot, building, structure or use which existed prior to the effective date of this Title which is made lawful and conforming as a result of the provisions of this Title shall be considered as conforming.

3.2.6. Determination of Non-Conforming Status. In all cases, the burden of establishing that a non-conformity is legal shall rest solely upon the owner of such nonconformity and not upon the Village.

3.2.7. Change of Ownership or Tenancy. Changes of ownership, tenancy, or management of an existing non-conformity may occur, however, such non-conformities shall continue to be subject to the terms of this Chapter.

Article 3.3

Additional Regulations, Standards and Criteria.

3.3.1. Non-Conforming Lots. A non-conforming lot is a lot on a duly recorded subdivision plat or deed or by other lawful means which has less than the minimum lot area or dimensions prescribed for the development district in which the lot is located. A non-conforming lot is one which was conforming at the time it was recorded, but which has become non-conforming as a result of changes in the zoning regulations or by reclassification of the property. A non-conforming lot is subject to the following requirements:

A. A vacant non-conforming lot may be used for any use permitted in the development district in which the lot is located provided that all required building setbacks are provided as required for the applicable building typology as prescribed in Section 6.5.

B. Where an existing structure occupies a non-conforming lot, all building setbacks shall meet at least seventy-percent (70%) of each of the required setbacks required for the applicable building typology as prescribed in Section 6.5.

C. No side yard, however, need be greater than that required in the development district in which the lot is located.

D. NON-CONFORMING CORNER LOTS. On a non-conforming corner lot, the corner side yard shall not be less than fifteen (15) feet.

3.3.2. Non-Conforming Buildings and Structures.

A. ALTERATION OF NON-CONFORMING STRUCTURES. Enlargement, expansion or alteration of an existing non-conforming building, structure or use of land shall not be permitted except where such changes result in bringing the non-conformity into compliance with the requirements of this Ordinance.

B. RELOCATION. No non-conforming building or structure shall be moved in whole or in part to any other location on the same or any other lot unless every portion of said building is made to conform to all of the regulations of the district in which it is to be relocated.

C. DAMAGE OR DESTRUCTION.

1. In the event that any non-conforming building or structure is damaged or destroyed, by any means, to the extent of more than seventy percent (70%) of the cost of replacement of that portion of the building or structure new which are above the average ground elevation, such building or structure shall not be restored unless it and the use thereof shall thereafter conform to all regulations of the zoning district in which it is located, unless undue hardship is shown and in such cases the Village Board may allow replacement if such does not endanger public health and safety. When such damage or destruction is seventy percent (70%) or less of the cost of replacement, no repairs, or restoration shall be made unless a zoning certificate is obtained and restoration is actually begun within one year after the date of such partial destruction and is diligently pursued to completion.

2. If any residential building or structure is destroyed or in need of repair or remodeling for any reason, and said building or structure is located on property contiguous to US Route 12, Illinois Route 173, Walnut Street, Elm Street, Main Street, George Street, South Street, Market Street, or Mill Street, then said building or structure may be replaced, rebuilt, or remodeled as a residential building or structure as long as the use of the building and structure was a legal

non-conforming residential use as of January 1, 2002 or earlier. *(Ordinance No. 2002-30, 11.20.02)*

3.3.3. Non-Conforming Uses.

A. CHANGE OF USE. A non-conforming use of land or a building shall not be changed to any use other than a use permitted in the zoning district in which the use is located. When a non-conforming use of land or a building has been changed to any permitted use, it shall not thereafter be changed back to a non-conforming use. For purposes of this Section, a use shall be deemed to have been so changed when an existing non-conforming use shall have been terminated and a conforming use shall have commenced and continued for a period of not less than seven (7) days.

B. ALTERATION. Alterations designed to increase the intensity of a non-conforming use, or to introduce new non-conforming uses, are prohibited.

C. DAMAGE OR DESTRUCTION. In the event that any building or structure that is devoted in whole or in part to a non-conforming use is damaged or destroyed, by any means, to the extent of more than seventy percent (70%) of the cost of replacement of the structure new, such structure shall not be restored unless it and the use thereof shall thereafter conform to all regulations of the zoning district in which it is located. When such damage or destruction is seventy percent (70%) or less of the cost of replacement new, no repairs, or restoration shall be made unless a zoning certificate is obtained and restoration is actually begun within one year after the date of such partial destruction is diligently pursued to completion.

D. RELOCATION. No non-conforming use of land or building shall be moved in whole or in part of any distance whatsoever, to another location on the same lot or any other lot, unless such use shall thereafter conform to all regulations of the zoning district in which it is located after so moved.

E. DISCONTINUATION OR ABANDONMENT.

1. NON-CONFORMING USE OF LAND. When a non-conforming use of land, not involving a structure, is discontinued or accessory to the non-conforming use of land, is discontinued or abandoned for a period of thirty (30) consecutive days (regardless of any reservation of an intent not to abandon or to resume such use), such use shall not thereafter be re-established or resumed. Any subsequent use or occupancy of such land shall comply with the regulations of the zoning district in which such land is located.

2. NON-CONFORMING USE OF A BUILDING OR STRUCTURE. The abandonment or discontinuation of any non-conforming use of a structure for a period of sixty (60) days, regardless of any reservation of intent not to abandon or to discontinue such use, shall terminate any rights conferred by this Chapter to continue such non-conforming use. Any subsequent use or occupancy of such building or structures shall comply with the regulations of the zoning district in which such land is located. *(Ord. 2018-13 8/2/18)*

3. NON-CONFORMING ACCESSORY USES. No use, which is accessory to a principal non-conforming use, shall continue after such principal non-conforming use shall have been ceased or terminated.

4. IN GENERAL BUSINESS DISTRICTS AND CENTRAL BUSINESS DISTRICTS. In existing GB, General Business Districts, and CB, Central Business Districts, where there were legal non-conforming residential uses which have been discontinued for a period of time in excess of twelve (12) months, said residential uses will be allowed to be resumed only after the Village Building Department inspects the premises for building code violations. If the premises can be brought into compliance with said building code requirements without structural changes, the legal non-conforming residential use may be continued. If the residential portions of the premises have been remodeled or converted to

business use requiring structural changes to convert back to residential use, the continued residential use will not be allowed unless a zoning amendment or variation is obtained providing for such. *(07.17.90)*

Chapter 4
Development Review Procedures

ARTICLE 4.1
GENERAL PROVISIONS

4.1.1. Purpose. It is recognized that development of vacant land, redevelopment of improved land, subdivision of land, occupancy of structures, and Special Uses create potential for traffic congestion, overcrowding, adverse environmental effects, overburdened utilities, or poorly designed sites. It is also recognized that more efficient use of land and public services through unified development can protect the biodiversity in the natural ecosystem in the Village's planning area. This Chapter establishes a review process and enumerates standards governing decision making hereunder and it identifies the required information and documents for applications required by this Title. Site plan review shall be required prior to issuance of a required zoning certificate to ensure that new construction and use of land and buildings are otherwise in conformance with the intent of the Richmond Comprehensive Plan and with the provisions of this Title; and, that the arrangement of buildings, off-street parking and loading facilities, lighting, landscaping, ingress and egress, drainage, signs, streets, alleys, water distribution systems, sanitary waste collection systems, utilities and other improvements is provided in a manner that will promote safety and convenience for the public and will preserve the value of surrounding property. Article 4.3 shall apply to any subdivision of land in or within one and one-half (1½) miles of the corporate limits of the Village, subject to the terms of this Chapter.

4.1.2. Fees. The Village Board shall establish a schedule of fees, charges, and expenses for zoning certificates, site plan review, occupancy certificates, amendments, Special Uses, appeals, planned unit developments, variations, subdivisions, and other matters pertaining to this Title. The schedule of fees shall be posted in the office of the Village Clerk and may be altered or amended from time to time by the Village Board. In the exercise of their sole discretion, the Village Board shall reserve the right to waive or reduce the fees required for any application required by this Title.

4.1.3. Reimbursement for Staff Review Time. Every applicant for rezoning, Special Use permit, Planned Development, concept plan, preliminary subdivision plat or development plan, final engineering, final subdivision plat or development plan, or Major Site Plan Review shall reimburse the Village for expenses incurred by the Village in connection with all notice and publication costs, legal, engineering, land planning and other professional services by its staff and consultants required during the review of applications required by this Title and to assure compliance with the standards contained in this Title. *(Ord. 2019-26; Ord. 2020-04)*

A. The applicant shall deposit into a specified account with the Village at the time of each application an amount not less than $500 and not more than $5,000. The amount shall be determined by the Development Administrator and shall be based upon the expected complexity of the proposed application and the anticipated amount of time required by the Village staff and its consultants to review the application and supporting documentation. *The final fee billed to the applicant may be more or less than the Development Administrator's estimate.*

B. Such expenses shall include, but are not limited to, the following:

1. Meetings with the applicant will be charged at prevailing hourly charges of all staff members and consultants deemed necessary by the Village; and,

2. The prevailing hourly charges of all Village staff members and consultants deemed necessary by the Village for time spent on reviewing applications.

C. All proceedings in connection with the rezoning, Special Use permit or Planned Development shall be stayed until such sum so designated is deposited with the Village as required.

D. Upon submission of bills by the Village Attorney, Village Engineer, Village Planner, or other consultant hired to review the application, the Village shall pay these fees out of the specified account. At such time the balance of the account reaches one-fourth (1/4) of the original amount deposited, the Village Board may demand from the applicant a sum of money that, in addition to the balance of the account shall equal the amount originally required by the Village, or such lesser fraction thereof that the Village Board may in such case determine.

1. All proceedings with regard to such rezoning, Special Use permit, or Planned Development shall be stayed until said subsequent demands for payment of fees shall be deposited in said account.

2. Any demand or subsequent demand of the Village not deposited by the applicant within ten (10) days of the date of the demand shall, at the discretion of the Village Board and upon written notice to the applicant, terminate and render null and void the application for the proposed rezoning, Special Use permit, or Planned Development.

E. The Village shall present a final statement by the Village Attorney, Village Engineer, Village Planner or other consultant hired to review the application within sixty (60) days of the approval of the application. If, upon payment of these fees, any balance is remaining in the specified account, said balance shall be returned to the applicant.

4.1.4. Zoning Certificates.

A. ZONING CERTIFICATE REQUIRED. Unless the Development Administrator has certified that a proposed use of land or buildings, or construction, alteration, remodeling or reconstruction complies with the requirements of this Title, no building permit pertaining to the construction, remodeling, moving or reconstruction of any structure shall be issued by the Village; no construction, building, moving, remodeling or reconstruction of any structure shall be commenced; no improvement of land preliminary to any use of such land shall be commenced; and no permit pertaining to the use of land or structures shall be issued by any official, officer, employee, department, board or bureau of the Village.

1. APPLICATION FOR ZONING CERTIFICATE. Any application for a building permit that contains the information required by this Article shall be deemed to be an application for a zoning certificate. Every application for a zoning certificate shall be accompanied by the following:

a. A Plat of Survey showing the property boundaries and dimensions, and the location and nature of any easements located thereon.

b. The certificate of the registered architect or registered engineer licensed by the State of Illinois, or of the land planner or an owner-designer, that the proposed construction complies with all of the provisions of this Title.

c. An approved Major Site Plan or Minor Site Plan.

d. All applications for a zoning certificate for the construction, moving, remodeling or reconstruction of any structure to be located in an industrial district shall be accompanied by sufficient information to enable the Development Administrator to determine that there will be compliance with all of the applicable performance standards of Article 5.4 of this Title at all times. At the request of the Development Administrator, the applicant shall provide, in addition to the foregoing, the following:

1. A description of the activity to be conducted in sufficient detail to indicate the extent to which the proposed operation will produce waste products, conditions, or external effects which are regulated or otherwise limited by Article 5.4 of this Title.

2. A description of the type and location of any abatement devices or recording instruments used to control or measure conformity with any of the standards set forth in Article 5.4 of this Title.

3. Such other data and certificates as may reasonably be required by the Development Administrator to reach a determination with respect to whether the proposed use or structure will comply with the requirements of Article 5.4 of this Title.

All information and evidence submitted in an application for a Zoning Certificate to indicate conformity with the performance standards set forth in Article 5.4 of this Title shall constitute a certification and an agreement on the part of the applicant that the proposed structure or use can and will conform to such standards at all times.

2. ISSUANCE OF THE ZONING CERTIFICATE. The Development Administrator shall, within seven (7) days after receipt of an application for accessory structures; within fourteen (14) days after receipt of an application for all other structures and uses, except in the industrial districts, shall either approve or deny an application for a zoning certificate. The Development Administrator shall advise the applicant in writing of the reasons for denial.

3. PERIOD OF VALIDITY. A zoning certificate shall become null and void six (6) months after the date on which it is issued unless construction, moving, remodeling or reconstruction of a structure is commenced or a use is commenced within such six (6) month period.

4. ZONING CERTIFICATE ISSUED IN CONFLICT WITH THIS TITLE. Any zoning certificate issued in conflict with the provisions of this Title shall be null and void.

B. OCCUPANCY CERTIFICATE REQUIRED. Unless an occupancy certificate shall first have been obtained from the Development Administrator certifying that the proposed use or occupancy complies with all the provisions of this Title, no structures or additions thereto, constructed, moved, remodeled, or reconstructed after the effective date of this Title shall be occupied or used for any purpose, and no land vacant on the effective date of this Title shall be used for any other use.

1. APPLICATION FOR OCCUPANCY CERTIFICATE

a. ALL DISTRICTS, EXCEPT INDUSTRIAL DISTRICTS. Every application for an occupancy certificate for a new or changed use of land or structure(s) shall be filed with the Development Administrator and be in such form and contain such information as the Development Administrator shall provide by general rule.

b. APPLICATION FOR OCCUPANCY CERTIFICATES FOR INDUSTRIAL USES. Every application for an occupancy certificate for any use to be located in an industrial district shall be accompanied by sufficient information to enable the Development Administrator to determine that all the applicable performance standards of Article 5.4 of this Title can and will be compiled with at all times. At the request of the Development Administrator, the applicant shall provide such information as is specified in Section 4.1.4(A)1 of this Title.

2. ISSUANCE OF OCCUPANCY CERTIFICATE. No occupancy certificate for a structure, or addition thereto, constructed, moved, remodeled or reconstructed after the effective date of this Title shall be issued until such work has been completed, including, but not limited to, off-street parking and loading spaces, and the premises have been inspected by the Development Administrator and determined to be in full and complete compliance with the plans and specifications upon which the issuance of the zoning certificate was based. No occupancy certificate for a new use of any structure or land shall be issued until the premises have been inspected by the Development Administrator and determined to be in full and complete compliance with all the applicable regulations for the zoning district in which it is located.

3. TEMPORARY OCCUPANCY PERMITS. Pending the issuance of a permanent occupancy certificate, a temporary occupancy certificate may be authorized by the Development Administrator and shall be valid for a period not to exceed six (6) months from its date pending the completion of any unfinished site work or during partial occupancy of the premises. Temporary occupancy permits may only be issued when extraordinary circumstances exist, i.e. unavailability of materials, inclement weather, etc., and when it would not jeopardize the life or property of the citizens of Richmond. No temporary occupancy permit shall be issued unless a letter of credit, bond or a cash bond to cover site work that has not been completed at the time of application for an occupancy permit is provided to the Village. The amount of the letter of credit, bond or a cash bond shall be determined by the Development Administrator and shall be deposited in an escrow account by the Village Administrator for the duration of the temporary occupancy permit or until the site work has been completed in accordance with the approved site plan and inspected by the Development Administrator.

4. ACTION BY DEVELOPMENT ADMINISTRATOR. An occupancy certificate shall be issued, or written notice shall be given to the applicant stating the reasons why a certificate cannot be issued, within five (5) days after the receipt of an application thereof or after the Development Administrator is notified in writing that the structures or premises are ready for occupancy; provided, however, that the Development Administrator shall have a period of seven (7) days within which to issue or refuse a temporary occupancy certificate on all applications which are required to comply with the provisions of Section 4.1.4(B)3 of this Title.

ARTICLE 4.2

APPEARANCE REVIEW REGULATIONS

4.2.1. Purpose. The appearance review regulations and procedures are intended to protect, preserve, and enhance the character and architectural heritage and quality of the Village of Richmond, to protect, preserve, and enhance property values, and to promote the health, safety, and welfare of the Village and its residents. The Village Board hereby finds that the appearance review regulations furthers the following public purposes and is therefore in the best interests of the health, prosperity, and welfare of the Village and its residents.

A SPECIAL CHARACTER. To effect and accomplish the protection, enhancement, perpetuation, and use of improvements and areas of special character or special historic and aesthetic interest or value which represent or reflect elements of the Village's cultural, social, economic, political, and architectural history or distinction.

B. LOCAL ATMOSPHERE. To maintain the local, "small town" atmosphere of various residential and business areas within the Village.

C. COMPATIBILITY. To insure compatibility of new development with the existing characteristics of the area.

D. TRANSITIONAL AREAS. To protect sensitive areas of transition from one land use to another.

E. ATTRACTIVENESS. To protect and enhance the Village's attractiveness to visitors and the support and stimulus to local business provided thereby.

F. STRONG ECONOMY. To strengthen property values and the economy of the Village.

4.2.2. Scope. All new construction, additions or exterior alterations, all rezoning and Special Use Permits involving new construction, all new developments under unified control, such as a Planned Development, and all new construction, additions or alterations in the Historic Overlay District, shall be subject to the Appearance Review Regulations.

4.2.3. Appearance Review Required. No zoning certificate shall be issued for any new residential, commercial, industrial or mixed-use construction, addition or exterior alteration, new developments under unified control, such as a Planned Development, and all construction, addition or exterior alteration in the Historic Overlay District, until final Appearance Review approval is granted. Three classes shall be established for appearance review and are defined as follows:

A. MAJOR APPEARANCE REVIEW. Major Appearance Review shall be required for any new construction, addition or exterior alteration associated with any of the following:

1. granting rezoning,
2. granting any Special Use Permit, or
3. granting final approval of a Planned Development; or
4. approval of a zoning certificate for any commercial or industrial construction involving new buildings, or a change of occupancy which requires additional parking.

B. HISTORIC OVERLAY DISTRICT APPEARANCE REVIEW. Historic Overlay District Appearance Review shall be required prior to issuing a zoning certificate for any construction, addition or exterior alteration in the Historic Overlay District.

C. MINOR APPEARANCE PLAN REVIEW. Minor Appearance Review shall be required prior to approval of a zoning certificate for any new construction, addition or exterior alteration, in any agricultural, residential, commercial or industrial district, or for construction of accessory structures, parking or signs, in any District, except in the Historic Overlay District, that does not require Major Appearance Review or Historic Overlay District Appearance Review.

4.2.4. Application Requirements for Appearance Review. Applications for Appearance Review are required to be submitted contemporaneously with applications for Special Use Permits, rezoning, Planned Developments, and other approvals. However, in any case where the proposed construction or development requires rezoning, granting a Special Use Permit, variation or other approval, no appearance review approval shall be granted unless and until such rezoning, Special Use Permit, Variation, or other approval has been granted. The issuance of any such other approval shall not be deemed to establish any right to appearance review approval. No building permit shall be issued for any industrial or commercial construction, addition or exterior alteration, new residential developments, new developments under unified control such as a Planned Development and all construction, addition or alteration in the Historic Overlay District, until appearance review approval is granted.

A. MAJOR APPEARANCE REVIEW PLANS. Every application for Major Appearance Review shall be accompanied by the following in the number of prescribed by the Development Administrator:

1. A complete application form furnished by the Development Administrator;
2. A plat of survey, drawn to scale, showing the actual dimensions of the subject property;
3. A site plan, drawn to scale showing the location, dimensions, bulk, ground area and height of all existing and proposed structures, accessory structures, free-standing signs, parking and loading facilities, driveways and parking aisles; adjacent public streets and sidewalks; building lines, and easements; trash enclosures, lighting, existing and proposed topography, storm water drainage facilities, public water and sewer facilities; and, such other information as may be required by the Development Administrator for the proper enforcement of this Title.
4. A landscape plan as required in Article 6.6.
5. A Tree Preservation and Removal Plan in accordance with Article 6.6, if required.
6. An exterior illumination plan as required in Article 6.10.
7. Architectural drawings showing plan and exterior elevations and identifying exterior building materials and colors, and any signs attached to all buildings on the site. Product samples may be required by the Development Administrator to aid the review and decision process.

B. HISTORIC OVERLAY DISTRICT APPEARANCE REVIEW PLANS. Every application for Historic Overlay District Appearance Review shall be accompanied by the following in the number of prescribed by the Development Administrator:

1. A complete application form furnished by the Development Administrator;
2. A plat of survey, drawn to scale, showing the actual dimensions of the subject property;
3. A site plan, drawn to scale showing the location, dimensions, bulk, ground area and height of all existing and proposed structures, accessory structures, free-standing signs, parking and loading facilities, driveways and parking aisles; adjacent public streets and sidewalks; building lines, and easements; trash enclosures, lighting, existing and proposed topography, storm water drainage facilities, public water and sewer facilities; and, such other information as may be required by the Development Administrator for the proper enforcement of this Title.
4. A landscape plan as required in Article 6.6.
5. A Tree Preservation and Removal Plan in accordance with Article 6.6, if required.

6. An exterior illumination plan as required in Article 6.10.

7. Architectural drawings showing plan and exterior elevations and identifying exterior building materials and colors, and any signs attached to all buildings on the site. Product samples may be required by the Development Administrator to aid the review and decision process.

C. MINOR APPEARANCE REVIEW PLANS. Every application for Minor Appearance Review shall be accompanied by the following in the number prescribed by the Development Administrator.

1. A complete application form furnished by the Development Administrator.

2. A plat of survey, drawn to scale, showing the actual dimensions of the property and the location of any existing structures.

3. A site plan, drawn to scale, showing the location, dimensions, ground area, height of the proposed structure, easements, and building lines.

D. ADDITIONAL APPEARANCE REVIEW APPLICATION REQUIREMENTS FOR INDUSTRIAL DISTRICTS. In addition to the foregoing, all applications for appearance review in industrial districts shall provide the following:

1. A description of the activity to be conducted in sufficient detail to indicate the extent to which the proposed operation will produce waste products, conditions, or external effects which are regulated or otherwise limited by Article 5.4 of this Chapter.

2. A description of the type and location of any abatement devices or recording instruments used to control or measure conformity with any of the standards set forth in Article 5.4 of this Chapter.

E. WAIVING APPLICATION REQUIREMENTS. If, in the determination by the Development Administrator that certain required application information does not apply or does not come to bear upon the proposed construction to which the application applies, the Development Administrator may waive the certain application requirements, provided that a record of such determination is attached to and made part of the application.

4.2.5. Appearance Review Procedures.

A. MAJOR APPEARANCE REVIEW PLANS

1. VILLAGE STAFF REVIEW. Upon receipt of a complete application, the Development Administrator shall distribute copies of the application and supporting documents to such Village staff and consultants as appropriate for review and comment concerning compliance with Village requirements. Within fourteen (14) days of receipt of a complete application, the Development Administrator shall advise the applicant, in writing, that the Appearance Review plan conforms or fails to conform to the requirements of this Title or other provisions of the Municipal Code. If the Appearance Review plan fails to conform, the Development Administrator shall specify the reasons the Appearance Review plan fails to conform. In such event, the Development Administrator is not obligated to transmit the Appearance Review Plan to the Plan Commission until the Applicant responds to the Development Administrator's notice of failure to conform. The Development Administrator may enlist the services of other Village departments and consultants to determine compliance with the provisions of this Title and other provisions of the Municipal Code.

2. ACTION BY THE PLAN COMMISSION. Within thirty (30) days of receipt of a complete application, the Plan Commission shall review said Appearance Review plan and the Development Administrator's Advisory Report. After reviewing the Development Administrator's report and the Appearance Review

plan, the Plan Commission shall recommend approval, denial or modification of the Appearance Review plan, with or without conditions, or may defer the item for further study.

3. ACTION BY THE VILLAGE BOARD. Within thirty (30) days of the Plan Commission's final recommendation concerning the Major Appearance Review Plan, the Village Board shall approve, deny, modify, or refer the item to the Plan Commission for further consideration. When the Plan Commission recommends denial of a proposed Major Appearance Review plan, such Appearance Review plan shall not be approved except upon the favorable vote of two-thirds (2/3) of all members of the Village Board.

4. EXPIRATION. Such appearance review approval shall be effective for no more than one (1) year from the date of approval unless, upon written request by the Applicant, the Village Board grants an extension of time for any additional one (1) year. But said right to so extent said time shall not include the right to grant additional relief by expanding the scope of the variation

B. HISTORIC OVERLAY DISTRICT APPEARANCE REVIEW PLANS.

1. VILLAGE STAFF REVIEW. Within fourteen (14) days after a properly completed application has been filed, the Development Administrator shall review the application to determine whether the proposed improvements will substantially alter the existing design and appearance of the subject structure. If the Development Administrator determines that there shall be no such substantial alteration, then the Development Administrator shall approve the application. If the Development Administrator determines that there will, or may be, such substantial alteration, then the Development Administrator shall forward the application for review to the Village Board Community Development Committee.

2. ACTION BY THE COMMUNITY DEVELOPMENT COMMITTEE. A public meeting shall be set, notices, and conducted by the Community Development Committee. Within fourteen (14) days after the conclusion of the public meeting, the Community Development Committee shall transmit to the Village Board its recommendation to grant, grant with conditions, or to deny the exterior appearance approval request. In reaching its recommendation, the Community Development Committee shall be guided by the purposes for which the exterior appearance review process has been created and by the particular standards and considerations set forth in this Article. The failure of the Community Development Committee to act within such fourteen (14) days, or such further time to which the applicant may agree, shall be deemed to be a recommendation for approval of the application.

3. ACTION BY THE VILLAGE BOARD. Within fourteen (14) days after receipt of the recommendation by the Community Development Committee, or its failure to act as above provided, the Village Board shall grant exterior appearance approval, or shall make modifications acceptable to the applicant and approve such modified application, or shall deny the application. In reaching its recommendation, the Village Board shall be guided by the purposes for which the exterior appearance review process has been created and by the particular standards and considerations set forth in this Article.

4. EXPIRATION. Such appearance review approval shall be effective for no more than one (1) year from the date of approval unless, upon written request by the Applicant, the Village Board grants an extension of time for any additional one (1) year. But said right to so extent said time shall not include the right to grant additional relief by expanding the scope of the variation.

C. MINOR APPEARANCE REVIEW PLANS.

1. VILLAGE STAFF REVIEW. Upon receipt of a complete application, the Development Administrator shall review the site plan for conformance with the provisions of this Title. Within seven (7) days of receipt of a complete application for accessory structures and signs; or within fourteen (14) days of receipt of a complete application for all other structures except those requiring Major Appearance Review or Historic Overlay District Review; or, within twenty-one (21) days of receipt of application for structures and uses in industrial districts, the Development Administrator shall approve or deny the application. If the Development Administrator denies an application for a Minor Appearance Review, he shall advise the applicant in writing of the reasons for denial.

2. APPEAL

   a. If the Development Administrator does not approve a Minor Appearance Review, the applicant may appeal the Development Administrator's decision to the Plan Commission. A notice of appeal must be filed with the Development Administrator no later than fifteen (15) days after receipt by the applicant of the decision of the Development Administrator. Failure by an applicant to file an appeal in accordance with the foregoing provisions shall be deemed to constitute a withdrawal of the application for a Minor Appearance Review approval.

   b. The Plan Commission shall act as promptly as practical on any appeal taken in connection with the Minor Appearance Review. The Plan Commission shall approve or disapprove the Appearance Review plan by action taken by a majority of the Plan Commission present at any meeting at which a quorum is present. If the Plan Commission approves the Appearance Review plan, a building permit may then be issued, provided that all other requirements of all other applicable Village codes and ordinances are satisfied.

4.2.6. Criteria for Appearance Review. The appearance guidelines focus on promoting high quality development that will complement and enhance the overall character of the Village. The appearance guidelines do not attempt to dictate architectural styles or "make all the buildings look the same." These appearance guidelines present basic principles that shall be used in designing and reviewing the overall appearance and character of residential development:

A. GENERAL DESIGN GUIDELINES.

1. In addition to these guidelines, all new commercial construction, addition or exterior alteration, all new residential developments, all new developments under unified control such as a Planned Development, and all construction, addition or alteration in the Historic Overlay District are subject to all applicable requirements of this Title and all applicable Village codes and ordinances.

2. The buildings in the development shall relate to one another to create a sense of place. Buildings shall be compatible but not matching, to avoid a sense of monotony. Rather, the goal is for a development that looks like it developed over a period of time.

3. Exterior Building Materials. Primary exterior wall finishes shall be any of the following: vinyl or aluminum siding, (however, classic rib metal siding shall not be allowed) brick, stone, simulated stone, wood siding and/or fiber cement board. *(Ord. 2026-06)*

4. Exterior Illumination. Exterior illumination shall conform to dark sky design principles and the requirements of this Title.

5. Landscaping. The landscape plan shall use conventional design principles, but utilize native plant material as well as plant material that is well adapted to local

conditions. Natural areas such as wetlands may use naturalized landscaping design principles as appropriate, but naturalized landscaping such as prairies will not be required in primary public spaces. It is the objective of this Title to reinforce the natural rural character of the site. The desired landscape character should emphasize native plant material and blend with the surrounding countryside and minimize disturbance to and loss of native trees and woodlands. Where ever possible, connections between new developments to provide linkages to the multi-use trails along the environmental corridors, and to enable trail system extensions that would permit connections to other major parks, open spaces and environmental areas are encouraged.

6. Rear Facades. The rear portions of all properties shall be clean, attractive and well maintained, particularly where these areas are visible to the public. All exterior mechanical equipment shall be screened from view.

7. Outdoor Storage and Service Facilities. Outdoor storage and service facilities shall be screened from view along sidewalks and roadways through the use of low masonry walls or evergreen plantings. All garbage dumpsters shall be screened from view through the use of materials compatible with the adjacent building or solid plantings with eighty-percent (80%) coverage year round.

8. Parking Areas. Parking lots shall be paved, well marked, sufficiently lit, and provided with proper drainage. Clearly marked pedestrian pathways are required within the interior of parking areas. Pedestrian pathways may be marked by striping and/or differentiation of materials. Pedestrian access to parking lots shall be provided through planned walkways located in gaps between buildings. Preserving quality trees and the ability to establish cross-access agreements for parking between tenants and the implementation of storm water drainage best management practices should be reflected in parking lot design.

9. Signs. All sign placement, sizes, and design shall conform to the requirements to Article 6.8, Sign Regulations, of this Title unless otherwise varied by the Village Board. Indirect illumination of signs is preferred.

B. RESIDENTIAL DESIGN GUIDELINES.

1. Building Placement and Orientation.

   a. Single family homes shall have a strong orientation to the street. Primary entrances to the homes shall be located in the front of the house, facing the street.

   b. Townhomes, villas, and other attached single-family units shall be rear loaded, with strong orientation to the street or central courtyard. At least half of all units in each building shall have front porches, although porches for all units are encouraged and garages shall be located in the rear to strengthen each unit's street or courtyard prominence.

2. Dwelling Size, Height, Massing and Form.

   a. The height, mass and scale of homes shall be in character with surrounding development. Detached and attached single-family homes shall be measured from the established finish grade as identified on the approved grading plans to the highest ridge point of the roof. In cases where a "walk out" basement is proposed, the measurement shall be taken from the average height distance between the first floor grade and the lowest grade closest to the structure. Height restrictions shall not exceed thirty-five (35) in total height.

   b. Front porches can add interest and scale to the front of a house. Front porches also encourage neighbor interaction, contribute to safety and

help establish the close neighborhoods desired by the Village and its residents. But the Village committee that reviews architectural standards reserves the right to waive this condition based on design.

c. Front portions of the attached homes shall be articulated and stepped back to break up homes' mass.

d. Mansard roofs shall be prohibited.

3. Building Material and Colors

a. Wood shakes may be used as a siding material only on Arts & Crafts style homes.

b. No more than fifty-percent (50%) fiber-cement board siding will be permitted on primary elevations.

c. Exterior trim details can add interest, scale and dimension to a home. The use of wide casings around windows, shutters, balusters and columns compatible with the home's architectural style is encouraged.

d. Exterior finishes shall utilize appropriate accents to highlight entries, window, dormers, porches and other architectural details using historic models. Acceptable accent materials include stone, simulated stone, wood, or fiber-cement board. Exterior insulation finish systems (EIFS) shall not be permitted.

e. Roofing materials should complement the architectural style of a home. The color of roofing materials should complement the architectural style and color of the home. Any asphalt roof shingles shall be architectural grade, min. 40-year warranty. Other approved roof materials for sloped roofs include wood cedar shingles (not shakes unless in an Arts & Crafts or timber-frame style building), slate or concrete tiles. Spanish mission style clay tiles shall be prohibited.

f. The predominant colors for new homes should consist primarily of earth tones. While the natural brick and stone colors should predominate, contrasting and complementary colors should also be used to accent building components, highlight architectural elements and to help distinguish homes and neighborhoods from one another.

g. All patios, decks and terraces are to be constructed within the confines of the final building pad as designed and recorded by the developer for each lot.

h. Shutters, if used, should be traditional in design and material and in keeping with the architectural style. If shutters are used they should be sized to the window so it appears it could be closed and fully protect the window. Hinges and shutter-dogs should be used even if the shutter is fastened to the wall. Hollow back plastic shutters are not allowed.

i. Dormers are encouraged provided they are appropriate with the architectural style of the home. Dormers add visual interest to a home, provide more interior natural light, and disrupt large roof masses. Dormers should be designed in keeping with the historical architectural style and must be correctly located and proportionally designed on the roof.

j. Skylights must not be visible from the street. Skylights should be flush and non-protruding, and similar in color to the roof.

4. Garages and Driveways.

a. Homes shall have driveways constructed of asphalt, concrete or brick pavers.

b. Garage doors shall be consistent with the architectural style of the house. Carriage style garage doors are preferred. Garage doors with windows shall complement the architectural style of the house.

5. Monotony. No two single-family detached dwellings of similar front elevation or façade shall be constructed or located within 400 feet of the other; nor shall there be constructed or located dwellings of similar front elevation when there is no substantial difference in all of the following: (a) roof lines, (b) windows, (c) no change in the color of materials used or no substantial change in the kind of materials used.

a. The following differences in the roof lines of a dwelling as seen from the front elevation of the dwelling shall be deemed sufficient to render buildings containing such changes and built within the same street block to be dissimilar.

1. Changing gable roofs to hip roofs.

2. Changing hip roofs to gable roofs.

3. Providing an intersecting gable roof on the main gable roof, provided that the height of the intersecting roof is at least 50% of the height of the main roof.

4. Providing an intersecting hip roof on the main hip roof, provided that the height of the intersecting roof is at least 50% of the height of the main roof.

5. Window dormers when the total area of the dormers that are visible from the street meet or exceed 50% of the entire roof area.

6. Rotating gable roof 90-degrees.

7. On a tri-level residence or other building type which has three independent major roof areas, the changing of two or of three roof lines shall be acceptable as a substantial change. Acknowledging certain design elements may prevent the change of all three roof lines. It is desired that the roof with the greatest impact on the street block be changed.

b. The following differences in the size, location and type of windows shall be deemed sufficient to render building containing such changes to be dissimilar:

1. Changing from single windows to a multiple window arrangements.

2. Changing from multiple window arrangements to single window.

3. Changing the type of window (e.g. casement to double hung)

4. Providing a bay or bow window in the area of a predominant window.

5. Where, because of its size, location or design, one window is the predominate window of the front elevation or façade, if the size, location or type of that window is changed to render the dwelling dissimilar, then no other window need be changed.

6. The following changes shall not be deemed sufficient to constitute a substantial change in windows: the addition or

subtraction of mutin bars; a change from clad to wood windows; or, a change in window trim color

c. The following differences in exterior building materials or color shall be deemed sufficient to render buildings containing such changes to be dissimilar:

1. Color change shall be made by significant changes in adjacent colors. The color change must be one of color rather than merely of shade.

2. Four inch exposure horizontal siding

3. Eight inch exposure horizontal siding

4. Masonry facing

5. Natural wood facing

When materials are changed, the change must occur throughout the dwelling for a minimum of one story in height.

C. COMMERCIAL DESIGN GUIDELINES.

1. Building Placement and Orientation.

a. Buildings shall have a strong visual and physical relationship to the street. Buildings shall be attractive at both a pedestrian and vehicular scale.

b. Commercial buildings shall have a strong pedestrian orientation with display windows, attractive detailing, and pedestrian access to business entrances.

c. Long blank facades along corridors shall be prohibited.

d. Covered walkways, such as arcades, are encouraged along the fronts of multi-tenant commercial buildings to create a pedestrian-friendly orientation. The column locations of the arcade shall be designed with consideration to the façade behind them.

e. Any outdoor seating areas, such as those provided by restaurants or cafes, shall be well landscaped and incorporated into the overall site design. Outdoor seating areas shall be set back and screened from parking areas and driving aisles.

f. Awnings and canopies may be used to provide weather protection and to add visual interest at the street level. They shall be integrated into the façade and shall be in character with the architectural style of the building. Arched or rounded awnings shall be discouraged, unless they are compatible with and appropriate to the architectural style of the building. Plastic awnings are not permitted.

g. Mansard roofs shall be prohibited. However, this shall not be interpreted to prohibit sloped roofs with a well in the middle meant to screen rooftop equipment.

h. Rooftop mounted equipment shall be screened from views along all sides of a building that face the public, including views from windows in existing buildings. Rooftop screening shall be incorporated into the overall design of the building and be an integral part of the architecture.

2. Building Material and Colors.

a. Primary exterior wall finishes shall be limited to brick, stone, simulated stone, stucco, wood siding, vinyl and/or aluminum siding (however, classic rib metal siding shall not be allowed). Exterior insulation and

finish systems (EIFS) shall be limited to secondary use with other materials. EIFS shall not be used in the first three (3) feet above grade or exceed five-percent (5%) of the total building wall square footage. Other quality materials not on this list may be approved by the Village Board at its discretion, particularly when used in good design. Color palettes shall be neutral in nature, but colorful accents may be permitted. *(Ord. 2026-06)*

b. Any asphalt roof shingles shall be architectural grade, minimum 40-year warranty. Other approved roof materials for sloped roofs include standing seam metal, wood shingles, shakes, slate or concrete tiles. Spanish mission style clay tiles shall be prohibited.

3. Rear Yards & Rear Facades. Secondary rear entrances to stores and shops are encouraged in buildings where parking or pedestrian walkways are located behind the buildings.

4. Business Signage.

a. Exterior building signs shall be limited to business identification, address and description.

b. The size, material, color, and shape of building signs shall complement the architectural style and scale of the building.

c. Wall mounted signs and ground monument signs are encouraged, although signage shall not be mounted on the roof of a building.

d. Raised, individual letters mounted directly on the building are preferred.

D. COMPLIANCE WITH DESIGN.

The finally constructed residential or commercial construction project shall be in substantial conformance with the architectural design plans submitted by the applicant. Violation of this provision shall result in enforcement action by the Village, include revocation of all licenses issued by the Village relating to the property. *(Ord. 2018-14 8/2/18)*

Article 4.3

SPECIAL USES

4.3.1. Purpose. Because of their unique and potentially harmful characteristics, certain uses set forth in this Article shall be located in a district or districts only upon consideration in each case of the impact of such use upon neighboring land and of the public need for such a use at the particular location. Such uses, hereby designated as Special Uses, fall into two categories:

A. Uses either municipally operated, or operated by regulated public utilities, or traditionally affected by a public interest; and

B. Uses entirely private in character but of such nature that their operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities.

4.3.2. Authorized Special Uses. The Village Board may authorize, by ordinance (Special Use Permit), the establishment, operation or construction of any Special Use as designated in each of the zoning districts. All of the other applicable provisions of this Title, including the requirements and restrictions of the zoning district in which the proposed Special Use is to be located, shall be applicable to the establishment and maintenance of such Special Use unless the ordinance authorizing the establishment or construction of the particular Special Use expressly provides otherwise. Subject to the standards contained in this Article 4.3, the Village Board shall have authority to permit Special Uses as designated in each of the zoning districts, provided it shall find that the proposed Special Use will comply with the standards contained in this Article 4.3.

4.3.3. Standards. A Special Use Permit shall be granted only if evidence is presented to establish that:

A. The proposed Special Use at the particular location requested is necessary or desirable to provide a service or a facility which is in the interest of the public and will contribute to the general welfare of the neighborhood or community;

B. The proposed Special Use will not have a substantial adverse effect upon the adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare; and

C. The proposed Special Use will be designed, arranged and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations.

D. Such other standards and criteria as are established by the ordinance for a particular Special Use as set forth in Section 4.3.4 and Section 4.3.8, if applicable, and as applied to Planned Developments as set forth in Article 4.4.

4.3.4 Conditions. The Plan Commission may recommend and the Village Board may impose such conditions or restrictions upon the location, construction, design and operation of a Special Use, including but not limited to, provisions for off-street parking spaces and the duration of such permit, as they shall respectively find necessary or appropriate to secure compliance with the standards set forth in Sections 4.3.3 and 4.3.4 and, if applicable, Section 4.3.8.

4.3.5. Procedures.

A. AUTHORIZATION. The Village Board is authorized to issue a Special Use Permit for those listed in Article 5.3 and for Planned Developments, subject to the standards set forth in Sections 4.4.3 and 4.4.4 and such conditions as may be imposed pursuant to Section 4.3.8. Prior to the issuance of any Special Use Permit, a public hearing shall be held and published notice shall be given, in the manner prescribed in Section 4.8.3 of this Title.

B. APPLICATION FOR SPECIAL USE. Any person having a proprietary interest in the premises may file an application for a Special Use with the Development Administrator. The application shall be in such number, in such form, and contain such information as the Development Administrator may prescribe from time to time. The Development

Administrator shall process such application and hearing shall be held in the manner prescribed for amendments by Article 4.8 of this Title.

C. REPORT OF HEARING. Within thirty (30) days following the hearing, the Plan Commission shall transmit to the Village Board a written report giving its findings as to compliance of the proposed Special Use with the standards governing Special Uses and giving its recommendations for action to be taken by the Village Board.

D. ACTION BY VILLAGE BOARD. After receiving the recommendations and report of the Plan Commission, the Village Board shall, within thirty (30) days, review the recommendations and report and may accept the findings and recommendations of the Plan Commission in whole or in part or may reject them in whole or in part, or the Village Board may refer the matter back to the Plan Commission for further consideration. However, in the event the Plan Commission recommends against the issuance of a Special Use Permit, then it may be issued only upon the favorable two-thirds (2/3) vote of all of the members of the Village Board.

4.3.6. Effect of Denial of a Special Use. After a public hearing, no application for a Special Use which has been denied wholly or in part by the Village Board shall be resubmitted for a period of one (1) year from the date of said order of denial, except on the grounds of substantial new evidence or proof of changed conditions found to be valid by the Plan Commission and Village Board.

4.3.7. Termination of Special Use Permit.

A. If the proposed Special Use is not established within one (1) year from the date of the authorization by the Village Board, the authorization shall become null and void and all rights thereunder shall lapse. However, upon written application, the Village Board may authorize a single extension of the time limit for a period of not more than one (1) year.

B. If the proposed Special Use, once established, is abandoned or discontinued for more than sixty (60) consecutive days, the authorization shall become null and void and all rights thereunder shall lapse.

4.3.8. Additional Standards and Criteria. In addition to the standards and criteria established in Section 4.3.3, herein, no Special Use Permit shall be granted for the use(s) listed below unless evidence is presented to establish the standards and criteria set forth herein.

A. ADULT BUSINESSES. *(Ord. #1998-25, 07.03.98)*

1. DEFINITIONS. For the purposes of this Section, the following supplemental words and phrases shall be defined as follows; unless it is clearly apparent from the context another meaning is intended.

Adult Arcade: Shall mean an establishment where, for any form of consideration, one or more still or motion picture projectors, slide projectors, or similar machines, for viewing by five (5) or fewer persons each, are used to show films, motion pictures, video cassettes, slides, computer generated graphics or other photographic reproductions which are characterized by an emphasis upon the depiction or description of “specified sexual activities” or “specified anatomical areas”.

Adult Bookstore or Adult Video Store: Shall mean a business (establishment) that devotes more than five-percent (5%) of the total display, shelf, rack, table, stand or floor area of its stock-in-trade, books, magazines, periodicals or other printed matter, photographs, films, sculptures, motion pictures, video cassettes, slides, computer generated graphics, or other visual representations, instruments, devices or paraphernalia, which are designed for, use in connection with "adult conduct" (other than birth control devices) or "adult material" for sale viewing on premises by use of which are distinguished or characterized by their principal emphasis sexual conduct (whether auto-erotic, heterosexual, homosexual, or otherwise), bestiality or sadomasochistic activity. An establishment, having

adult-only items as a substantial or significant portion of its stock that sells or displays adults-only items for sale to patrons therein.

Adult Business: Shall mean any establishment having as a substantial or significant portion of its stock-in-trade or business activity in a use such as, but not limited to the following: adult arcades, adult bookstores or adult video stores, adult cabarets, adult entertainment centers, adult hotels/motels, adult massage parlors, adult motion picture theaters (including adult mini-motion picture theaters), adult nightclubs, escort agencies, nude modeling studios, rap parlors, adult saunas, and sexual encounter centers where explicit sexual conduct is depicted and/or sexual activity is explicitly or implicitly encouraged or tolerated.

Adult Cabaret: Shall mean a nightclub, restaurant or similar business establishment which regularly features live performances which are characterized by the exposure of “specified anatomical areas” or by “specified sexual activities”, films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by an emphasis upon the depiction or description of “specified sexual activities” or “specified anatomical area”.

Adult Card, Gift or Novelty Store: Shall mean an establishment having more than five-percent (5%) of its stock-in-trade, items, such as cards, games, articles of clothing, computer generated graphics, and novelties, which are distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.

Adult Entertainment Business: See “Adult Business” or “Adults-Only Business”.

Adult Entertainment Center: Shall mean an enclosed building or part of an enclosed building, which contains one or more coin-operated mechanisms, which when activated, permit a customer to view a live person nude or in such attire, costume or clothing as to see pubic hair, buttocks, perineum, anal or pubic regions, or female breast, at or below the areola thereof. In addition, the viewing of a live person, in the above described manner, after paying of any admission or fee for the viewing of same activity.

Adult Hotel/Motel: Shall mean a hotel or motel or similar business establishment offering public accommodations for any form or consideration, which *(a)* provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by an emphasis upon the depiction or description of “specified sexual activities” or "specified anatomical area”; and/or *(b)* rents, leases, or lets any room for less than a six (6) hour period, or rents, leases or lets any single room more than twice in a twenty-four (24) hour period.

Adult Massage Parlor: Shall mean an establishment or place primarily in the business of providing massage services, where explicit sexual conduct is depicted and/or sexual activity is explicitly or implicitly encouraged or tolerated. This definition excludes licensed therapeutic establishments.

Adult Motion Picture Theater: Shall mean an enclosed building used regularly and routinely for presenting adults-only material distinguished or characterized by an emphasis on matter depicting, describing or relating to nudity, explicit sexual conduct (whether auto-erotic, heterosexual, homosexual or otherwise), bestiality or sadomasochistic activity, for observation by patron(s) therein. Adult mini-theaters are also included in the above definition.

Adult Nightclub: Shall mean an establishment or place either occasionally or primarily in the business of featuring topless and/or bottomless dancers, go-go

dancers, exotic dancers, male and/or female strippers, male or female impersonators, or similar entertainers, where explicit sexual conduct is depicted and/or sexual activity is explicitly or implicitly encouraged or tolerated.

Adults-Only: Shall mean any items or activities emphasizing, depicting, describing or relating to nudity, explicit, sexual conduct (whether auto-erotic, heterosexual, homosexual or otherwise), bestiality or sadomasochistic activity, "Adults-Only Business" is synonymous with "Adult Business" as described herein.

Adult Sauna: Shall mean an establishment or place primarily in the business of providing a steam bath and/or massage service, where explicit sexual conduct is depicted and/or sexual activity is explicitly or implicitly encouraged or tolerated.

Booth: Shall mean any enclosure that is specifically offered to patrons of an adult business for the private viewing of any adults-only item(s) or movie. Said definition does not include enclosures that are used as private offices by any operator, employee or agent for attending to the tasks of their employment and are not offered for use by the public.

Commercial Gain: Shall mean any business, location, or place, which conducts or allows to be conducted on its premises any activity for commercial gain.

Cubicle: See "Booth," as defined herein.

Educational/Institution: Shall mean a premises or site within the Village of Richmond upon which there is an institution of learning, whether public or private, which conduct regular classes and/or courses of study required for accreditation by or membership in the State Department of Education of Illinois. The term educational institution includes a premises or site upon which there is a day care center, nursery school, elemental junior high, or middle school, senior high school, professional institution of higher education, including a community college, junior college, four-year college or university, libraries, art galleries and museums open to the public, or any special institution of learning. The term "educational/institution", however, does not include a premises or site upon which there is a vocational institution operated for commercial gain.

Emphasis, or Emphasis on: Shall mean that the type of matter specified is the apparent matter upon which the particular work or exhibition is based, or that the matter specified is a substantial portion of such work or exhibition.

Employee: Shall mean any person who works, performs or exposes his/her specified anatomical areas in an establishment, irrespective of whether said person is paid a salary or wages by the owner or manager of the business, establishment, or premises.

Employer: Shall mean any person who pays any form of consideration, to an owner or manager of an establishment, for the privilege to work, perform or expose his/her specified anatomical areas within the establishment.

Entertainment: Shall mean any person who is an employee or independent contractor of the adult business, or any person who, without any compensation or other forms of consideration performs live entertainment for patrons of an adult business.

Escort: Shall mean a person who, for consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

Escort Agency: Shall mean a person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip or other consideration.

Establishment: Shall mean Establishment of an adult business includes, any of the following *(a)* the opening or commencement of any such business as a new business; or *(b)* the conversion of an existing business, whether or not an adult business, to any of the adult businesses defined herein; or *(c)* the addition of any of the adult businesses defined herein to any other existing adult business; or *(d)* the relocation of any such adult business.

Gross Receipts: Shall mean and include the total amounts actually received or receivable from the sale, trade, rental, display or presentation of services, products, adult material or entertainment which are characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas,

Incidental Adult Materials Vendor: Shall mean a place is considered to be an incidental adult materials vendor of materials, if and only if, *(a)* at all times, not more than five-percent (5%) percent of the business stock, as measured in relation to total gross floor area of the business, is devoted to books, magazines, films, newspapers, photographs, paintings, drawings, or other publications or graphic media, which are distinguished or characterized by their emphasis on matters depicting, describing or relating to specified sexual activities, or specified anatomical areas; *(b)* all adult materials are kept in a location where no portion is visible to the public and said materials are not available to the customers of such place as a self-service item; and, *(c)* no adult materials are sold, rented or displayed to minors.

Individual Viewing Area: Shall mean Individual viewing areas shall mean a viewing area designed for occupancy by one person.

Manager: Shall mean a person in charge or in direct control of the affairs of the business he/she is managing.

Nightclub: Shall mean an establishment serving food and/or liquor and providing music and space for dancing by patrons only. A nightclub shall not include an "adult business."

Nude Modeling Studio: Shall mean a place where a person who appears in a state of nudity or displays male genitals in a state of sexual arousal and/or the vulva or more intimate parts of the female genitals and is observed, sketched, drawn, painted, sculptured, photographed or similarly depicted by other persons who pay money or any form of consideration.

Nudity: Shall mean the display of the human male or female genitalia, pubic hair, buttocks, perineum, anal or pubic regions, female breast (at or below the areola thereof, with no covering or with a less than any opaque covering, or male genitalia, in a discernible turgid state, with or without covering.

Nursing Home: Shall mean a private or public hospital, home, residence or other place where maintenance and personal or nursing care are provided for three or more persons who are unable to care for themselves properly.

Obscene: Shall mean any material or performance is obscene if: *(a)* the average person, applying contemporary adult community standards, would find that, taken as a whole, it appeals to the prurient interest, *(b)* the average person, applying contemporary adult community standards, would find that it depicts or describes, in a patently offensive way, ultimate sexual acts or Sadomasochistic sexual acts, whether normal or perverted, actual or simulated, or masturbation, excretory functions or lewd exhibition of the genitals; and, (c) taken as a whole, it lacks serious literary, artistic, political or scientific value. *(Statutory Reference.- 720 ILCS 5/11-20)*

Opaque: Shall mean For purposes of this section, opaque shall mean the inability of a person to see through objects, such as but not limited to, windows, portholes, screens, curtains, and/or clothing.

Operator: Shall mean Any person(s), whether said person(s) be an individual, partner, corporation, joint stock company, fiduciary, officer, director, stockholder, employee, or manager that conducts, maintains or owns any adult business,

Owner, Permit Holder, or Permittee: Shall mean any of the following; (a) the Sole proprietor of an adult business; or (b) any general partner of a partner of a partnership which owns and operates an adult business; (c) the owner of a controlling interest in a corporation which owns and operates an adult business; or, (d) the person(s) designated by the officers of a corporation to be the permit holder for an adult business owned and operated by the corporation.

Park: Shall mean a tract of land which is: (a) kept for ornament and/or recreation, and which is open to the public, whether or not the land is publicly owned; or, (b) land privately owned which is kept for ornament and/or recreation purposes and which is limited to surrounding landowners. A playground shall be considered a park.

Patron: Shall mean any person patronizing an adult business who is not employed by any operator of said establishment.

Portable Structure: Shall mean a building or object capable of being transported. A "portable structure" shall include, but not be limited to, mobile trailers, outhouses and portable toilet facilities.

Rap Parlor: Shall mean an establishment or place primarily in the business of providing non-professional conversation or similar services for adults, where explicit sexual conduct is depicted and/or sexual activity is explicitly or implicitly encouraged or tolerated.

Religious Activities: Shall mean any daily, weekly, or periodic activity associated with or that occurs at a religious institution.

Religious Institution: Shall mean a premises or site which is used primarily or exclusively for religious worship and related religious ecclesiastical or denominational organization or established place of worship, retreat site, camp or similar facilities owned or operated by a bona fide religious group for religious activities shall be considered a religious institution.

Residence: Shall mean a structure serving as a dwelling or a home, a temporary or permanent dwelling place, abode or habitation where a person(s) lives.

Residential Zoning District: Shall mean the following zoning districts: E-1 Estate District, and R-1, R-2 and R-3 Residential Districts.

Room: See "Booth," as defined herein.

Sadomasochistic Activity: Shall mean flagellation or torture by or upon a nude person; a person clad in undergarments, a mask or bizarre costume. In addition, the condition of being fettered bound or otherwise physically restrained with the intent to stimulate or arouse sexually the initiator and/or the recipient.

Security Guard: Shall mean a person duly licensed as a security guard as required by applicable provisions of state and/or local law.

Sell: Shall mean to solicit or receive an order for, to keep or expose for sale, and to keep with intent to sell.

Sexual Conduct: Shall mean ultimate sex acts (whether auto-erotic, heterosexual, homosexual or otherwise), bestiality or sadomasochistic activity. In addition, physical contact, intended to stimulate or arouse sexually the

initiator and/or the recipient, with a person's unclothed genitalia, buttocks, perineum, anal or pubic regions, or female breast.

Sexual Encounter Center: Shall mean a business or commercial establishment that as one of its primary business purposes, offers for any form of consideration: *(a)* physical contact in the form of wrestling or tumbling between persons of the opposite sex; or, *(b)* activities between male and female persons and/or persons of the same sex when one or more persons is in the state of nudity.

Specified Anatomical Areas: Shall mean *(a)* human genitals and pubic region; or *(b)* cleavage of the human buttocks; or *(c)* that portion of the human female breast encompassed within an area falling below the horizontal line one would have to draw to intersect a point immediately above the top of the areola (the colored ring around the nipple); this definition shall include the entire lower portion of the female breast, but shall not include any portion of the cleavage of the human female breast exhibited by a dress, blouse, shirt, leotard, bathing suit, or other wearing apparel, provided the areola is not so exposed; or *(d)* human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities: Shall mean *(a)* human genitals in a state of sexual stimulation, arousal or tumescence; *(b)* acts of human analingus, bestiality, buggery, cunnilingus, coprophagy, coprophilia, fellation, flagellation, masochism, masturbation, necrophilia, pederasty, pedophilia, sadism, sadomasochism, sexual intercourse, or sodomy, or *(c)* fondling or other erotic touching of human genitals, pubic region, buttock, anus, or female breast; or *(d)* excretory functions as part of or in connection with any of the activities set forth in the definition of Specified Anatomical Areas subsections A and B; or *(e)* striptease, or the removal of clothing, or the wearing of transparent or diaphanous clothing, including models dressed only in lingerie to the point where specified anatomical areas are exposed.

Transfer of Ownership or Control of an Adult Business: Shall mean and include any of the following: (a) the sale, lease or sublease of the business; or (b) the transfer of securities which constitute a controlling interest in the business, whether by sale, exchange or similar means; or (c) the establishment of a trust gift or other similar legal devise which transfers ownership or control of the business, including the transfer by bequest or other operation of law upon the death of a person possessing the ownership or control.

Underage: Shall mean any person under 18-years of age, the legally minimum age at which one can purchase or view adults-only items.

Wall Sign: Shall mean any flat sign which is placed against a building or other structure and attached thereto in such, manner that only one side is visible.

2. PURPOSE AND INTENT. To promote the health, safety, morals, and general welfare of the citizens of the Village while establishing reasonable and uniform, regulations to prevent effects from a deleterious location and concentration of sexually oriented businesses within the Village of Richmond. The provisions of this section have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative material, including sexually oriented materials. Similarly, it is not the intent or effect of this section to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this section to condone or legitimize the distribution of obscene material.

3. APPLICABLE DISTRICT AND OPERATIONS. Each adult business must, prior to commencement or continuation of such business, apply for and receive from the Village Board a Special Use Permit to operate an adult business in the Industrial District. Each adult business must also comply with all applicable regulations or other zoning use designations in the zoning district in which the business is located.

4. APPLICATION FOR SPECIAL USE PERMIT. In addition to the requirements of Section 4.3.5.B, the application for an Adult Business shall also include the following:

   a.. The name and permanent address of the property owner(s) and adult use business operator(s).

   b. The name and business address of the petitioner(s). If the petitioner(s) is a corporation, the name shall be exactly as set forth in its articles of incorporation and the petitioner(s) shall show the name and residence address of each of the officers, directors and each stockholder owning no less than 25% of the stock of the corporation, If the petitioner(s) is a partnership, the application shall show the name and residence address of each of the members, including limited partners;

   c. A detailed description of the manner of providing proposed entertainment, including type of entertainment and the number of persons engaged in the entertainment;

   d. Hours of operation;

   e. A location, address and floor plan showing where the, specific entertainment uses are proposed to be conducted within the building;

   f. The name or names of the person or persons having management or supervision of the applicant(s)' business and of any entertainment;

   g. A statement of the nature and character of the applicant(s) business if any, to be carried on in conjunction with such entertainment;

   h. For a renewal of the Special Use Permit, the applicant(s) in addition shall indicate any changes since the filing of the initial petition.

   i. Whether the petitioner(s) or any of the other individuals pursuant to this Section has had a previous permit under this amendment or other similar ordinances from another village, city or county denied, suspended or revoked, including the name and location of the adult business for which the permit was denied, suspended or revoked, as well as the date of the denial, suspension or revocation, and whether the petitioner(s) or any other individuals listed pursuant to this section has been a partner in a partnership or an officer, director or principal stockholder of a corporation that was permitted under this section whose permit has previously been denied, suspended or revoked, including the name and location of the adult business for which the permit was denied, suspended or revoked as well as the date of denial, suspension or revocation.

   j. Whether the petitioner(s) or any other individual listed pursuant to this section holds any other permits and/or licenses for an adult business from another village, city or county, and if so the names and locations or such other permitted businesses.

   k. If a person who wishes to operate an adult business is an individual, he/she must sign the application for a permit as applicant. If a person who wishes to operate an adult business is other than an individual, each individual who has a ten-percent (10%) or greater interest in the

business must sign the application for a permit as applicant. If a corporation is listed as owner of an adult business or as the entity which wishes to operate such a business, each individual having a ten-percent (10%) or greater interest in the corporation must sign the application for a permit as applicant.

5. REQUIREMENTS AND CONDITIONS. It shall be unlawful for any person to operate, engage in, conduct or engage in any adult business within the Village unless the property owner(s) and business operator(s) of the adult business first obtains a Special Use Permit in addition to the appropriate zoning in the Industrial District. Along with the base zoning requirements governing Special Use Permits, the following additional requirements shall be satisfied by adult businesses and shall be included in any approved Special Use Permit.

   a. The adult business shall comply with the zoning, parking, development, and design standards applicable to the district in which the business is located.

   b. Maximum occupancy load, fire exits, aisles and fire equipment shall be regulated, designed and provided in accordance with applicable building codes, in addition to any other regulations and/or standards, adopted by the Village.

   c. All adult businesses shall comply with the off-street parking provisions of the Richmond Unified Development Ordinance.

   d. No adult business shall be operated in any manner that permits the observation of any material depicting, describing or relating to "specified sexual activities" and/ or "specified anatomical areas" from any public way or from any location outside the building or area of such establishment. This provision shall apply to any display, decoration, sign, show window or other opening.

   e. Lighting shall be required which is designed to illuminate all off-street parking areas serving such use for the purpose of increasing the personal safety of store patrons and reducing the incidents of vandalism and theft. Said lighting shall be shown on the required plot plans and shall be reviewed and approved by the Building Inspector in accordance with the off-street parking provisions of the Richmond Unified Development Ordinance.

   f. No loudspeakers or sound equipment shall be used by an adult business for the amplification of sound to a level discernible by the public beyond the walls of the building in which such use is conducted or which violates any noise restrictions in effect in the Village of Richmond.

   g. The building entrance to an adult business shall be clearly and legibly posted with a notice indicating that minors are precluded from entering the premises. Said notice shall be constructed and posted to the satisfaction of the Building Inspector of the Village of Richmond.

   h. Landscaping shall conform to the standards set forth in accordance with the landscaping provisions of the Richmond Unified Development Ordinance, except that, if the adult business is the sole use on a lot, no planting shall exceed thirty (30) inches in height, except trees with foliage no less than 6 feet above the ground.

   i. The adult business shall not be located, in whole or in part, within any portable structure.

j. The adult business shall not conduct or sponsor any special events, promotions, festivals, concerts, or similar activities which would increase the demand for parking spaces beyond the approved number of spaces for the business.

k. It shall be unlawful to sell, serve, permit or allow the consumption of alcohol in a structure and on the premises occupied by an adult business.

l. Any adult business which allows customers to remain on the premises while viewing any live, filmed or recorded entertainment, or while using or consuming the products or service applied on the premises, shall conform to the following requirements:

1. At least one security guard shall be on duty outside the premises, patrolling the grounds and parking areas, at all times while the business is open. If the occupancy limit of the premises is greater than fifty (50) persons, an additional security guard shall be on duty inside the premises. The security guard(s) shall be charged with preventing violations of law and enforcing compliance by patrons with the requirements of this ordinance, and notifying the Richmond Police Department and Building Inspector of any violations of law observed. Security guard(s) as required by this subparagraph shall be uniformed in such manner so as to be readily identifiable as a security guard by the public. No security guard required, pursuant to this subparagraph, shall act as a door person, ticket seller, ticket taker, or admittance person while acting as a security guard hereunder.

2. No exterior door or window on the premises shall be propped or kept open at any time while the business is open. All exterior windows shall be covered with opaque covering at all times. Such opaque covering shall be in compliance with building codes adopted by the Village of Richmond.

3. Permanent barriers shall be installed and maintained to screen the interior of the premises from public view for each door used as an entrance/exit to the business.

m. All indoor areas of the adult business within which patrons are permitted, except restrooms, shall be open to view at all times.

n. No adult material shall be displayed in such manner as to be visible from any location other than within the promises occupied by the adult business.

o. No person under the age of 18-years shall be permitted within the premises at any time.

p. The adult business shall provide and maintain separate restroom facilities for male patrons and employees and female patrons and employees. Male patrons and employees shall be prohibited from using the restroom(s) for females, except to carry out duties of repair, maintenance and cleaning of the restroom facilities. The restrooms shall be free from any adult material. Restrooms shall not contain television monitors or other motion picture or video projection, recording or reproduction equipment. The foregoing provisions of this paragraph shall not be applicable to an adult business which deals exclusively with the sale or rental of adult material which is not used or consumed on the premises, such as an adult bookstore or adult video

store, and which does not provide restroom facilities to its patrons of the general public.

q. No adult business shall be open or operating, during the hours from 12:00 a.m. (midnight) to 4:30 P.M.

r. The following additional requirements shall pertain to adult arcades which provide one or more viewing areas:

1. Upon filing a petition for a Special Use Permit for an adult arcade, the application shall be accompanied by a diagram of the premises showing a plan thereof specifying the location of one or more manger's stations, the location of all overhead lighting fixtures and designating any portion of the premises in which patrons will not be permitted. A manager's station may not exceed thirty-two (32) square feet of floor area with no dimension greater than eight (8) feet A professional prepared diagram in the nature of an engineer's or architect's blueprint shall not be required; however, each diagram shall be oriented to the north or to some designated street or object and shall be drawn to a quarter inch scale with marked dimensions sufficient to show the various internal dimensions of all areas of the interior of the adult arcade to an accuracy of plus or minus six (6) inches.

2. No alteration in the configuration or location of a manager's station(s) may be made without the prior approval of the Building Department.

3. It shall be the duty of the owner(s) to ensure that at least one employee is on duty and situated at each manager's station at all times, that any patron is present inside the adult arcade.

4. The interior of the adult arcade shall be configured in such a manner that there is an unobstructed view from a manager's station of even area of the adult arcade to which any patron is permitted access for any purpose excluding restrooms. If the adult arcade has two (2) or more manager's stations designated, then the interior of the adult arcade shall be configured in such a manner that there is an unobstructed view of each area of the adult arcade to which any patron is permitted access for any purpose, excluding restrooms, from at least one of the manager's stations. The view required in this subsection must be by direct line of sight from the manager's station.

5. It shall be the duty of the owner(s) and it shall also be the duty of all employees present in the adult arcade to ensure that the individual viewing area remains unobstructed by any doors, walls, persons, merchandise, display racks, or other materials at all times and to ensure that no patron is permitted access to any area of the adult arcade which has been designated as an area in which patrons will not be permitted.

6. No individual viewing area may be occupied by more than one person at any one time. Individual viewing areas of the adult arcade shall be operated and maintained without any hole or other opening or means of direct communication or visual or physical access between the interior spaces of two (2) or more individual viewing areas.

7. No individual viewing area shall contain booths, stalls, or partitioned portions used for the viewing of adult material or other forms of entertainment, having doors, curtains or portal partitions, unless such individual viewing areas containing booths, stalls or partitioned portions have at least one side open to the manager's station and visible to such manager's station. Any booth, stall or partitioned portion of an individual viewing area, authorized under this sub-paragraph, shall be constructed so as to allow twelve (12) inches of open space between the bottom of the stall or partition and the floor. Such open space shall remain unobstructed at all times.

8. The adult arcade shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access but such lighting shall not be of an intensity as to prevent the viewing of the adult material.

9. It shall be the duty of the owner(s) and it shall also be the duty of all employees present in the adult arcade to ensure that the illumination described above is maintained at all times that any patron is present in the adult arcade.

s. The following additional requirements shall pertain to adult businesses providing live entertainment depicting specified anatomical areas and/or involving specified sexual activities:

1. No person shall perform live entertainment for patrons of an adult business, except upon a stage at least eighteen (18) inches above the level of the floor which is separated by a distance of at least six (6) feet from the nearest area occupied by patrons, and no patron shall be permitted within six (6) feet of the stage while the stage is occupied by an entertainer.

2. The adult business shall provide separate dressing room facilities for entertainers which are exclusively dedicated to the entertainers use.

3. The adult business shall provide an entrance/exit to the adult business for entertainers which is separate from the entrance/exit used by patrons.

4. The adult business shall provide access for entertainers between the stage and the dressing rooms which is completely separated from the patrons. If such separate access is not physically feasible, the adult business shall provide a minimum three (3) foot wide walk aisle for entertainers between the dressing room area and the stage, with a railing, fence or other barrier separating the patrons and the entertainers capable of (and which actually results in) preventing any physical contact between patrons and entertainers.

5. No entertainer, either before, during or after performances, shall have physical contact with any patron and no patron shall have physical contact with any entertainer either before, during or after performances by such entertainer on the site of the adult business.

6. Fixed rail(s) at least thirty (30) inches in height shall be maintained establishing the separations between entertainers and patrons required by this paragraph.

7. The adult business shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access with an illumination of not less than twenty (20) foot candles as measured at the floor level.

8. No tipping shall be allowed between any employee/entertainer and patrons.

t. The adult business shall not result in an increase in crime by more than one hundred-percent (100%) in the neighborhood in which it is located as evidenced by calls to the Richmond Police Department or the McHenry County Sheriff s Department or the Illinois State Police in any three (3) month period.

u. The establishment, maintenance or operation of the adult business shall not adversely affect other commercial or industrial enterprises in the surrounding area.

The foregoing applicable requirements of this section shall be deemed conditions of permit approval, and failure to comply with each and all of such requirements shall be grounds for revocation of the Special Use Permit.

6. LOCATION. No person shall cause or permit the operation of any proposed or existing adult entertainment establishment within the following minimum distances from the existing specified uses:

a. Another adult entertainment establishment: 2,000 feet

b. Church or religious institution: 1,500 feet

c. Educational institution: 1,500 feet

d. Residence or residential zoning district: 1,500 feet

e. Nursing homes: 1,500 feet

f. Park: 1,500 feet

g. Day care centers: 1,500 feet

h. Cemeteries: 1,500 feet

7. METHOD OF MEASUREMENT. The location distances set forth shall be measured by drawing a straight line between the closest property lines of the proposed or existing adult entertainment establishment to the nearest property line of such religious institution, educational institution, park, residence, residential zoning district, nursing home, day care center, cemetery or another adult entertainment establishment. Measurement shall be made in a straight line, without regard to intervening structures or objects.

8. SIGNS. All signs shall be conformance with Article 6 of this Title, but in no circumstance shall any sign contain photographs, silhouettes, drawing or pictorial representation of any manner per state statute.

9. STANDARDS FOR ADULT USES. No Special Use permit shall be approved for an adult business unless, after public hearing and recommendations of the Plan Commission, as is provided, the Village Board shall also find:

a. That the adult business shall meet all requirements and conditions found in Section 4.8.3.A.5, Requirements and Conditions.

b. That the adult business shall not have an adverse effect on traffic flow or parking within the surrounding area.

c. That the adult business shall not allow the generation of noise in excess of levels so great as to constitute an unreasonable interference with the rights or well being of persons outside of the confines of such establishment.

d. That the adult business shall conform to the applicable regulations of the district in which it is to be located.

e. That the adult business in all other respects conforms with the provisions of Section 4.3.5.

The decision of the Plan Commission to approve or deny a request for a Special Use Permit for an adult use shall be based solely on the considerations set forth in Section 4.3.3, Section 4.3.5, and Section 4.3.8 10.2 and 10.4 of the Village of Richmond Unified Development Ordinance, and all such considerations shall be applied consistently with the applicant's constitutional rights contained in the First, Fifth and Fourteenth Amendments of the United States Constitution, and Sections 2 and 4 of Article 1 of the Illinois Constitution.

10. SUSPENSION AND REVOCATION OF A SPECIAL USE PERMIT FOR AN ADULT BUSINESS. In addition to all applicable legal remedies, the Village Board may also suspend or revoke any adult business Special Use Permit if it is found that any of the following conditions exist in addition to the criteria set forth in accordance with the Adult Business provision of the Richmond Unified Development Ordinance.

a. The operation conducted by the permittee does not comply with all applicable laws, including, but not limited to, the Village's building and zoning ordinances, the requirements of Adult Business, and the conditions of Approval of the Special Use Permit, or

b. That the approved use has been substantially enlarged without the approval of the Zoning Enforcement Officer, that the approved use has been partially, or wholly converted to another adult business without the approval of the Zoning Enforcement Officer; that the Special Use Permit has not been established or utilized within six (6) months of its issuance.

B. PERSONAL WIRELESS FACILITIES.

"NOTE: PURSUANT TO ILLINOIS PUBLIC ACT 100-0585, THE SMALL WIRELESS FACILITIES DEPLOYMENT ACT, SMALL WIRELESS FACILITIES SHALL BE CLASSIFIED AS PERMITTED USES, AND SHALL NOT BE SUBJECT TO ZONING REVIEW OR APPROVAL IF THEY ARE COLLOCATED IN RIGHTS OF WAY IN ANY ZONE OR OUTSIDE OF RIGHTS OF WAY IN PROPERTY ZONED EXCLUSIVELY FOR COMMERCIAL OR INDUSTRIAL USE. REGULATION FOR SUCH FACILITIES IS NOW CONTAINED IN THE VILLAGE'S MUNICIPAL CODE AT SECTION 4.23. ALL OTHER FACILITIES CONTINUE TO BE SUBJECT TO THE VILLAGE'S UDO."

1. SPECIAL USE PERMIT REQUIRED. No person shall establish, construct, maintain, or operate a personal wireless service facility other than on municipal-owned property without first obtaining a Special Use Permit authorized and issued by the Village Board in accordance with the standards and procedures set forth in this Title.

2. PURPOSE. The purpose of this Section is to establish a comprehensive set of regulations pertaining to the location, siting, development, design and permitting of wireless communications facilities for all districts in the Village in order to:

a. facilitate the development of a wireless communications infrastructure in the Village for commercial, public and emergency uses;

b. encourage the co-location of wireless communications facilities;

c. encourage users of wireless communications facilities to configure them in a manner which minimizes the adverse visual impact of such facilities;

d. enhance the ability of the providers of wireless communications services to provide such services to the community quickly, efficiently, and effectively;

e. establish the rules and procedures for approving zoning applications for wireless communication facilities; and,

f. minimize the total number of wireless communication facilities in the Village:

3. SCOPE. The provisions of this Article shall apply to all personal wireless service facilities, whether such facilities are used as a principal use or as an accessory use unless otherwise exempted from these regulations.

a. PRE-EXISTING TOWERS OR ANTENNAS. Towers and antennas existing on the date this Section is adopted shall not be required to meet the requirements of this Title other than the requirements of Sub-sections 6(e), 6(f), and 6(g), below.

b. AM ARRAY. For purposes of implementing this Ordinance, an AM array, consisting of one (1) or more towers united and supporting a ground system which functions as one (1) AM broadcasting antenna, shall be considered one (1) tower. Measurements for setbacks and separation distances shall be measured form the outer perimeter of the towers including the AM array. Additional towers may be added within the perimeter of the AM array by right.

4. EXEMPTIONS. The following uses and activities are exempt from the regulations of this Section.

a. Satellite dishes forty (40) inches or less in diameter or diagonal measurement.

b. Existing towers and antennae and any repair, reconstruction, or maintenance of these facilities which do not create a significant change in visual impact.

c. Any tower or installation of any antenna which is owned and operated by a Federally licensed amateur radio station operator as part of the Amateur Radio Service, citizens band radio, or is used exclusively for receive-only antennae.

d. Antennae and equipment and other apparatus completely located within an existing structure whose purpose is to enhance or facilitate communication function of other structures on the site.

e. Personal wireless service facilities located on property owned, leased or otherwise controlled by the Village provided a lease or license authorizing such personal wireless service facilities has been approved by the Village Board.

f. Antenna not attached to a tower and incorporating stealth design Amateur Radio Operation/Receive Only Antennas. This Ordinance shall not govern any Towers or the installation of any Antenna that is fifty (50) or less feet in height and is owned and operated by a federally-licensed amateur radio station operator or is used exclusively

for receive-only antennas. No receive-only antenna shall exceed the highest point on the nearest residential rooftop of a dwelling by more than ten (10) feet.

5. DEFINITIONS. As used in this Section 4.3.4.F the following words and terms shall have the meanings set forth herein:

a. ANCILLARY BUILDING: shall mean the building(s), cabinet(s), vault(s), closure(s) and equipment required for operation of telecommunication systems, including but not limited to repeaters, equipment housing, relay equipment, ventilation and other electrical and mechanical equipment.

b. ANTENNA: shall mean a device commonly in the form of a metal rod, wire panel or dish, for transmitting or receiving electromagnetic radiation. An antenna is typically mounted on a supporting tower, pole, mast, building, or other structure.

c. CO-LOCATION: shall mean the placement of two or more antenna systems or platforms by separate FCC license holders on a structure such as a support structure, building, water tank, or utility pole.

d. GUYED TOWER: shall mean a tower that is supported by the use of cables (guy wires) which are permanently anchored.

e. LATTICE TOWER: shall mean a tower characterized by an open frame-work of lateral cross members which stabilize the tower.

f. MAST**:** shall mean a vertical element consisting of a tube or rod which supports an antenna.

g. MONOPOLE: shall mean a single upright pole engineered to be self-supporting and does not require lateral cross supports or guys.

h. PERSONAL WIRELESS SERVICES: shall mean commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services.

i. PERSONAL WIRELESS SERVICE FACILITIES: shall mean facilities for the provision of personal wireless services.

j. STEALTH DESIGN: shall mean a personal wireless service facility that is designed or located in such a way that the antennas and/or towers are camouflaged, concealed, disguised and otherwise not readily recognizable as telecommunications equipment. Examples of stealth design include concealing antenna in clock towers, bell steeples, on light poles, and integrating antenna into architectural elements on buildings by color, shape or location on the building.

k. TOWER: shall mean a vertical framework of cross elements that supports either an antenna, mast, or both.

l. UNLICENSED WIRELESS SERVICE: shall mean the offering of telecommunications services using duly authorized devices which do not require individual licenses issued by the FCC, but does not mean the provision of direct-to-home satellite services as defined by the FCC.

m. WIRELESS COMMUNICATION FACILITY: shall mean an unstaffed facility for the transmission or reception or reception of radio frequency (RF) signals, usually consisting of an equipment shelter, cabinet or other enclosed structure containing electronic equipment, a support structure, antennas or other transmission and reception devices. Amateur radio facilities and facilities used exclusively for the transmission of

television and radio signals are not considered wireless communication facilities.

n. WIRELESS COMMUNICATION FACILITY, ATTACHED: shall mean a wireless communication facility that is affixed to an existing structure, e.g., an existing building wall or roof, mechanical equipment, tower or pole, water tank, utility pole, or light pole, that does not include an additional wireless communication support structure.

o. WIRELESS COMMUNICATION SUPPORT STRUCTURE: shall mean a new structure, tower, pole or mast erected to support wireless communication antennas and connecting appurtenances. Support structure types include, but are not limited to, monopoles, lattice towers, wood poles and guyed towers.

6. PERFORMANCE STANDARDS

a. EQUIPMENT. Mobile or immobile equipment not used in direct support of a personal wireless service facility shall not be stored or parked on the site of a personal wireless service facility unless repairs to such facility are being made. Back-up generators shall be operated only during power outages and for testing and maintenance purposes. Noise attenuation measures shall be included to reduce noise levels. Testing and maintenance of generators shall occur only on weekdays between the hours of 8:00 a.m. and 5:00 p.m.

b. LIGHTING. No signals or lights or illumination shall be permitted on a personal wireless service facility unless required by the Federal Communications Commission (FCC), the Federal Aviation Administration (FAA), or the Village. If illumination is required, the illumination alternative and design chosen must cause the least disturbance to the surrounding views. Furthermore, if a personal wireless service facility is illuminated with strobe lights, such lighting shall be modulated for daytime and night-time use.

c. SIGNS. No personal wireless service facility shall be used or serve as a sign or bear the advertising emblem or logo other than the name of the manufacturer or provider in letters or graphics not to exceed four (4) inches in height, or those required by the FCC.

d. AESTHETICS. Towers and antennas shall comply with the following requirements:

1. Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color so as to reduce visual obtrusiveness.

2. At a tower site, the design of the buildings and related structure shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend them into the natural settings and surrounding buildings.

3. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.

e. ANTENNAS ON EXISTING STRUCTURES. Any antenna which is not attached to a tower may be approved by the Village as an accessory use

to any commercial, industrial, professional, institutional, or multi-family structure of twenty-four (24) or more dwelling units, provided:

1. The antenna does not extend more than thirty (30) feet above the highest point of the structure;
2. The antenna complies with all applicable FCC and FAA regulations;
3. The antenna complies with all applicable building codes and safety standards as referenced in Section 4.4.4.F.6(g) and,
4. The antenna utilizes stealth design.

f. ANTENNAS ON EXISTING TOWERS. An antenna which is attached to an existing tower may be approved by the Village and, to minimize adverse visual impacts associated with the proliferation and clustering of towers, co-location of antennas by more than one carrier on existing towers shall take precedence over the construction of new towers, provided such co-location is accomplished in a manner consistent with the following:

1. A tower which is modified or reconstructed to accommodate the co-location of an additional antenna shall be of the same tower type as the existing tower, unless the Village allows reconstruction as a monopole.
2. HEIGHT.
   i. An existing tower may be modified or rebuilt to a taller height, not to exceed thirty (30) feet over the tower's existing height, to accommodate the co-location of an additional antenna provided the total height shall not exceed one hundred fifty (150) feet.
   ii. The height change referred to in this Subsection may only occur one time per communication tower.
   iii. The additional height referred to in Section 4.3.4.F.6(f)3(*i*) shall not require a distance separation. The tower's pre-modification height shall be used to calculate such distance separations.
3. ON-SITE LOCATION.
   i. A tower which is being rebuilt to accommodate the co-location of additional antenna may be moved onsite within fifty (50) feet of its existing location.
   ii. After the tower is rebuilt to accommodate co-location, only one tower may remain on the site.
   iii. A relocated onsite tower shall continue to be measured from the original tower location for purposes of calculating separation distances between towers. The relocation of tower hereunder shall in no way be deemed to cause a violation of this Ordinance.

g. BUILDING CODES/SAFETY STANDARDS. To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in the current and applicable state of local building codes and the applicable standards to towers that are published by the Electronic Industry Association, as amended from time to time. If, upon inspection, the Village concludes

that a tower fails to comply with such codes and standards and constitutes a danger to person or property, then upon notice being provided to the owner of the tower, the owner shall have thirty (30) days to bring such tower into compliance with such standards. Failure to bring such tower into compliance within the thirty (30) day period shall constitute grounds for removal of the tower or antenna at the owner's expense.

h. FRANCHISES. Owners and/or operators of towers or antennas shall certify that all franchises required by law for the construction and/or operation of a wireless communications system in the Village have been obtained and shall file a copy of all required franchises with the Village.

i. INVENTORY OF EXISTING SITES. Each applicant for an antenna and/or tower shall provide the Development Administrator an inventory of its existing towers, antennas, or sites approved for towers and antennas, that are either within the jurisdiction of the Village or within one and one-half (1½) miles of the border thereof, including specific information about the location, heights, and design of each tower. The Village may share such information with other applicants applying for administrative approvals of Special Use Permits under this Ordinance or other organizations seeking to locate antennas within the jurisdiction of the Village, provided, however that the Village is not, by sharing such information, in any way representing or warranting such sites are available or suitable.

j. LOT SIZE. For purposes of determining whether the installation of a tower or antenna complies with the district bulk regulations, including but limited to setback requirement, lot-coverage requirements, and other such requirements, the dimensions of the entire lot shall control, even though the antennas or towers may be located on leased parcels or easements within such lot.

k. MEASUREMENT. For purposes of measurement, tower setback and tower separation distances shall be calculated and applied to facilities located in the Village irrespective of municipal jurisdictional boundaries.

l. MULTIPLE ANTENNA/TOWER PLAN. The Village encourages all plans for tower and antenna sites to be submitted in a single application for approval of multiple towers and/or antenna sites. Applications for approval of multiple sites shall be given priority in the review process.

m. NOT ESSENTIAL SERVICES. Towers and antennas shall be regulated and permitted pursuant to this Ordinance and shall not be regulated or permitted as essential services, public utilities, or private utilities.

n. PRINCIPAL OR ACCESSORY USE. Antennas and towers may be considered principal or accessory uses. A different existing use of an existing structure on the same lot shall not preclude the installation of an antenna or tower on such lot.

o. STATE OR FEDERAL REQUIREMENTS. All towers must meet or exceed current standards or regulations of the FAA, the FCC, or any other agency of the state or federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this Ordinance shall bring such towers and antennas into compliance with such revised standards and regulations, unless a different compliance schedule is mandated by the controlling state of federal agency.

7. ADDITIONAL APPLICATION REQUIREMENTS. In addition to any information required for applications for Special Use Permits pursuant to Section 4.3.5(B), applicants for a Special Use Permit for a personal wireless service facility shall submit the following information:

   a. A scaled site plan clearly indicating the location, type and height of the proposed tower, on-site land uses and zoning, adjacent land uses and zoning (including when adjacent to other municipalities), Comprehensive Plan designation of the site and all adjoining, adjacent roadways, proposed means of access, setbacks from property lines, elevation drawings of the proposed tower and any other structures, topography, parking, and other information deemed by the Development Administrator to be necessary to assess compliance with this ordinance.

   b. Legal description of the parent tract and leased parcel (if applicable).

   c. The setback distance between the proposed tower and the nearest residential unit, platted residentially zoned properties, and unplatted residentially zoned properties.

   d. The separation distance from other towers described in the inventory of existing sites submitted pursuant to Section 4.3.4(F)(6)(i) shall be shown on an updated site plan or map. The applicant shall also identify the type of construction of the existing tower(s) and the owner/operator of the existing tower(s), if known.

   e. A landscape plan showing specific landscape materials.

   f. Method of fencing, and finished color and, if applicable, the method of camouflage and illumination.

   g. A description of compliance with Section 4.3.4(F)(6) and all applicable federal, state or local laws.

   h. A notarized statement by the applicant as to whether construction of the tower will accommodate co-location of additional antennas for future users.

   i. Identification of the entities providing the backhaul network for the tower(s) described in the application and other cellular sites owned or operated by the applicant in the municipality.

   j. A description of the suitability of the use of existing towers, other structures or alternative technology not requiring the use of towers or structures to provide the services to be provided through the use of the proposed new tower.

   k. A description of the feasible location(s) of future towers or antennas within the Village based upon existing physical, engineering, technological or geographical limitations in the event the proposed tower is erected.

8. FACTORS CONSIDERED IN GRANTING SPECIAL USE PERMIT FOR TOWERS. In addition to any standards for consideration of Special Use Permit applications pursuant to Article 4.3, the Plan Commission shall consider the following factors in determining whether to issue a Special Use permit, although the Plan Commission may waive or reduce the burden on the application of one or more of these criteria if the Plan Commission concludes that the goals of this ordinance are better served thereby:

   a. Height of the proposed tower;

b. Proximity of the tower to residential structures and residential district boundaries;

c. Nature of uses on adjacent and nearby properties;

d. Surrounding topography;

e. Surrounding tree coverage and foliage;

f. Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;

g. Proposed ingress and egress; and

h. AVAILABILITY OF SUITABLE EXISTING TOWERS, OTHER STRUCTURES, OR STEALTH DESIGN. No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the Plan Commission that not existing tower, structure or alternative technology that does not require the use of towers or structures can accommodate the applicant's a proposed antenna. An applicant shall submit information requested by the Plan Commission related to the availability of suitable existing towers, other structures or alternative technology. Evidence submitted to demonstrate that no existing tower, structure or alternative technology can accommodate the applicant's proposed antenna may consist of any of the following:

1. No existing towers or structures are located within the geographic area which meet applicant's engineering requirements.

2. Existing towers or structures are not of sufficient height to meet applicant's engineering requirements.

3. Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.

4. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna.

5. The fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.

6. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.

7. The applicant demonstrates that an alternative technology that does not require the use of towers or structures, such as a cable microcell network using multiple low-powered transmitters/ receivers attached to a wireline system, is unsuitable. Costs of alternative technology that exceed new tower or antenna development shall not be presumed to render the technology unsuitable.

C. ADULT-USE CANNABIS. *(Ord. #2019-23, 10.17.19)*

1. PURPOSE AND INTENT. It is the intent and purpose of this section to provide regulations regarding the cultivation, processing and dispensing of adult-use

cannabis occurring within the corporate limits of the Village of Richmond. Such facilities shall comply with all regulations provided in the Cannabis Regulation and Tax Act (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder, and the regulations provided below. In the event that the Cannabis Regulation and Tax Act is amended, the more restrictive of the state or local regulations shall apply.

2. APPLICABLE DISTRICTS AND OPERATIONS. Each adult-use cannabis business establishment, as defined herein, must, prior to commencement of such business, apply for and receive from the Village Board a Special Use Permit to operate an adult-use cannabis business establishment in the respective districts in which they are requested. Each adult-use cannabis business establishment must also comply with all applicable regulations or other zoning use designations in the zoning district in which the adult-use cannabis business establishment is located.

3. APPLICATION FOR SPECIAL USE PERMIT.

   a. In addition to the requirements of Section 4.3.5.B, the application for an adult-use cannabis business establishment shall also include the following:

      1. The application and any materials submitted to the State of Illinois to obtain an adult-use cannabis business establishment license;

      2. Petitioner(s) for a Special Use Permit for an adult-use cannabis business establishment shall file an affidavit with the Village affirming compliance with this Article 4.3, Special Uses, as provided herein and all other requirements of the Cannabis Regulation and Tax Act.

      3. Proposed signage for an adult-use cannabis business establishment, reviewed by the Community Development Committee pursuant to Article 6.8, shall be reviewed prior to review by the Plan Commission.

   b. In determining compliance with Section 4.3.5.B, the following components of an adult-use cannabis business establishment shall be evaluated based on the entirety of the circumstances affecting the particular property in the context of the existing and intended future use of the properties:

      1. Impact of the proposed facility on existing or planned uses located within the vicinity of the subject property.

      2. Proposed structure in which the facility will be located, including co-tenancy (if in a multi-tenant building), total square footage, security installations/security plan and building code compliance.

      3. Hours of operation and anticipated number of customers/ employees.

      4. Anticipated parking demand applicable to the district in which the business is located and available private parking supply.

5. Anticipated traffic generation in the context of adjacent roadway capacity and access to such roadways.

6. Site design, including access points and internal site circulation.

7. Proposed signage plan.

8. Compliance with all requirements provided in Section 4.3.8.C(4), as applicable.

9. Other criteria determined to be necessary to assess compliance with Article 4.3, Special Uses.

4. REQUIREMENTS AND CONDITIONS. It shall be unlawful for any person to operate, engage in, conduct or engage in any adult-use cannabis business establishment within the Village unless the property owner(s) and business operator(s) of the adult-use cannabis business establishment first obtains a Special Use Permit in addition to the appropriate zoning in the respective districts in which they are requested. Along with the base zoning requirements governing Special Use Permits, the following additional requirements shall be satisfied by adult-use cannabis business establishments and shall be included in any approved Special Use Permit:

a. The adult-use cannabis business establishment shall comply with the zoning, parking, development, and design standards applicable to the district in which the business is located.

b. An adult-use cannabis business establishment may not conduct any sales or distribution of cannabis other than as authorized by the Cannabis Regulation and Tax Act and the Compassionate Use of Medical Cannabis Program Act. *(Ord. 2026-21)*

c. An adult-use cannabis business establishment shall install building enhancements, such as security cameras, lighting or other improvements, as set forth in the special use permit, to ensure the safety of employees and customers of the adult-use cannabis business establishment, as well as its environs. Said improvements shall be determined based on the specific characteristics of the floor plan for the adult-use cannabis business establishment and the site on which it is located, consistent with the requirements of the Cannabis Regulation and Tax Act.

d. The Village may approve the co-location of an adult-use cannabis dispensing organization with an adult-use cannabis craft grower or an adult-use cannabis infuser organization or infuser, or both, subject to the provisions of the Cannabis Regulation and Tax Act and the Special Use Permit criteria within this Article 4.3. In a co-location, the floor space requirements of Section 4.3.8.C(4)(e)(1) and 4.3.8.C(4)(f) shall not apply, but the co-located establishments shall be the sole use of the space.

e. Adult-Use Cannabis Dispensing Organization:

1. In those zoning districts in which an adult-use cannabis dispensing organization may be located, the proposed facility must comply with the following:

    i. At least seventy-five percent (75%) of the floor area of any space occupied by an adult-use cannabis dispensing organization shall be devoted to the activities of the dispensing organization as authorized by the Cannabis Regulation and Tax Act.

    ii. On-site consumption of cannabis is prohibited.

    iii. The number of adult-use cannabis dispensing organizations shall be limited to one (1) within the Village. *(Ord. #2022-14)*

    iv. Drive-up services shall only be available between the hours of 6:00 a.m. and 9:00 p.m. *(Ord. 2026-21)*

2. Any adult-use cannabis dispensing organization lawfully established and operating within the Village may also operate and dispense cannabis pursuant to the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/1, *et seq*., provided that the adult-use cannabis dispensing organization obtains and maintains a corresponding Medical Cannabis Dispensing Organization License issued by the Illinois Department of Financial and Professional Regulation. The Medical Cannabis Dispensing Organization License shall apply only to the same entity and for the same address approved for the Adult-Use Cannabis Dispensing Organization License. Nothing in this section authorizes the sale or dispensing of medical cannabis without all licenses and approvals required by the State of Illinois. The suspension, revocation, expiration, or surrender of the corresponding Adult-Use Cannabis Dispensing Organization License shall terminate the authorization to operate and dispense cannabis pursuant to the Compassionate Use of Medical Cannabis Program Act. *(Ord. 2026-21)*

f. Adult-Use Cannabis Infuser Organization or Infuser: In those zoning districts in which an adult-use cannabis infuser organization or infuser may be located, at least seventy-five percent (75%) of the floor area of any space occupied by an adult-use cannabis infuser organization or infuser shall be devoted to the activities of the adult-use cannabis infuser organization or infuser as authorized by the Cannabis Regulation and Tax Act.

g. Adult-Use Cannabis Processing Organization or Processor: In those zoning districts in which an adult-use cannabis processing organization or processor may be located, at least seventy-five percent (75%) of the floor area of any space occupied by an adult-use cannabis processing organization or processor shall be devoted to the activities of the adult-use cannabis processing organization or processor as authorized by the Cannabis Regulation and Tax Act.

h. Adult-Use Cannabis Transporting Organization or Transporter: In those zoning districts in which an adult-use transporting organization or transporter may be located, the adult-use cannabis transporting organization or transporter shall be the sole use of the space in which it is located.

The foregoing applicable requirements of this section shall be deemed conditions of permit approval, and failure to comply with each and all of such requirements shall be grounds for revocation of the Special Use Permit.

6. LOCATION. No person shall cause or permit the operation of any proposed or existing adult-use cannabis business establishment adjacent within to the following minimum distances from the existing specified uses, measured from the nearest point of the adult-use cannabis business establishment's building to the nearest point of existing specified use's building: *(Ord. #2022-15)*

a. Educational institution, including a public or private nursery school, preschool, primary or secondary school, but learning centers and vocational/trade centers shall not be classified as a public or private school for purposes of this Section 4.3.8.C: 1,000 feet *(Ord. #2022-15)*

b. Dwelling in a residential zoning district: 300 feet *(Ord. #2022-15)*

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ARTICLE 4.4

PLANNED DEVELOPMENTS

4.4.1. Purpose. The development and execution of zoning regulations is based upon the division of the Village into districts in which the use of land and buildings and the bulk and location of buildings and structures in relation to the land are substantially uniform. It is recognized by the Village that new building typologies, procedures and relationships in land development are emerging and that the mixing of uses and variations in bulk regulations within districts can produce very satisfactory, desirable and lasting results, if properly designed and planned, without adverse influence upon surrounding property. The following standards are established to provide flexibility to encourage sound and imaginative design, and to guard against the use of the Planned Development technique solely as a means to intensify the use of land.

4.4.2. Objectives. The Planned Development is intended to encourage improved design in the development of land by providing relief from traditional zoning requirements which are designed for conventional development but which may cause undue hardship or complication for desirable but unconventional development, and to establish standards and procedures for the issuance of a Special Use Permit for a Planned Development in order to obtain the following objectives:

A. Environmental design in the development of land that is of a higher quality than is normally possible through the strict application of general zoning requirements.

B. Diversification in the use permitted and variation in the relationship of uses, structures, open spaces and heights of structures in developments conceived as cohesive unified projects.

C. Provision for functional and beneficial use of open space.

D. Preservation, to the greatest extent possible, of the archeological and historic resources and natural landscape features and amenities of a development site and to utilize such features in a harmonious fashion in the development.

E. Provision for a safe and desirable environment characterized by a sensitive and unified building and site development program.

F. Rational and economic development in relation to public services.

G. Creation of a variety of uses, in compatible arrangements, to provide a greater choice of living, employment and shopping environments.

H. Efficient use of land resulting in more economic networks of utilities, streets and other facilities.

I. Coordination of architectural styles, building forms and relationships, graphics and other private improvements.

4.4.3. Modification of District Regulations. Planned Developments shall be constructed in each zoning district as a Special Use subject to the standards and procedures set forth in this Article:

A. Except as modified by and approved in the ordinance approving a Final Development Plan, a Planned Development shall be governed by the regulations of the district or districts in which the said Planned Development is located.

B. The ordinance approving the Final Development Plan for the Planned Development may provide for such exceptions from the district regulations governing use, density, area, bulk, parking and signs, and the subdivision design standards as may be necessary or desirable to achieve the objectives of the proposed Planned Development, provided such exceptions are consistent with the standards and criteria contained in this Article. No modifications of district requirements or subdivision design standards may be allowed when such proposed modification would result in:

1. Inconvenient or unsafe access to the Planned Development.

2. Traffic congestion in the streets which adjoin the Planned Development.

3. An undue or disproportionate burden on public parks, recreational areas, fire and police protection, schools, and other public facilities which serve or are proposed to serve the Planned Development.

4. A development which will be incompatible with the purpose of this Title and the goals and objectives of the Richmond Comprehensive Plan;

5. Alteration, destruction, or diminution of natural landscape features such as floodplains, wetlands, fens, woodlands, prairie, rock outcroppings, seeps, springs, or steep slopes; and

6. Alteration, destruction of archeological and historic features.

C. The Plan Commission may recommend to the Village Board and the Village Board may grant a Special Use Permit which modifies the applicable district zoning regulations and subdivision regulations upon a written finding by the Plan Commission that the Planned Development meets the applicable objectives and standards and criteria contained in Section 4.4.2, Section 4.4.4, Section 4.4.5, Section 4.4.6, and Section 4.4.7 of this Chapter. Such written finding shall set out the reasons supporting each finding and shall support each of the following standards and the applicable provision of Section 4.4.2, Section 4.4.4, Section 4.4.5, Section 4.4.6, and Section 4.4.7 hereof.

4.4.4. General Standards and Criteria for Planned Developments. No Planned Development shall be authorized by the Village Board unless the Plan Commission shall find evidence establishing that:

A. The proposed development will not injure or damage the use, value and enjoyment of surrounding property nor hinder or prevent the development of surrounding property in accordance with the Richmond Comprehensive Plan.

B. The proposed development can be substantially completed within the period for time specified in the schedule of development submitted by the applicant.

C. The entire tract or parcel of land to be occupied by the proposed development shall be held in a single ownership, or if there are two or more owners, the application for such proposed development shall be filed jointly by all such owners.

D. The development plan shall contain such proposed covenants, easements and other provisions relating to the bulk and location of buildings, uses and structures and public facilities as are necessary for the welfare of the Planned Development and are not inconsistent with the best interests of the Village. Such covenants, easements and other provisions, when part of the approved final development, may be modified, removed or released only with the consent of the Village Board after a public hearing before, and recommendation by the Plan Commission as provided in this Article 4.4.

E. Sanitary sewers, storm sewers and water supply to service the development are adequate to serve the proposed development and will not reduce existing capacity below that necessary to serve existing developments, or overload local facilities beyond design capacity.

F. The location and arrangement of structures, parking areas, walks, lighting and appurtenant facilities is compatible with the surrounding land uses, and any part of a proposed development not used for structures, parking and loading areas, or access ways, is landscaped or otherwise improved.

G. The project area is adaptable to unified development and shall have within or through the area no physical features that will tend to destroy the neighborhood or community cohesiveness. There is no minimum project area for a Planned Development.

H. The uses permitted in the development are necessary or desirable and the need for such uses is clearly demonstrated by the applicant.

I. The dominant land use of the proposed Planned Development is consistent with the recommendations of the Richmond Comprehensive Plan for the area containing the project.

J. Any modifications of the standards and specifications of this Ordinance or other regulations that would otherwise be applicable to the site are warranted by the design of the development plan, and the amenities incorporated in it, and are not inconsistent with the public general welfare.

K. Exceptional landscaping features such as larger caliper, varied species and reduce spacing of trees and additional sodding above the minimum requirements specified in Article 6.6 is provided.

L. All proposed streets and driveways are adequate to serve the residents, occupants, visitors or other anticipated traffic of the Planned Development. Entrance points or locations of streets and driveways upon existing public roadways shall be subject to the approval of the Village, and if applicable, the McHenry County Highway Department, and the Illinois Department of Transportation. If traffic control devices are required to prevent or relieve hazards or congestion on adjacent streets and the proposed control device is not within the normal or scheduled sequence of installations, the Village Board may require, as a condition of approval of a proposed Planned Development, such devices to be provided at the developer's cost.

M. Off-street parking in conveniently accessible to all dwelling units and other uses in the Planned Development. Where appropriate, common driveways, parking areas, walks, and steps to parking and service areas are to be screened through ample of use of trees, shrubs, hedges, land forms and walls.

N. A pedestrian circulation network is provided.

O. The Planned Development provides for underground installation of utilities (including electricity and telecommunications) in public ways and private extensions thereof. Provisions shall be made for acceptable design and construction of storm sewer facilities including grading, gutter, piping and treatment of turf to handle storm water, prevent erosion and the formation of dust. Utilities and maintenance of facilities shall be in accordance with the requirements and regulations of the Village as set forth in this Ordinance.

P. The proposed Planned Development satisfies the applicable objectives as provided in Section 4.4.2.

Q. Existing ponds, creeks, rivers, lakes, wetlands or fens on or adjacent the Planned Development are enhanced and protected from development.

4.4.5. Application Procedures. All Planned Developments shall be processed and reviewed in four steps leading to approval for recording and construction: pre-application conference, concept development plan, preliminary development plan, and final development plan. Prior to beginning the Planned Development review process, the applicant is encouraged to obtain from the Village a copy of the Richmond Comprehensive Plan, the Unified Development Ordinance, and application forms. Applications shall be made on forms supplied by the Village and shall be made in accordance with the provisions of Chapter 4, except as specifically provided herein to the contrary.

A. PRE-APPLICATION CONFERENCE. Before submitting an application for Planned Development, the applicant shall confer with the Village staff and consultants as needed to informally discuss the proposed Planned Development to obtain information and guidance before entering into binding commitments or incurring substantial expense.

B. CONCEPT PLAN.

1. An applicant shall submit a Concept Plan in accordance with the provisions of this Title to the Village for tentative review and approval prior to incurring the expenses associated with formal site plan submission in order to discover whether the Village will accept, or under what circumstances the Village will accept, a Planned Development of the type proposed at the site. The following items shall be required:

a. Maps which are part of the Concept Plan may be in general form, and shall contain the proposed land uses, the natural features of the site, the character and approximate density of dwellings, and the approximate location of proposed thoroughfares and water, sewage and drainage systems.

b. The written statement shall contain a general explanation of the size and character of the Planned Development, including a statement of the present ownership of all the land within the Planned Development and expected schedule of construction.

2. The Plan Commission shall review the Concept Plan within thirty (30) days after receipt of such plan, and shall prepare a written report containing its recommendations to the Village Board and the applicant. Approval of the Concept Plan does not guarantee approval of the preliminary development plan.

3. The Village Board shall accept or reject the Plan Commission recommendation within thirty (30) days following the date of action by the Plan Commission.

C. PRELIMINARY DEVELOPMENT PLAN.

1. The Preliminary Development Plan shall contain all items required for a Preliminary Subdivision Plat as enumerated in Article 4.5. The following additional items shall also be required:

a. A plot plan for each building site and planned open area, showing the approximate location of all buildings, structures, and improvements and indicating the open space around the buildings and structures.

b. A preliminary drawing indicating the architectural character of all proposed structures and improvements. The drawings need not to be the result of final architectural decisions and need not to be in detail.

c. A development schedule indicating:

1. The approximate date when construction of the project can be expected to begin.

2. The stages in which the project will be built and the date when construction of each stage can be expected to begin;

3. The date when the development of each of the stages will be completed; and

4. The area and locations of planned open space that will be provided at each stage.

d. Proposed agreements, by-laws, provisions or covenants which govern the use, maintenance and continued protection of the Planned Development and any of its planned open space or other facilities.

e. A statement by the applicant demonstrating how the Planned Development conforms with the purpose and the standards and criteria of this Section.

f. If the Plan Commission finds that the Planned Development requires further in-depth review, the following information may be required:

1. A circulation diagram indicating the proposed movement of vehicles, goods and pedestrians within the development to and from existing Village thoroughfares.

2. A comprehensive drainage plan with analysis of the impact that the development creates on the site and on the surrounding area.

2. The Plan Commission shall review the Preliminary Development Plan and shall recommend whether it is in substantial compliance with the Concept Plan and whether it complies with all other standards in this Ordinance which were not considered when the Concept was approved.

3. Upon completion of the staff review, the Plan Commission shall, within sixty (60) days of receiving a Preliminary Development Plan, complete in all respects, hold a public hearing after due public notice and recommend to the Village Board the approval or denial of the proposed Planned Development. If the recommendation is to disapprove, the report shall set forth the findings of fact related to the specific proposal and shall set forth particularly in what respects the proposal would or would not be in the public interest, including, but not limited to, findings of fact on the following:

   a. In what respects the proposed plan is or is not consistent with the stated purpose of the Planned Development regulations.

   b. The extent to which the proposed Planned Development departs from the zoning and subdivision regulations otherwise applicable to the subject property, including, but not limited to, the density, dimension, area, bulk, use and the reasons why such departures are or are not in the public interest.

   c. The extent to which the proposed Planned Development meets the requirements and standards set forth in this Section 4.4.

   d. The physical design of the proposed Planned Development and the manner in which said design does or does not make adequate control over vehicular traffic, provide for and protect designated planned open space and schools, and further the amenities of light and air, recreation and visual enjoyment.

   e. The Planned Development's conformity with the recommendations of the Richmond Comprehensive Plan.

4. Within thirty (30) days of the Plan Commission recommendation, the Village Board shall approve, approve with modifications, or disapprove the Preliminary Development Plan.

5. No plats shall be recorded and no building permits issued in connection with a Planned Development until a Final Development Plan has been approved by the Village Board.

D. FINAL DEVELOPMENT PLAN.

1. Within one (1) year following the approval of the Preliminary Development Plan, the applicant shall file with the Village a Final Development Plan for the first phase of development, containing in final form the information required in the Preliminary Plan. The Final Development Plan shall also include all items required for a Final Subdivision Plat and final engineering as enumerated in Article 4.5. In addition, the following items shall be required:

   a. A final land use plan, suitable for recording with the McHenry County Recorded of Deeds. The purpose of the Final Development Plan is to designate the land subdivided into lots as well as the division of other lands not so treated into planned open area and building areas, and to designate and limit the specific internal uses of each building or structures, as well as of the land in general.

   b. If subdivided lands are included in the Planned Development, a subdivision plat of all subdivided lands in the same form and meeting all the requirements of a subdivision plat.

c. An accurate legal description of each separate unsubdivided use area, including planned open space.

d. Designation of the location of all buildings to be constructed, and a designation of the uses for which each building is designated.

e. Final agreements, by-laws, provisions or covenants which govern the use, maintenance and continued protection of the Planned Development and any of its planned open space or other facilities conveyed to a homeowners association or similar organization.

f. Final development and construction schedule.

g. Final architectural elevations for all structures and amenities, such as fences and walls, street furniture, and the like.

2. The Final Development Plan shall be approved as follows:

a. The Plan Commission shall, within thirty (30) days of receiving a Final Development Plan application, recommend approval if it is in substantial compliance with the Preliminary Development Plan. The Plan commission shall certify to the Village Board that the Final Development Plan is in conformity with the previously filed Preliminary Development Plan and meets all the requirements for a Final Development Plan.

b. If the Plan Commission finds that the Final Development Plan does not substantially conform to the Preliminary Development Plan or that it does not meet the requirements for a Final Development Plan, it shall so notify the applicant and the Village Board in writing within thirty (30) days of receipt of a completed Final Development Plan.

c. The Village Board shall approve the Final Development Plan if it is in conformance with the Preliminary Development Plan and meets all the requirements for a Final Development Plan. It shall pass an appropriate ordinance granting the Special Use Permit.

E. COMBINED PRELIMINARY AND FINAL DEVELOPMENT PLAN. The Village may consider a combined application for preliminary and final development plan approval. In such instance the final development plan shall include all of the information required of a preliminary development plan and a final development plan.

4.4.6. Administration of Planned Developments.

A. FAILURE TO BEGIN DEVELOPMENT. If no substantial construction has begun or no use established in the Planned Development within the time stated in the approved final development plan and construction schedule, the Special Use Permit for the Planned Development shall lapse upon written notice to the applicant from the Village Board and shall be of no further effect. The land use and development regulations applicable before the Special Use Permit for Planned Development was approved shall then be in effect. In its discretion and for good cause, the Village Board may extend for a reasonable time, not to exceed one (1) year, the period from the beginning of construction or the establishment of a use, provided such extension is granted during the original period.

B. PERMITS**.**

1. The Development Administrator shall approve the issuance of permits for site or building construction for that part of the development plan that has been approved in the area covered by the approved Final Development Plan for work in conformity with the approved Final Development Plan and with all other applicable ordinances and regulations.

2. A certificate of occupancy for any completed building or structure located in an area covered by the approved Final Development Plan shall be issued if the

completed building or structure conforms to the requirements of the approved Final Development Plan and all other applicable regulations and ordinances of the Village. The Village reserves the right to deny approval of an occupancy permit for any building or structure shown on the Final Development Plan of any stage of the Planned Development if any planned open space or public facilities allocated to that stage of the development have not been conveyed by dedication, deed or other means to the proper authorities.

C. ENFORCEMENT OF DEVELOPMENT SCHEDULE.

1. The Development Administrator shall periodically review all permits issued for the Planned Development, examine all construction that has taken place on the Planned Development site, and compare actual development with the approved development schedule.

2. If the Development Administrator shall find that the owners of the property in the Planned Development area have failed to meet the approved development schedule, or that the rate of construction of dwelling units is greater than the rate at which planned open space and public and recreational facilities have been constructed and provided, the Development Administrator shall notify the Plan Commission and Village Board in writing.

3. Within thirty (30) days of such notice, the Village Board shall either revoke the Special Use Permit, and the land shall revert to its former classification, or, for good cause shown by the landowner, the limits of the development schedule shall be extended for a reasonable time.

D. AMENDING THE FINAL DEVELOPMENT PLAN. No changes may be made to the approved Final Development Plan during the construction of the Planned Development except upon the application to the appropriate agency under the following procedures:

1. Minor changes in the location, siting and height of buildings and structures may be authorized by the Plan Commission if required by engineering or other circumstances not foreseen at the time the Final Development Plan was approved. No change authorized by this Section may increase the cube of any building or structure by more than ten-percent (10%).

2. All other changes, in time schedule and in use, any rearrangement of lots, blocks and building tracts, any changes in the provision of planned open space and all other changes in the approved Final Development Plan shall be made by the Village Board, upon recommendation of the Plan Commission, under the procedure authorized by this Title for approval of the Special Use Permit.

3. Any changes approved shall be recorded as amendments to the recorded copy of the Final Development Plan.

E. POST-COMPLETION REGULATIONS.

1. Upon completion of the Planned Development, and as a condition of the Village's acceptance of the final public improvements, the Development Administrator shall certify said Planned Development has been completed in accordance with the approved Final Development Plan.

2. After said Certification has been issued, the uses of land and construction, modification or alteration of any buildings or structures within the Planned Development shall be governed by any other provision of this Title.

3. After said Certification has been issued, no changes may be made in the approved Final Development Plan except upon application to the Village under the procedures for seeking changes or amendments, Special Uses and variations with respect to the Richmond Unified Development Ordinance, as set out in this Title.

Article 4.5

SUBDIVISION PLATS AND DEVELOPMENT PLANS PROCEDURES

4.5.1. Purpose. This Article establishes the procedure to be followed by a landowner or developer who proposes to subdivide or develop any land subject to the terms of this Title. Although separate requirements are specified for subdivisions and developments regulated by this Title, to the extent feasible Applicants are urged to consolidate petitions for subdivision, development, zoning or annexation in one proceeding. It encourages Applicants to review concept plans with the Village's staff and consultants and the Plan Commission before filing a preliminary plat or plan. This Article identifies the contents of preliminary and final plats, plans and supporting data. This Article enumerates standards governing decision making hereunder and establishes a review process, which consists of the following steps: pre-application meeting, Site Analysis, Concept Plan, Preliminary Subdivision Plat/Development Plan, final engineering, and Final Subdivision Plat/Development Plan.

4.5.2. Conservation Design Practices Required. Any subdivision and development of land in the Village and within the Village's statutory 1-1/2 mile extra-territorial planning jurisdiction shall be designed using the application of conservation design principles and practices. It is the objective of this Title to encourage more efficient use of land and public services through unified development in order to protect and to enhance the biodiversity of the ecosystem in the Village's planning jurisdiction. To this end, the Village will consider development and subdivision of land provided that open space is established that when linked together will permit preservation of habitat for flora and fauna; preserve land for farming operations; provide linkages for local and regional trail systems; provide for conservation and renewal of water resources; and, conservation of hilly terrain, wetlands, prairies, woodlands, and other unique natural features that contribute to and are part of the diversity of the natural ecosystem in Richmond and contribute to the community character.

4.5.3. Major and Minor Subdivisions. For the purposes of this Article, there are hereby established two classes of subdivision: major subdivisions and minor subdivisions, and are described as follows:

A. MAJOR SUBDIVISIONS. Major subdivisions require the approval of a concept plan, preliminary plat and a final plat as required by Sections 4.5.3, 4.5.4, and 4.5.6 of this Article. A major subdivision is one having one or more of the following characteristics:

1. The subdivision has four (4) lots or more.
2. The total area of the subdivision is greater than five (5) acres in size.
3. There are proposed public streets, alleys, easements, parks, common areas
4. There are required improvements to be made within a public right-of-way other than concrete sidewalks, landscaping, monuments, storm sewers, and lateral extensions of sanitary sewers and water mains.
5. There are variances or exceptions requested from this Title.
6. The subject property is being designed and developed as a Planned Development.

B. MINOR SUBDIVISIONS. Minor subdivisions require only approval of a final plat in accordance with the requirements contained in Section 4.5.6. A minor subdivision has all of the following characteristics:

1. The subdivision has not more than three (3) lots.
2. There are no buildings or significant structures on the land to be subdivided.
3. The total area of the subdivision is less than five (5) acres.

4. There are no new proposed dedicated streets, alleys, easements, parks or common areas, except streets and alleys adjacent the frontage of the subject property.

5. Except for concrete sidewalks, landscaping, monuments, lateral extensions of sanitary and storm sewers, water mains, there are no other required improvements to be made in the public right-of-way.

6. No variances or exceptions from this Title are requested.

4.5.4. Pre-Application Meeting. Prior to filing any application for a Site Analysis, Concept Plan, subdivision plat, or development plan the subdivider or developer shall meet with the Development Administrator unless the pre-application meeting has been waived by the Development Administrator. This meeting requires no application, fees or filing plans. At the pre-application meeting the Development Administrator shall review with the subdivider or developer the following issues as they relate to the proposed subdivision or development: general planning and development policies of the Village; existing zoning and land use in the general area of the subject property; the Village's procedures for subdivision and development of land; and, other pertinent factors.

4.5.5. The Site Analysis. Prior to preparing a Concept Plan, development plan or subdivision plat, the Applicant shall prepare and submit to the Development Administrator a site analysis for the purpose of determining what existing conditions or features located on the site are desirable to preserve and protect and identify natural and man-made conditions or features which present obstacles that must be considered and overcome in the proposed design. Conservation design practices are required on all parcels of land regardless whether any natural areas or natural resources are present on or adjacent the property.

A. SITE ANALYSIS REQUIRED INFORMATION. The site analysis shall include a graphic inventory of all existing natural and man-made features located on the site. At minimum, the site analysis shall include a map(s) drawn at a scale of no less than one inch equals 100 feet that depict the following:

1. A topographic survey that extends a minimum of two hundred (200) feet outside the boundaries of the site with a vertical contour interval of two feet or less identifying all areas with slopes of more than twelve-percent (12%), including the location of all property lines and easements.

2. A drainage analysis showing the direction of existing drainage patterns and drainage divides including any floodplain and wetland areas and a topography map indicating what watershed the site is located in.

3. A delineation showing any woodlands at the drip line that form a biological community dominated by trees having an average canopy height greater than twenty (20) feet and other woody plants covering a land area of at least ten thousand (10,000) square feet and generally characterized by a tree density of one hundred (100) or more trees per acre with at least fifty-percent (50%) of such trees having a diameter at breast height (4.5 feet above ground level) of two (2) inches or greater. An orchard or tree nursery is not considered woodland for purposes of this Section. The predominant tree species within the woodland shall be identified.

4. The location of all Protected Trees (as defined in the Article 6.12) on the site; for purposes of this Section, a specimen tree is a tree in good health that is of unusual or exceptional form, size, age or shape for its species and/or occupying a significant position within the site (individual specimen trees should be identified as to species, size and health).

5. A vegetation analysis showing and identifying any hedgerows, meadows and prairies, and farm land. Vegetation should be identified as evergreen or

deciduous with the relative health and condition indicated. The predominant species of vegetation in a hedgerow should be identified.

6. A soils analysis showing the location of general soil types, highlighting hydric soils.

7. The boundaries and characteristic of any primary or secondary environmental corridor and isolated natural resource area as identified in the Village Comprehensive Plan, or other appropriate plan or ordinance adopted by the Village shall be identified.

8. The location of any historic or cultural features.

9. The location of all existing buildings and structures indicating their use and condition.

10. The location and classification of all existing streets adjacent to the site.

11. The use and existing conditions of all other properties surrounding the site within two hundred (200) feet identifying any potential open space or trail connections.

12. No new lot lines or road right-of-way shall be shown on the Site Analysis.

13. Upon review, Village Staff may require that additional areas be included or that additional information be provided to supplement the above minimum required information.

B. PROCEDURES FOR REVIEW OF THE SITE ANALYSIS.

1. Village Staff Review. Within fourteen (14) days after receipt of an application, the Development Administrator shall determine the completeness of the application and shall notify the Applicant in writing that the application for Site Analysis approval has or has not been accepted for review. If the application is determined to be incomplete the Development Administrator shall include in his written notice the reasons why the application is not complete and how the Applicant can make the application acceptable for submission and distribution. Only upon receipt of a complete application shall the Development Administrator distribute copies of the application and supporting documents to such Village staff, consultants, and outside agencies as deemed appropriate for review and comment concerning compliance with Village development goals and requirements. Within fourteen (14) days of receipt of the complete application, the Development Administrator shall advise the Applicant, in writing, that the concept plan conforms or fails to conform to the requirements of the Village Comprehensive Plan, the Unified Development Ordinance, or other provisions of the Municipal Code. If the concept plan fails to conform, the Development Administrator shall specify the reasons the Concept Plan fails to satisfy Village development goals and requirements.

2. Delineation of Preservation Areas. Upon the Applicant's receipt of notice that the Applicant's Site Analysis has been approved, Applicant shall meet with the Development Administrator, and others as may be deemed necessary by the Development Administrator, to determine the areas on the property to be set aside as Preservation Areas, Protected Areas, and Development Areas:

   a. Preservation Areas. Preservation Areas are those portions of the site that shall be set aside for permanent protection. Preservation Areas shall include (*i*) all areas that are protected through Local, State, and Federal regulations such as floodplains, floodway and wetlands; (*ii*) environmentally sensitive areas that connect to a Village, Township or County park or forest preserve or conservation area; (*iii*) the area of woodlands at the drip line, structures and features of the site that

contribute to the character of the site and the community; and, (*iv*) economically viable farmland that can be used as a buffer or edge treatment and/or combined with other farmland on adjoining property to form a viable tract for farming operations.

b. Protected Areas. Protected Areas are those portions of the site that shall be set aside for limited development. Protected Areas shall include all areas that are likely to be locations of storm water management improvements, or offer vista and/or view opportunities. Development in Protected Areas is not prohibited but will be limited in use and density.

c. Development Areas. Development Areas are those portions of the site on which development will be permitted.

3. Site Capacity. Only upon agreement of the designation of Preservation Areas shall the calculation of the site capacity (or the number of dwelling units permitted) be determined. The Applicant shall determine the net buildable acreage by subtracting from the gross acreage of the property the following conditions or attributes, substantiated by sufficient plans and data to verify such calculations (all site capacity calculations shall be to two (2) decimal places):

a. Existing streets and utility rights-of-way/easements
b. Floodplain
c. Wetland
d. Existing pond, lake or stream (at high water level)
e. Slopes greater than twelve percent (12%)
f. Fifty percent (50%) of any woodlands

The maximum number of lots that may be developed on a site is determined by dividing the net buildable acreage by the permitted density for the underlying land use classification as set forth in the Richmond Comprehensive Plan or as may be established by the Village Board. The maximum number of lots shall be subject to modification based upon the design requirements set forth in this Title. All fractional numbers of lots shall be rounded to the nearest whole integer. For purposes of calculating site capacity, where two (2) or more conditions or attributes overlap, the overlapping acreage shall be counted only once using the more restrictive classification.

4.5.6. The Concept Plan. In order to discuss the general purpose of the subdivision or development in the context of the Site Analysis and established planning policies and practices of the Village and to ensure that required data is properly prepared and presented before expending the time and money in preparation and review of a preliminary plat or plan, any person desiring to subdivide or develop land subject to this Article before filing a preliminary plat or development plan or seeking annexation or rezoning, shall file a concept plan of the subdivision or development with the Development Administrator.

A. PROCEDURES FOR REVIEW OF THE CONCEPT PLAN.

1. VILLAGE STAFF REVIEW OF CONCEPT PLAN. Within five (5) business days after receipt of an application, the Development Administrator shall determine the completeness of the application and shall notify the applicant in writing that the application has or has not been accepted for review. If the application is determined to be incomplete the Development Administrator shall include in his written notice the reasons why the application is not complete and how the applicant can make the application acceptable for submission and distribution. Only upon receipt of a complete application shall the Development Administrator distribute copies of the application and supporting documents to such Village staff, consultants, and outside agencies as deemed appropriate for review and comment concerning compliance with Village development goals and requirements. Within fourteen (14) days of receipt of the complete

application, the Development Administrator shall advise the applicant, in writing, that the concept plan conforms or fails to conform to the requirements of the Village Comprehensive Plan, the Unified Development Ordinance, or other provisions of the Municipal Code. If the concept plan fails to conform, the Development Administrator shall specify the reasons the Concept Plan fails to satisfy Village development goals and requirements.

2. PLAN COMMISSION REVIEW OF CONCEPT PLAN. Upon receipt of all the material required by Section 4.5.6(B) for the Concept Plan, the Development Administrator shall circulate the concept plan to the Plan Commission. The Plan Commission shall place the matter on its agenda and shall serve notice upon the Applicant of the time and place of its meeting at which said matter will be discussed. The Plan Commission shall forward its written report to the Village Board recommending support or non-support of the Concept Plan within sixty (60) days from the date of the filing of a complete application. If the recommendation is not to support, the report shall set forth the reasons for its failure to support and specify with particularity the aspects in which the proposed Concept Plan fails to satisfy Village development goals and requirements.

3. VILLAGE BOARD REVIEW OF CONCEPT PLAN. The Village Board, by resolution, shall accept or reject the Concept Plan within thirty (30) days after its next regularly scheduled meeting following the date of action of the Plan Commission. If it rejects the Concept Plan, the resolution shall set forth the reasons for its disapproval and specify with particularity the aspects in which the proposed Concept Plan fails to satisfy Village development goals and requirements.

4. EFFECT OF VILLAGE BOARD APPROVAL OF CONCEPT PLAN. Approval of the concept plan by the Village Board shall not obligate the Village to approve the subsequent preliminary plat or plan, but shall be considered permission to prepare the preliminary plat or plan with detailed plans and specifications for the proposed subdivision or development.

5. EXPIRATION. The approval of the Concept Plan shall be effective for no more than one (1) year from the date of approval unless, upon written request by the Applicant, the Village Board grants an extension of time for an additional one (1) year.

6. VILLAGE RECORD. A certified copy of the resolution approving or disapproving the concept plan shall be filed in the office of the Village Clerk and shall be attached to said Concept Plan.

B. CONTENTS OF THE CONCEPT PLAN. Any person proposing to subdivide or develop any parcel of land shall file with the Development Administrator a Concept Plan in a quantity and form as required by the Development Administrator. The Concept Plan shall include the following:

1. GENERAL INFORMATION.

   a. Name of the proposed subdivision or development.

   b. A location map showing its location in the Village.

   c. Acreage and zoning classification of the proposed subdivision and the number of lots.

   d. The names and addresses of adjoining property owners, and the zoning classifications of adjacent property

   e. Name, address and telephone number of the owner, subdivider, engineer, and any other contact person.

f. A north arrow and scale, recommended scale is one inch equal to one hundred feet (1"=100").

2. EXISTING CONDITIONS. The following conditions, if found to exist on the parcel and on all adjacent land within one hundred (100) feet of the boundaries of the subject property, shall be shown on an Existing Conditions Exhibit which shall be a separate drawing from the preliminary plat.

a. The location, width and names of all streets within or adjacent the parcel together with easements, public utility and railroad rights-of-way, and other important features such as adjacent lot lines, municipal boundary lines, section lines, corners and monuments.

b. The location of all existing structures, showing those that will remain on the parcel after the final plat is recorded.

c. Topographic data, including contour lines at vertical intervals of not more than two (2) feet with reference to USGS datum or at a more frequent interval if required by the Development Administrator for land having unusual topography

d. The location and direction of all seeps, springs, flowings and wells; lakes, ponds, wetlands and any detention basins showing their normal shorelines, flood limits and lines of inflow and outflow, if any; and, watercourses and the location of all areas subject to flooding, including the flow lines of streams and channels showing their normal shorelines and the one hundred (100) year floodplain and floodway limits certified by either the Illinois State water Survey, the Illinois Department of Transportation, the Army Corps of Engineers, or by the National Flood Insurance Program Maps.

e. Natural features such as rock outcroppings, wooded areas, and trees greater than six (6) inches in diameter as measured at breast height.

f. The location and size of existing sanitary and storm sewers, water mains, culverts, drain pipes, catch basins, manholes, hydrants within the parcel and in adjacent streets or rights-of-ways, and fire flow information from the proposed source.

g. Present uses of the subject property including the location of all existing structures, showing those that will be removed and those that will remain on the subject property after the development is complete.

h. The location on and within one hundred (100) feet of the subject property of all property lines, easements of record; the uses, zoning and ownership of all parcels; railroads, bridges, culverts, storm sewers, sanitary sewers, water main, detention/retention facilities, also indicating surface and invert grade elevations of catch basins, manholes, culverts and fire hydrants; existing buildings and their use(s) and their future disposition; buried structures; and, location of significant natural features and areas of likely archaeological significance or habitat for endangered flora and fauna species.

i. The location and elevation of any floodplain as shown on the Federal Emergency Management Administration's flood boundary and floodway maps.

j. The approximate location of all existing land uses, structures, facilities and wooded areas on the subject property proposed to be retained or demolished on and within one hundred (100) feet of the property

3. PROPOSED DEVELOPMENT AND IMPROVEMENTS.

a. Arrangement of proposed lots, parks, and common areas

b. Proposed location and width of street right-of-way, street pavement, alleys, and their relationship to the existing adjacent street system

c. Proposed location and size of sanitary sewers, storm sewers, water mains, detention areas and their relationship to existing public utilities

It is advisable that the subdivider contact other agencies, as appropriate, to obtain their requirements that may affect the proposed subdivision. Such agencies include the Illinois Department of Transportation c/o District engineer; McHenry County Highway Department; Water Resource Division (DNR); State of Illinois Environmental Protection Agency; State of Illinois Historic Preservation Agency; State of Illinois Department of Natural Resources; and, local public utility companies.

The concept plan shall contain such information as suggested by the Development Administrator in order to delineate, explain or convey the concept of the subdivision or proposed development.

4.5.7. The Preliminary Subdivision Plat or Development Plan. No person shall subdivide or develop any parcel of land until a preliminary subdivision plat or development plan shall have been reviewed and recommended by the Plan Commission and approved by the Village Board as set forth herein. At the time the Concept Plan is approved the Development Administrator may authorize the simultaneous filing of an application for preliminary and final subdivision subdivision plat or development plan approvals without compliance with separate procedures in particular cases where the nature and scope of the proposed subdivision or development does not require separate review procedures.

A. PROCEDURES FOR REVIEWING THE PRELIMINARY SUBDIVISION PLAT OR DEVELOPMENT PLAN.

1. VILLAGE STAFF REVIEW OF PRELIMINARY PLAT/PLAN. Upon receipt of a complete application, the Development Administrator shall distribute copies of the application and supporting documents to such Village staff and consultants as appropriate for review and comment concerning compliance with Village requirements. Within fourteen (14) days of receipt of the complete application, the Development Administrator shall advise the applicant, in writing, that the preliminary plat/plan conforms or fails to conform to the requirements of this Chapter or other provisions of the Municipal Code. If the preliminary plat/plan fails to conform, the Development Administrator shall specify the reasons the preliminary plat/plan fails to satisfy Village development goals and requirements of this Title.

2. PLAN COMMISSION REVIEW OF PRELIMINARY PLAT/PLAN. Upon receipt of all the material required under Section 4.5.7(C) for the preliminary plat, the Development Administrator shall circulate the preliminary plat/plan to the Plan Commission. The Plan Commission shall place the matter on its agenda and shall serve notice upon the Applicant of the time and place of its meeting at which said matter will be discussed. The Plan Commission shall forward its written report to the Village Board recommending approval or disapproval of the preliminary plat/plan within sixty (60) days from the date of the filing of a complete application. If the recommendation is to disapprove, the report shall set forth the reasons for its disapproval and specify with particularity the aspects in which the proposed plat/plan or plan fails to satisfy Village development goals and requirements of this Title.

3. VILLAGE BOARD REVIEW OF PRELIMINARY PLAT/PLAN. The Village Board, by resolution, shall accept or reject the preliminary plat/plan within thirty (30) days after its next regularly scheduled meeting following the date of action of the Plan Commission. If it rejects the plat/plan, the resolution shall set forth the reasons for its disapproval and specify with particularity the aspects in which the

proposed plat/plan fails to satisfy Village development goals and requirements of this Title.

4. EFFECT OF VILLAGE BOARD APPROVAL OF PRELIMINARY PLAT/PLAN. Approval of the preliminary plat by the Village Board shall not qualify the plat/plan for recording, but shall be considered permission to prepare the final plat/plan with detailed plans and specifications for the proposed subdivision or development.

5. EXPIRATION. Such preliminary approval shall be effective for no more than one (1) year from the date of approval unless, upon written request by the Applicant, the Village Board grants an extension of time for any additional one (1) year.

6. VILLAGE RECORD. A certified copy of the resolution approving or disapproving the preliminary plat/plan shall be filed in the office of the Village Clerk and shall be attached to said preliminary plat/plan.

B. STANDARDS FOR REVIEW OF PRELIMINARY SUBDIVISION PLAT OR DEVELOPMENT PLAN. The Plan Commission shall recommend approval and the Village Board shall approve a preliminary plat/plan of subdivision unless it makes written findings specifying the manner in which:

1. The design and layout of the subdivision does not conform to the provisions of this Title.

2. The Applicant has not made adequate provision to install improvements required by the Plan Commission or Village Board under authority of this Title.

3. The preliminary subdivision plat or development plan fails to comply with an approved Concept Plan.

4. The plat does not conform with the Comprehensive Plan, the Official Map, this Title, Village ordinances, or established planning and development policies of the Village.

C. CONTENTS OF PRELIMINARY SUBDIVISION PLAT OR DEVELOPMENT PLAN. Any person proposing to subdivide any parcel of land shall file with the Development Administrator a preliminary plat in a quantity and form as required by the Development Administrator. The preliminary plat or development plan shall include the following:

1. GENERAL INFORMATION. The following general information, where applicable, shall be shown on the preliminary plat or development plan.

a. The name of the proposed subdivision and shall include the words "(Subdivider's Name)'s Addition to Richmond" in the name and shall not duplicate or resemble the name of any existing subdivision within the Village or the Township in which the subject property is located.

b. Date of preparation, north arrow, and graphic scale of drawing which shall be no less than 1 inch = 200 feet for areas over one hundred (100) acres and 1 inch = 100 feet for areas under one hundred (100) acres.

c. An identification clearly stating that the map is a preliminary subdivision plat or development plan.

d. Legal description of the parcel.

e. The name and address of the record owner, the Applicant, the surveyor, licensed professional engineer, land planner, or architect who prepared the plat or development plan.

f. A vicinity map showing the general location of the parcel within the Village and environs.

g. Completed application form signed by the owner of the land to be subdivided or developed and the required application fees.

h. The name and address of the owners of record of all adjacent parcels.

i. A Table of Subdivision Data indicating the number of lots; the total acreage of the property stated in hundredths (0.01) of an acre; the acreage of any public open spaces; the acreage of all right-of-way; the minimum lot size stated in square feet; the average lot size; and, the existing and proposed zoning.

2. EXISTING CONDITIONS. The following conditions, if found to exist on the parcel and on all adjacent land within one hundred (100) feet of the boundaries of the subject property, shall be shown on an Existing Conditions Exhibit which shall be a separate drawing from the preliminary plat.

a. The location, width and names of all streets within or adjacent the parcel together with easements, public utility and railroad rights-of-way, and other important features such as adjacent lot lines, municipal boundary lines, section lines, corners and monuments.

b. The location of all existing structures, showing those that will remain on the parcel after the final plat is recorded.

c. Topographic data, including contour lines at vertical intervals of not more than two (2) feet with reference to USGS datum or at a more frequent interval if required by the Development Administrator for land having unusual topography

d. The location and direction of all rivers, seeps, springs, flowings and wells; lakes, ponds, wetlands and any detention basins showing their normal shorelines, flood limits and lines of inflow and outflow, if any; and, watercourses and the location of all areas subject to flooding, including the flow lines of rivers, streams and channels showing their normal shorelines and the 100-year floodplain and floodway limits certified by either the Illinois State Water Survey, the Illinois Department of Transportation, the Army Corps of Engineers, or by the National Flood Insurance Rate Program.

e. Natural features such as rock outcroppings, wooded areas, and trees greater than six (6) inches in diameter as measured at breast height.

f. A map showing the location, size, material, and condition of all agriculture drain tile and laterals on the property. To determine this, an investigation shall be conducted making rational assumptions as to where tiles are typically located based on the topography of the site. A slit trench by backhoe or tractor shall be a minimum of three (3) feet wide, five (5) feet deep and six (6) feet in length. To fully map field tile locations, slit trench excavation and field staking should occur at a minimum one hundred (100) foot intervals with confirmation of the route between each interval through the use of additional slit trench, hand probes, or electronic location devices.

g. The location and size of existing sanitary and storm sewers, water mains, culverts, drain pipes, catch basins, manholes, hydrants within the parcel and in adjacent streets or rights-of-ways, and fire flow information from the proposed source.

h. Zoning classifications of the subject property and of adjacent lands.

i. Present uses of the subject property including the location of all existing structures, indicating which structures will be removed and which will remain on the subject property after the development is complete.

j. The location on and within one hundred (100) feet of the subject property of all property lines, easements of record; the uses, zoning and

ownership of all parcels; railroads, bridges, culverts, storm sewers, sanitary sewers, water main, detention/retention facilities, also indicating surface and invert grade elevations of catch basins, manholes, culverts and fire hydrants; existing buildings and their use(s) and foundation elevations and their future disposition; buried structures; and, location of significant natural features and areas of likely archaeological significance or habitat for endangered flora and fauna species.

k. The location and elevation of any floodplain as shown on the Federal Emergency Management Administration's flood boundary and floodway maps.

l. A copy of the wetland delineation report.

m. The locations of existing monuments or survey markers on or adjacent the subject property.

n. The location and description of all other existing improvements, including, but not limited to, culverts, towers, poles, and other above ground and underground utilities.

3. PROPOSED IMPROVEMENTS. The following improvements, if proposed or required, shall be shown on the plat or in supporting documents:

a. The location, dimension and names of all proposed street and alley right-of-ways. The preliminary plat or development plan shall show the relationship between existing and proposed streets.

b. Lots showing approximate dimensions, minimum lot sizes and proposed lot numbers.

c. Sites to be dedicated for school, park, playground or other public purposes, together with appropriate acreage of each.

d. Proposed building setback lines with dimensions.

e. If the proposed subdivision will be constructed in phases, the limits and location of proposed units shall be shown.

f. The location, dimensions and area (in square feet) of all proposed lots.

g. Lot and block numbers clearly shown.

h. The location, dimension and purpose of all proposed easements.

4. SUPPORTING DATA. The following supporting data shall be submitted in separate statements and/or maps accompanying the preliminary plat/plan, or, if practical, such data may be shown on the preliminary plat/plan.

a. Proof of ownership of the parcel and Applicant's interest therein. Include names of all parties with beneficial interest in trusts and options to purchase.

b. Existing or proposed annexation agreements which pertain to the parcel.

c. A list of all lot sizes.

d. Text of proposed covenants and conditions restricting or controlling use of the subject property.

e. A copy of the Natural Resources Opinion Report from the McHenry and/or McHenry County Soil and Water Conservation District.

f. A copy of the Illinois Department of Natural Resources' Endangered Species Consultation application.

g. A comprehensive drainage plan with analysis of the impact that the development creates on the site and on the surrounding area.

h. Proposed agreements, by-laws, provisions or covenant which govern the use, maintenance and continued protection of the subdivision and any of its planned open spaces or other facilities as may be required.

i. Traffic impact study if required by the Village Board after receiving a recommendation from the Village Engineer.

j. The results of any tests made to ascertain subsurface rock and soil conditions and characteristics, and the seasonal water table.

k. An executed copy of the Preliminary Plat/Plan Checklist indicating all of the items provided on the preliminary plat or in the supporting documents submitted.

5. PRELIMINARY ENGINEERING REPORT. A Preliminary Engineering Report shall be submitted along with the Preliminary Subdivision Plat or Development Plan to provide supplemental engineering data regarding factors that will affect the final design of the subdivision or development. The Preliminary Engineering Report may be a separate drawing showing. Items to be addressed specifically in the Preliminary Engineering Report include.

a. A comprehensive storm water management plan for the land to be subdivided, including the general alignments of the proposed storm sewer system, points of connection of existing storm sewer systems, detention (or retention), stage/storage relationship of the discharge structure to identify the varying release rates due to inlet and outlet control, off-site areas of contribution, points at which off-site flows will be intercepted, and all the necessary maps, computations and field data supporting the engineer's storm water management plan. The proposed storm water management plan shall identify an overland flow route to accommodate flows in excess of storm sewer design level.

b. The location, normal and high water elevations, and outflow of proposed storm water management facilities.

c. Proposed site grading, and a statement that the subdivider or developer will provide such temporary facilities during construction as are necessary or required to prevent soil erosion or the siltation of watercourses, and that adequate measures will be taken during construction for dust control. The subdivider or developer shall also agree to clean and restore streams, ditches or watercourses of any kind if protective measures prove inadequate.

d. Location and description of all existing and proposed sanitary and storm sewers, water mains, wells, lift stations, and culverts along with an appropriate schedule of calculations supporting the quantity of flow, sewer sizing and grades, as well as population equivalent for the subdivision in its developed state.

e. The location, size and inverts of all existing and proposed storm sewers, bridges, culverts, drain tiles, drainage ways, ditches, creeks or rivers on the site, or within one hundred (100) feet of the site.

f. The location and size of existing and proposed water main to be installed within the proposed subdivision, along with general hydrant and valve spacing.

g. When a lift station is required, supporting documentation regarding its size (gpm), pumping heads, (TDH), force main size, general description

of the control system, description of the alternate power source, and the location and accessibility of the station.

h. The structural design (thickness and material types) to be used for the construction of the road way system, projected traffic volumes, soils data and IBR values shall be submitted to support the roadway design including widths, crown, thickness, type of curb and gutter. This information and data can be represented by a typical section for each street type to be constructed.

i. The size, dimensions and location of miscellaneous items such as parkway trees, street lights, sidewalks, bike paths and driveway approaches shall be identified in the report and shown in typical section and/or typical plan view drawings.

6. The applicant shall submit copies of each plat, plan, map and supporting document required by this section in a number prescribed by the Development Administrator. All drawings, plans and reports submitted to the Village shall be folded to approximately nine (9) inches by twelve (12) inches.

4.5.8. Engineering Approval. Before submitting the final plat/plan for review, the Applicant shall submit engineering plans, details and specifications, and an estimate of cost for all proposed improvements regulated by Chapter 6 hereof for approval of the Village Engineer.

A. Upon the approval of preliminary plat/plan, the Applicant shall have prepared and certified by a licensed professional engineer, construction plans, details, calculations, specifications and quantities of materials (the "engineering drawings") for said improvements which shall be submitted in a form and in a number of copies as required by the Village Engineer.

B. The Village Engineer shall review all engineering drawings in order to determine whether such drawings are consistent with the approved preliminary plat/plan and comply with the specifications of this Title and sound engineering practice. Such engineering drawings shall be distributed to such Village staff, consultants and other persons as may be necessary. Within thirty (30) days after receipt of a complete set of the required plans, details or specifications, the Village Engineer shall review said plans, details or specifications and, if they are in compliance with the preliminary plat and this Article, shall forward the same to the Development Administrator with an Advisory Report that they so conform and comply. In the event that the plans, details or specifications do not so conform or comply, the Village Engineer shall notify the Applicant and Development Administrator with an Advisory Report which outlines the specific manner in which they do not so conform or comply. The Advisory Report shall be submitted within the said thirty (30) day period.

C. The Plan Commission shall not act upon the final plat/plan until the engineering plans have been reviewed by the Village Engineer and an Advisory Report of compliance or non-compliance has been received by the Development Administrator.

4.5.9. The Final Subdivision Plat or Development Plan. No person shall subdivide or develop any parcel of land or Planned Development until a final plat/development plan (the "final plat/plan") shall have been reviewed by the Plan Commission and reviewed and approved by the Village Board as set forth herein.

A. PROCEDURES FOR REVIEWING THE FINAL SUBDIVISION PLAT OR DEVELOPMENT PLAN.

1. VILLAGE STAFF REVIEW. Within five (5) business days after receipt of an application, the Development Administrator shall determine the completeness of the application and shall notify the applicant in writing that the application has or has not been accepted for review. If the application is determined to be incomplete the Development Administrator shall include in his written notice the reasons why the application is not complete and how the applicant can make

the application acceptable for submission and distribution. Only upon receipt of a complete application shall the Development Administrator distribute copies of the application and supporting documents to such Village staff, consultants, and outside agencies as deemed appropriate for review and comment concerning compliance with Village development goals and requirements. Within fourteen (14) days of receipt of the complete application, the Development Administrator shall advise the applicant, in writing, that the Final Plat/Plan conforms or fails to conform to the requirements of this Title or the approved preliminary plat/plan. If the final plat/plan fails to conform, the Development Administrator shall specify with particularity the manner in which the final plat/plan or plan fails to satisfy Village development goals and requirements.

2. PLAN COMMISSION REVIEW. Upon receipt of the complete final plat/plan, the Development Administrator shall circulate the final plat/plan among various Village departments for their review and comment. The Plan Commission shall place the matter on its agenda and serve notice upon the Applicant of the time and place of its meeting at which said matter will be discussed. The Plan Commission shall forward its written report to the Village Board recommending approval or disapproval, of the final plat/plan. If the recommendation is to disapprove, the report shall set forth the reasons for its disapproval, specifying with particularity the manner in which the proposed plat/plan or plan fails to satisfy Village development goals and requirements.

3. ACTION BY THE VILLAGE BOARD. After receiving the final recommendation of the Plan Commission, the Village Board shall approve or disapprove the final plat/plan within sixty (60) days from the date of the final recommendation by the Plan Commission unless the Applicant and the Village Board agree to extend the sixty (60) day period. If the final plat/plan is disapproved, the resolution shall state the reasons for the disapproval, specifying with particularity the aspects in which the final plat or plan fails to satisfy Village development goals and requirements.

4. VILLAGE RECORD. A certified copy of the resolution approving or disapproving the final plat/plan shall be filed in the office of the Village Clerk attached to said final plat/plan. The final subdivision plat or development plan, together with all covenants and restrictions shall be promptly recorded by the Village Clerk with the McHenry County Recorder's office. A copy thereof, bearing the certificate of the Recorder that the plat/plan has been recorder in his office and that the copy is a true and correct copy of the plat/plan so recorded shall be promptly thereafter filed in the Village Clerk's office. All recording fees shall be paid by the Applicant.

B. STANDARDS FOR REVIEW OF A FINAL SUBDIVISION PLAT OR DEVELOPMENT PLAN. The Plan Commission shall recommend approval and the Village Board shall approve a final plat/plan unless it makes written findings specifying the manner in which:

1. The design and layout of the subdivision does not conform to the provisions of this Title.

2. The Applicant has not made adequate provision to install improvements required by the Plan Commission or Village Board under authority of this Title.

3. The final s plat/plan fails to comply with an approved preliminary plat/plan.

4. The plat/plan does not conform to the Comprehensive Plan, the Official Map, this Chapter, Village ordinances, or established planning policies of the Village.

C. CONTENTS OF FINAL PLAT/PLAN. Within one (1) year after receiving preliminary plat/plan approval by the Village Board, the Applicant shall file with the Development Administrator a final plat/plan in a quantity and form as required by the Development

Administrator. The final plat/plan may include all or only part of the approved preliminary plat/plan. The final plat/plan shall include the following:

1. GENERAL INFORMATION. The following general information, where applicable, shall be shown on the final plat/plan:

   a. The date of preparation, north point, and a graphic scale. The scale of the drawing shall be no less than 1 inch = 200 feet for areas over one hundred (100) acres and 1 inch = 100 feet for areas under one hundred (100) acres. The final plat/plan shall be drawn with a waterproof, non-fading black ink on mylar or equivalent drafting material no more than twenty-four (24) inches by thirty-six (36) inches in size. When more than one sheet is used for any plat/plan, each sheet must be numbered consecutively. A small scale drawing of the subdivision or development shall be shown on the first sheet, identifying portions of the subdivision according to its respective sheet number. The subdivider/developer shall provide the plat/plan in a digital format acceptable to the Village.

   b. Legal description of the parcel, the parcel's acreage and property index numbers. The legal description should note that the parcel is in Richmond, Illinois.

   c. The name and address of the Illinois registered surveyor who prepared the plat with his seal affixed.

   d. Reference points of existing surveys identified and/or related to the plat by distances and bearing, and reference to a field book or map as follows:

      1. All stakes, monuments or other evidence found on the ground and used to determine the boundaries of the parcel.

      2. Adjoining corners of all adjoining parcels.

      3. When the Village has established the centerline of the street adjacent or within the proposed parcel, the location of such centerline and monument found or reset shall be shown.

      4. All other monuments found or established in making the survey of the parcel or required to be installed by the provisions of this Chapter or by an Act revising the law of plats, adopted March 21, 1874, as amended, Illinois Revised Statutes Chapter 109.

      5. All property corners will be staked. A minimum of two major corners of the subdivision shall be monumented with stone or concrete markers.

   e. Lot and block lines with dimensions, bearings or deflection angles, and radii, arcs, points of curvature and tangent bearings. Sufficient geometrical data shall be given for all lots to enable retracement and restoration of all corner positions in the field.

   f. All distances shall be shown to the nearest hundredth (0.01) foot. No ditto marks shall be used. Angles shall be expressed in degrees, minutes and seconds.

   g. The width of the portion of any streets being dedicated and the width of any existing rights-of-way, all shown each side of the centerline.

   h. All curve data shall consist of radius, degree of curve, tangent length, and central angle.

i. All easements shall be denoted by fine dotted lines, clearly identified, and if already of record, the recorder's references to such easement. The width of the easement, its length and bearing, and sufficient ties to locate it definitely with respect to the plat must be shown. If an easement is not precisely located of record, a description of such easement shall be included. If the easement is being dedicated by the map, it shall be properly referenced in the owner's certificate for identification.

j. Lot and block numbers beginning with the number one, and numbered consecutively.

k. Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purpose indicated thereon, and of any area to be reserved by deed covenant for common use of all property owners.

l. The name of each street shown on the plat.

m. The name of the subdivision.

n. Grantees of all lands dedicated for public use, except roads, shall be clearly noted.

o. Abutting highway and road right-of-way lines and adjacent subdivisions shall be shown in their proper location.

p. If the subdivision borders on a lake or stream, the distances and directions of a meander line established not less than twenty (20) feet back from the average high water mark of the lake or stream, as determined from flood hazard maps or other data, with said distances noted.

q. All restrictions which will run with the land and covenants, or references to covenants where declared separately.

r. The following certificates. All signatures shall be no more than ninety (90) days old.

1. SURVEYOR'S CERTIFICATE.

This is to certify that I, _____, an Illinois Professional Land Surveyor, have surveyed, subdivided and platted for the owners thereof the following described property:

(*Legal Description*)

. . . containing ____._____ acres more or less.

I further certify that iron stakes have been set at all lot corners, points of curvature and tangency, except where concrete monuments are indicated, and that the plat hereon drawn correctly represents said survey and subdivision. All dimensions are given in feet and decimal parts thereof.

I further certify that the foregoing property falls within the corporate limits of the Village of Richmond, and I further certify that no part of said property is situated within a flood hazard area, as per National Flood Insurance Program, Flood Insurance Rate Map, Community Panel Number _____, effective date _____.

Dated at _____ , Illinois, this _____ day of _____, 20 __ .

(SURVEYOR COMPANY NAME)

ILLINOIS LAND SURVEYOR NO. _____

2. OWNER'S CERTIFICATE.

STATE OF ILLINOIS)
) SS
COUNTY OF MCHENRY)

This is to certify that _____ is the owner of the land described in the foregoing Surveyor's Certificate and has caused the same to be surveyed, subdivided and platted as shown on the annexed plat for the uses and purposes therein set forth as allowed and provided by statute, the subdivision to be known as " _____," Village of Richmond, McHenry County, Illinois and does hereby acknowledge and adopt same under the aforesaid style and title.

Dated this ___ day of _____, 20_____.

BY: _____
OWNER(S)

ATTEST:
_____

3. NOTARY CERTIFICATE.

STATE OF ILLINOIS)
) SS
COUNTY OF MCHENRY)

I, _____, a notary public in and for the aforesaid State and County do hereby certify that _____ _____, personally known to me to be the same person(s), whose name(s) is(are) subscribed to the foregoing certificate as such owner(s), appeared before me this day in person and acknowledged the execution of the annexed plat and accompanying instruments for the uses and purposes therein set forth as his(their) own free and voluntary act.

Given under my hand and Notarial Seal this __ day of _____, 20_____.

_____
NOTARY PUBLIC

4. COUNTY CLERK CERTIFICATE.

STATE OF ILLINOIS)
) SS
COUNTY OF MCHENRY)

I, _____, County Clerk of McHenry County, Illinois, do hereby certify that there are no delinquent general taxes, no unpaid current taxes or special assessments, no unpaid forfeited taxes, and no redeemable tax sales against any of the land included in this plat. I further certify that I have received all statutory fees in connection with the plat.

Given under my name and seal of the county Clerk at Sycamore, Illinois, this _____ day of _____ , 20 ___.

_____
COUNTY CLERK

5. RECORDER CERTIFICATE.

STATE OF ILLINOIS)
) SS
COUNTY OF MCHENRY)

This instrument No. _____, was filed for record in the Recorder's Office of McHenry County, Illinois, on the _____ day of _____, 20 ___, at _____ o'clock __ .m.

_____
COUNTY RECORDER

6. VILLAGE BOARD CERTIFICATE.

STATE OF ILLINOIS)
) SS
COUNTY OF MCHENRY)

Plat approved by the Village Board of the Village of Richmond this _____ day of _____ A.D. 20 ___.

BY: _____
PRESIDENT

ATTEST:

_____
VILLAGE CLERK

7. VILLAGE TREASURER CERTIFICATE.

STATE OF ILLINOIS)
) SS
COUNTY OF MCHENRY)

I, _____ , Treasurer for the Village of Richmond, McHenry County, Illinois, do hereby certify that there are no delinquent or unpaid current or forfeited special assessments or any deferred installments thereof that have been apportioned against the tract of land included on this plat

Dated this _____ day of _____ . 20 ___.

BY: _____
VILLAGE TREASURER

8. SURFACE WATER CERTIFICATE (Grading Plan Only).

STATE OF ILLINOIS)
) SS
COUNTY OF MCHENRY)

We hereby certify that the topographical and profile studies required by the Illinois Plat Act, Illinois Revised Statutes Chapter 109, 2 *et seq*., as now or hereafter amended, have been filed with the Village of Richmond, McHenry County, Illinois, and to the best of our knowledge and belief the drainage or surface waters will not be changed by the construction of such subdivision or any part thereof, or, that if such surface water drainage will be changed, reasonable provision has been made for collection and diversion of such surface waters into public areas, or drains which the subdivider has a right to use, and that such surface waters will be planned for in accordance with generally accepted engineering practices so as to reduce the likelihood of damage to adjoining properties because of the construction of the subdivision.

Dated this _____ day of _____, 20 _____ .

_____ _____
Registered Professional Engineer Certificate No.

_____
Owner(s) or Duly Authorized Attorney

9. COUNTY HIGHWAY CERTIFICATE. Required when subdivision is adjacent a County highway.

STATE OF ILLINOIS)
) SS
COUNTY OF MCHENRY)

This plat has been approved by the McHenry County Highway Department with respect to access to County Highway No. ____ , also known as (Street Name) , pursuant to Illinois Revised State Statutes, Chapter 109, Paragraph 2; however, a highway permit for access is required of the owner of the property prior to construction within the County right-of-way.

Dated this _____ day of _____ . 20 ___.

BY: _____
COUNTY ENGINEER

10. ILLINOIS DEPARTMENT OF TRANSPORTATION CERTIFICATE. Required for subdivisions adjacent a State highway.

STATE OF ILLINOIS)
) SS
COUNTY OF MCHENRY)

Approved this _____ day of _____ 20 ___ , as to roadway access to State Highway No. _____ also known as _____.

BY: _____
DISTRICT ENGINEER
ILLINOIS DEPARTMENT OF TRANSPORTATION

11. VILLAGE UTILITY EASEMENTS

A perpetual easement appurtenant is hereby granted to the Village of Richmond, McHenry County, Illinois, its successors and assigns, over, upon, across, through and under those portions of the above described real estate designated Public Utility Easement on this plat for the purpose of installing, laying, constructing, operating, maintaining, repairing, renewing, and replacing water mains, and sanitary sewer lines, storm sewer lines, street light cable, and any other Village utilities, together with all appurtenant structures, including, but not limited to, manholes, wet wells, lift stations, fire hydrants, valve vaults, and any and all other fixtures and equipment required for the purpose of serving the above described real estate with water service, sanitary sewer service, storm water collection, street lighting, and other municipal services and for the purpose of providing ingress and egress from the property shown hereon for emergency vehicles of any and all types whatsoever. In no event shall any permanent building be placed upon said easement areas, but they may be used for gardens, shrubs, landscaping and such other purposes that do not, and will not in the future, interfere unreasonably with easement rights herein granted to the Village of Richmond.

12. DRAINAGE EASEMENTS

A permanent non-exclusive easement is hereby reserved for and granted to the Village of Richmond (hereinafter "the Grantee"), and to its successors and assigns in, upon, across, over, under and through the areas shown by dashed lines and labeled "Drainage Easement" on this plat of subdivision, or where otherwise noted in the above legend for the purpose of installing, constructing, inspecting, operating, replacing, renewing, altering, enlarging, removing, repairing, cleaning, and maintaining storm sewers, drainage ways, storm water detention and retention facilities, subsurface drainage systems and appurtenances, and any and all manholes, pipes, connections, catch basins, and without limitations, such other installations as the Grantee may deem necessary, together with the right of access across the real estate platted hereon for the necessary personnel and equipment to do any or all of the above work.

In furtherance of the foregoing affirmative rights, the following covenants shall run with said land in perpetuity:

- No permanent buildings shall be placed on said drainage easements;
- No trees or shrubs shall be placed on said drainage easement, but the premises may be used for landscaping, and other purposes that do not then or later interfere with the aforesaid uses and rights;
- There shall be no dredged or fill material placed upon said drainage easement; and,
- Fences shall not be erected upon said drainage easements in any way which will restrict the uses herein granted.

The right is also hereby granted to the Grantee to remove any buildings or structures, to cut down, trim or remove any trees, fences, shrubs or other plants that interfere with the operation of or access to such drainage facilities in, on, upon, across, under or through said drainage easements.

The Grantee shall not be responsible for replacement of any such buildings, structures, improvements, fences, gardens, shrubs or landscaping removed during exercise of the herein given rights. Replacement of items so removed shall be the responsibility of the then lot owner.

Where drainage easements are also used for electric, telephone, cable television, or natural gas distribution systems or components, such other utility installations shall be subject to the prior approval of the Village of Richmond so as not to interfere with the maintenance of gravity flow and stabilization of vegetation ground cover on the above-mentioned drainage facilities.

2. SUPPORTING DATA. The following supporting data, where applicable, shall be supplied in separate statements or maps, or, if practical, may be shown on the final plat/plan.

   a. A note on the plat/plan stating that Village ordinances supersede any private covenants and restrictions.

   b. A certificate signed and acknowledged by all parties having any interest in the land, dedicating all parcels of land intended for any public use.

   c. Letter of permission from the surveyor to record said plat or plan.

3. GUARANTEES. The Applicant shall provide in a form acceptable to the Village a subdivision improvement guarantee in the manner prescribed in Article 4.7 of this Title

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Article 4.6

Variations and Appeals

4.6.1. Variations

A. AUTHORIZATION. The Hearing Officer or Plan Commission may recommend and the Village Board may authorize such variations from the terms of this Title as are hereinafter set forth in harmony with their purpose and intent as will not be contrary to the public interest. Variations may be authorized only on the specific instances enumerated in Section 4.6.1(D) and then only when the Hearing Officer or Plan Commission has made findings of fact, based upon the standards set out in Section 4.6.1(E) that owing to special conditions a literal enforcement of the provisions of this Title will, in an individual case, result in practical difficulties or particular hardship for the owner, lessee or occupant of land or a structure.

B. APPLICATION FOR VARIATION. An application for a variation shall be filed with the Development Administrator who shall forward without delay a copy to the Hearing Officer for variations governed by Section 4.6.1(D)2. The application shall contain the following information as well as such additional information as may be prescribed by rule of the Hearing Officer or Village Board:

1. The particular requirements of this Title which prevent the proposed use or construction;
2. The characteristics of the subject property which prevent compliance with said requirements of this Title;
3. The reduction of the minimum requirements of this Title which would be necessary to permit the proposed use or construction; and,
4. The practical difficulty or particular hardship which would result if said particular requirements of this Title were applied to the subject property.

C. Hearing and Notice. No variation shall be recommended by the Hearing Officer except after a public hearing of which notification of time and place of hearing shall be provided. The required hearing shall be held within 30 days of receipt by the Development Administrator of the application for variation. The Hearing Officer shall select a reasonable time and place for the hearing, all within the limitations imposed by Section 4.6.1-(E) of this Title. Public notice of such hearing shall be published at least once, but not less than 15 days nor more than 30 days before such hearing, in one or more newspapers published in the Village, or, if no newspaper is published therein, then in one or more newspapers with a general circulation within the Village. Such notice shall contain the date, time and place of the hearing, the common street address or addresses of all the property involved, the property index number ("PIN") or numbers of all the parcels of real property contained in the affected area and a brief description of the relief sought. Written notice shall be mailed to all owners of property abutting or lying across a street, railroad right-of-way, stream or river, or an alley from the property subject to the variation request. Any party of interest may appear and be heard at the hearing in person, by agent, or by attorney. *(Ordinance 2012-03; adopted April 19, 2012)*

D. AUTHORIZED VARIATIONS.

1. The Village Board may grant variations from the regulations of this Title upon recommendation by the Hearing Officer or the Plan Commission after due notice and hearing as set forth in Section 4.6.1(C) and then only in accordance with the standards set out in Section 4.6.1(E) or Section 4.4.
2. The Hearing Officer may recommend variations from the regulations of this Title be granted, but only in accordance with the standards set out in Section 4.4.1(E), and may be granted only in the following instances, and in no others:

a. To vary the applicable lot area, lot width, and lot depth requirements, subject to the following limitations:

1. The minimum lot width and lot depth requirements shall not be reduced more than twenty-five percent (25%).

2. The minimum lot area for a single family or two-family dwelling shall not be reduced more than (20%).

3. The minimum lot area per dwelling unit required for multiple family dwellings shall not be reduced so as to permit more dwelling units than would be permitted by strict application of minimum lot area requirements.

b. To vary the applicable bulk regulations, including maximum height, lot coverage, building coverage and minimum yard requirements in Section 6.2.2, and lots standards, building placement standards and vertical standards in Section 6.5.1(A) and Section 6.5.1(B).

c. To vary the applicable off-street parking and off-street loading requirements contained in Article 6.7 of this Title, except those in Section 6.7.5, Schedule of Required Parking.

d. To vary the regulations relating to restoration of damaged or destroyed non-conforming structures contained in Article 3 of this Title.

e. To vary the regulations relating to signs contained in Article 6.8.

3. The Plan Commission may recommend variations from the requirements of this Title be granted but only in accordance with the standards set forth in Article 4.4 relating to the use, construction or alteration of buildings or structures, or the use of land. *(Ord. 2026-06)*

E. STANDARDS FOR VARIATIONS

1. The regulations of this Title shall not be varied unless the Hearing Officer shall make findings of fact based upon the evidence as presented that:

a. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations of the district in which it is located.

b. The proposed variation will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship which will result if the strict letter of the regulations were carried out and which is not generally applicable to property within the same district.

c. The alleged hardship has not been directly created by any person presently having a proprietary interest in the premises.

d. The proposed variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood.

e. The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, or endanger the public safety.

f. The proposed variation will not alter the essential character of the locality.

g. The proposed variation is in harmony with the spirit and intent of this Title.

h. The existence of any non-conformity anywhere in the Village shall not itself be considered grounds for granting a variation for other property.

2. CONDITIONS. The Hearing Officer, Plan Commission or the Village Board may impose such conditions and restrictions upon the location, construction, design and use of the property benefited by a variation as may be necessary or appropriate to comply with the foregoing standards and to protect adjacent property and property values.

F. FINDINGS OF FACT. No variations shall be recommended or granted unless said variation is granted by means of a conclusion or statement of relief granted, supported by findings of fact, which statement and findings shall be transmitted to the applicant not less than thirty-five (35) days from the date for the decision thereon.

1. The findings of fact shall specify the reason or reasons for making the variation, and shall refer to any exhibits containing plans and specifications for the proposed variation which have been made a part of the application or which were introduced at the public hearing as evidence. Such exhibits shall remain part of the permanent record of the Hearing Officer.

2. The terms of relief granted shall be specifically set forth in conclusions or statements separate from the findings of fact.

G. DECISIONS FOR VARIATIONS. The Hearing Officer shall consider the variation request and shall recommend whether the variation should be granted. The Hearing Officer shall transmit his findings of fact and recommendation to the Village Board within the time limitations established in Section 4.6.1(F), hereof. However, the Hearing Officer upon his own motion, or the applicant upon his own motion, may each extend the period of time provided for in the said Section 4.6.1(F) for a period not to exceed thirty (30) days per extension.

H. ACTION BY THE VILLAGE BOARD. Within thirty (30) days of receipt of the Hearing Officer recommendation, the Village Board shall approve, approve with modifications, or disapprove the variation request unless the period of time specified by Section 4.6.1(F) has been extended by the Hearing Officer.

I. NOTICE OF DECISION. All final orders, requirements, and decisions of the Village Board shall be in the form of an ordinance. A copy of the ordinance approving the variation shall be transmitted by the Village Clerk to the applicant within five (5) business days of the Village Board's final action.

J. PERIOD OF VALIDITY. No decision granting a variation shall be valid for a period longer than six (6) months from the date of such decision unless:

1. An application for a zoning certificate is obtained within such period and construction, reconstruction, moving and remodeling is started, or

2. An occupancy certificate is obtained and a use is commenced.

The Village Board may grant additional extensions of time not exceeding one-hundred eighty (180) days each, upon written application made within the initial six (6) month period without further notice or hearing, but said right to so extent said time shall not include the right to grant additional relief by expanding the scope of the variation. Nothing in this Section shall limit or affect the validity of a variation granted under the terms of this Section 4.6.1 if the relief sought and obtained herein does not require the issuance of a zoning or occupancy certificate or the commencement of use, construction, reconstruction, moving or remodeling.

4.6.2. Appeals. An appeal to the Hearing Officer may be made by any person, firm, or corporation, or by any office, department, board, bureau aggrieved by a decision of the Development Administrator under this Title in accordance with Illinois Compiled Statutes and the following:

A. APPLICATION. An application for an appeal shall be filed with the Development Administrator within five (5) days of the date of the action from which the appeal is being filed, and thereafter the Development Administrator shall forward such application to the Hearing Officer for processing. The Development Administrator shall forthwith

transmit to the Hearing Officer all the papers, plans and correspondence constituting the record upon which the action appealed from was taken.

B. EFFECT OF APPLICATION FOR APPEAL. The appeal stays all the proceedings in furtherance of the action appealed from, unless the Development Administrator certifies to the Hearing Officer after the notice of appeal has been filed with the Hearing Officer, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property, in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Hearing Officer or by a court of record on application, on notice to the Development Administrator and on due cause shown.

C. HEARING AND NOTICE. The Hearing Officer shall fix a reasonable time for the hearing of the appeal and give due notice thereof to the parties and decide the same within a reasonable time. Said hearing shall be held within thirty (30) days of receipt by the Development Administrator of the application for appeal. Any party of interest may appear and be heard at the hearing in person by agent, or by attorney.

D. DECISIONS. The Hearing Officer may affirm or may reverse wholly or in part, or may modify the order, requirement, decision, or determination as in his opinion ought to be done or made on the premises, and to that end shall have all of the powers of the office from which the appeal was taken.

Article 4.7

Public Improvement Guarantees and Acceptance Procedures

4.7.1. Purpose and Intent. In order to guarantee the completion of public improvements, including parks and common areas, and the performance of all other obligations required by these regulations, no final plat of subdivision or final development plan shall be approved, no plat of subdivision shall be recorded, and no installation or construction of such improvements shall commence until the requirements of this Article 4.7 have been satisfactorily provided. The requirements of this Article 4.7 shall also apply to construction of public improvements within the Village's one and one-half (1½) mile extraterritorial jurisdiction unless the Village obtains written evidence from the developer that the developer has provided the other applicable governmental unit with security equivalent to that required under this section for the completion of such improvements.

4.7.2. Guarantee Amount. The amount of the performance guarantee shall cover all construction costs for public improvements and all costs for performing the obligations for which this Part requires financial security. The guarantee shall be in the amounts of one hundred fifty-percent (150%) of the estimated construction cost of all public improvements and one hundred fifty-percent (150%) of the performance of all other obligations which may be secured to be approved by the Village Engineer unless the developer or subdivider can show that certain costs have already been paid or construction has been satisfactorily completed. Estimates of cost for public improvements shall be provided by the subdivider's or developer's engineer. Public improvement guarantees shall be submitted to the Village Clerk.

4.7.3. Security Methods. One of the following security methods shall be utilized to guarantee the completion of public improvements and the performance of all other obligations for which financial security is required by this Part:

A. LETTER OF CREDIT

1. FORM: The developer or subdivider shall file an irrevocable letter of credit issued by any financial institution approved by the Village Attorney, in accordance with guidelines established by the Village Board. The irrevocable letter of credit shall be in substantially and substantively the same written form as the sample irrevocable letter of credit provided in Appendix A.

2. TERMS: The letter of credit shall be in an amount sufficient to pay for the cost of one hundred and one hundred fifty-percent (150%) construction of all public improvements, landscaping for single family and multiple family residential development and all non-residential development, and all other obligations for which the developer or subdivider is required to provide financial pursuant to these regulations, any annexation agreement or any performance guarantee agreement. The letter of credit shall provide that the issuing bank or financial institution shall honor Village drafts for such amounts as may be required to complete the improvements and perform the relevant obligations according to the approved specifications and these regulations. The letter of credit should provide that its amount will be reduced from time to time as payments for improvements approved by the Village Engineer are made, but at no time shall the available balance be less than ten percent (10%) of the total original principal balance plus the estimated cost to complete the required public or private improvements and to perform any other obligations for which the developer or subdivider is required to provide financial security pursuant to these regulations, any annexation agreement, or any performance guarantee agreement.

3. TIME LIMIT: The letter of credit shall be irrevocable for at least twelve (12) months and shall have an expiration date of not less than ninety (90) days after

the date of completion specified for the improvements or other obligations guaranteed thereby. The letter of credit shall automatically be renewed for additional periods of one (1) year unless the bank or issuing financial institution notifies the Village Clerk ninety (90) days prior to the expiration date that it does not intend to renew.

B. OTHER METHODS. The Village Board may from time to time consider the use of other security methods, and shall amend these regulations to approve any such other method that it finds to provide substantially equivalent security for the completion of public improvements and performance of other obligations for which financial security is required.

4.7.4. Insufficient Fund Balance. If, at any time before the construction of all required improvements and the completion of performance of all other obligations for which financial security is required under these regulations, any annexation agreement or performance guarantee agreement has been completed, the balance of funds remaining not disbursed under any irrevocable letter of credit or other guarantee provided in accordance with this section is not sufficient, in the sole judgment of the Village Engineer, to cover the costs of construction of said improvements and the performance of said obligations or if by reason of any order, decree or write of any court, or for any other reason, the said non-disbursed balance of funds shall be withheld, diminished or otherwise unavailable for the purposes provided herein, the developer or subdivider agrees to cause the balance to be increased to such amount as shall be required by the Village for such purposed, in the exercise of its judgment, or shall provide such other and further irrevocable letter of credit or guarantee of performance as may be required by the Village to cover said insufficiency.

4.7.5. Time Limit. All performance guarantees shall provide that if the required improvements are not installed within one (1) year of approval of the final plat of subdivision or development plan, or a period of time otherwise specified in an applicable agreement between the Village and developer or subdivider, the Village may deem the developer or subdivider to be in default, and may proceed in accordance with Section 4.7.6.

4.7.6. Default. In the event the Village Engineer determines, in the sole exercise of his judgment, that the developer or subdivider has failed to install proposed improvements in accordance with the approved plans and specifications, or has failed to perform the other obligations secured hereunder, the Village Board may take the following action: Advise the developer or subdivider in writing of the failure to install improvements, and give the developer or subdivider thirty (30) days to cure such failure. If the developer or subdivider fails to cure said failure, the Village may, at its option, declare the developer or subdivider in default, and all monies necessary to cure such default may be drawn on by the Village in accordance with the terms of the letter of credit or other security and used to affect such cure.

4.7.7. Procedures for Reducing the Amount of Guarantee.

A. The developer or subdivider may from time to time as the public improvements are constructed and the other guaranteed obligations are performed, request a reduction in the amount of guarantee furnished, whether a letter of credit, or other security method approved under these regulations. The developer or subdivider shall make said request to the Village Engineer by filing following documents:

1. A request for reduction certified by the project engineer indicating the work has been completed in substantial compliance with the approved plans and specifications and the specified amount of the reduction;

2. A new or substitute letter of credit or other security method for the reduced amount, once annually if required (to be filed within seven (7) days after the approval of the reduction);

3. An estimate of the Village Engineer containing the following information:

a. The estimated cost to complete the construction of the public improvements not then completed; and,

b. The estimated cost to complete the performance of all other obligations secured by the letter of credit or other security filed with the Village.

4. Evidence acceptable to the Village Attorney that the cost of the public improvements constructed to the date of the requested reduction is either paid or otherwise adequately provided for.

B. The Village Engineer and Village Attorney shall review the above documents. The Village shall either recommend approval or denial of said request. No reduction in the guarantee furnished shall be recommended or granted which would reduce said guarantee below a sum which equals the total of the estimated cost of the public improvements then remaining uncompleted less sidewalks on buildable lots, plus ten-percent (10%) of the original principal balance of the letter of credit or other guarantee provided. The Village Engineer shall then present the request for reduction to the Village Board together with the recommendation of the Village Engineer with respect thereto for its review and approval.

C. In the event the reduction in amount of guarantee is approved by the Village, such approval shall not become effective unless a new or substitute letter of credit is received by the Village. Until then, the original letter of credit or other guarantee provided to the Village remains in effect, modified in amount to reflect the amount of the reduction approved by the Village.

4.7.8. Inspection and Certification of Improvements.

A. GENERAL. Unless otherwise specifically provided, inspection of the construction of the improvements shall be by the Village Engineer, and shall be paid for by the developer or subdivider. No public improvements shall be constructed, and therefore no improvements shall be inspected, prior to the approval of the final plat of subdivision or final development plan.

B. CERTIFICATION. Upon completion of all required construction, the developer's or subdivider's engineer shall certify that the public improvements comply in all respects with the plans and specifications approved by the Village Board. All work shall at all times be subject to inspection by the Village Engineer, other Village officials, and their representatives. Regardless of contracts, agreements, or inspections performed, the final responsibility for the construction of all public improvements in accordance with the applicable standards rests with the developer or subdivider. A recommendation by the Village Engineer shall not constitute a waiver by the Village of the right to draw funds under the security provided herein on account of defects in or failure of any public improvements that is detected or which occurs following such certification.

C. NOTICE OF DEFECTS. The Village Engineer shall provide timely notice to the developer or subdivider whenever inspection reveals that a public improvement does not conform to the standards and specifications required by these regulations. The developer or subdivider shall have thirty (30) days from the issuance of such notice to cure or to substantially cure such defect.

D. INSPECTION FEE. The plans and specifications for all public and private improvements that shall be made under the provisions of these regulations shall be submitted to the Village Engineer for the Village for inspection and review. The Village Engineer shall inspect all public and private improvements located within the Village's corporate limits that are guaranteed under the provisions of this Ordinance during the course of construction. An inspection fee equal to three-percent (3%) of the total cost of all public improvements shall be applied to all subdivisions and developments subject to the requirements of this Ordinance.

4.7.9. Post-Completion Guarantee.

A. GENERAL. The developer or subdivider shall guarantee the public improvements against defects in materials and workmanship for a period of two (2) years from the date of acceptance of public improvements by the Village. The developer or subdivider agrees to repair or replace any of said public improvements, including landscaping, which, during said two (2) year period after acceptance, shall become damaged or deficient due to defective materials or workmanship.

B. DAMAGE AND NUISANCE. The developer or subdivider shall also guarantee the repair of any damages and the abatement of any nuisances created by the developer or subdivider, or the successors or assigns thereof, including but not limited to the repair or replacement of landscaping, streets, curbs, sidewalks, tree banks, water facilities, sanitary sewer facilities, culverts, catch basins or other storm sewer facilities, which are damaged or adversely affected by development or construction, and the clean-up and removal of debris and discarded or abandoned materials resulting from any construction or development related activities.

C. AMOUNT OF GUARANTEE. The developer or subdivider shall post with the Village an irrevocable letter of credit conforming substantially to the sample form included in Appendix A of this Part or such other form of guarantee as may be permitted under these regulations in an amount equal to ten-percent (10%) of the final construction cost of the public improvements for the development or subdivision.

D. DURATION AND RELEASE OF GUARANTEE.

1. The guarantee posted with the Village by the developer or subdivider pursuant to Section 4.7.9(B) shall remain in full force and effect for at least two (2) years from the date of the Village's acceptance of the public improvements, provided, however, that if the developer or subdivider, or the successors or assigns thereof, are still engaged in construction or development activity within the developer or subdivision, then the developer or subdivider shall cause the letter of credit or other guarantee to be renewed for successive periods of not less than one (1) year until all such activity ceases.

2. Not more than forty-five (45) days after that date which is two (2) years from the date of the Village's acceptance of the public improvements for which a guarantee has been posted under this Section 4.7.9, the Village shall take such actions as may be necessary to release or reduce the original principal amount of said guarantee by an amount equal to one-half (½) of said guarantee, less any amounts drawn from such guarantee by the Village to repair, replace or remedy any defective materials or workmanship in the public improvements in question.

3. Not more than forty-five (45) days after the Village Clerk and Village Engineer receive written notice by registered mail, return receipt requested, or nationally recognized overnight carrier service that all construction or development activity within the development has ceased, the Village shall take such actions as may be necessary to release or reduce the original principal amount of said security by an amount equal to one-half (½) of said guarantee, less any amounts drawn from such guarantee by the Village to repair any damage to public improvements or to abate any nuisance in the development or subdivision caused by such construction and development activity.

4.7.10. Custodian of Guarantees. The Village Clerk shall be the custodian of all public improvement guarantees and shall monitor the expiration dates of guarantees. The Village Clerk shall notify the Village Engineer and Village Board of any guarantees in danger of expiring.

4.7.11. Acceptance of Public Improvements. The approval of a subdivision plat by the Village Board shall not constitute an acceptance by the Village of any public improvements constructed therein. A subdivider or developer shall not make an offer to dedicate public improvements unless Sections 4.8.12(A)1 thru Section 4.8.12(A)6, inclusive, are completed. The Village shall accept

the dedication of any validly certified improvement within sixty (60) days of the developer's offer to dedicate the improvement. The acceptance of improvements shall be made as follows:

4.7.12. Acceptance Procedures

A. COMPLETION OF PUBLIC IMPROVEMENTS

1. All public improvements required under the provisions of this Ordinance to be provided at the subdivider's/developer's expense shall be fully completed by the owner or subdivider/developer, or both, within twelve (12) months after the approval of the final plat and/or site development plan, such completion shall be in accordance with final plans and specifications approved by the Village Engineer prior to the commencement of construction. However, at the discretion of the Village Building Inspector a building permit for any structure to be erected on any lot in the subdivision and/or development may be denied until such time as the subdivider shall have completed such public improvements as are determined by the Village Engineer to be necessary to provide reasonable access, adequate drainage, and proper water and sanitary sewage facilities to serve the lot on which the structure is to be built.

2. All contracts for the construction of any public improvements shall be subject, upon request, to review and approval by the Village Engineer prior to the commencement of construction, and all such contracts shall contain contractor's warranties of material and workmanship in form and substance approved by the Village Engineer. The obligation of the owner or subdivider/developer to provide public improvements shall include, without limitation, the furnishing of all necessary surveys, engineering drawings, working drawings, determinations of grade and location, communications with contractors, review and approval of periodic payment estimates, and all other services customarily performed by a registered professional engineer providing general supervision of such work, and the Village shall have no liability or responsibility for any such services. At all times during the progress of construction of public improvements, the owner or subdivider/developer shall permit the Village Engineer, and their duly authorized representatives, to inspect any portion thereof. If the Village Engineer determines that the improvements or any portion thereof are not being constructed in accordance with the final plans and specifications previously approved by the Village Engineer, the Village Engineer shall have the right, with notice to the owner, to stop the work of any contractor. The work shall not be resumed until the contractor shall receive authorization from the Village Engineer for the resumption of the work.

3. Grading and implementation of measures to control erosion and ponding of water shall be accomplished at the subdivider's/developer's expense in accordance with the Village's standards and specifications, prior to filing with the Village Engineer the certificate of completion required by this Part or the expiration of twelve (12) months from the approval of the final plat, whichever is earlier. The Village Engineer shall prepare or cause to be prepared such minimum specifications for grading, location of earth stockpiles, drainage and erosion control which specifications shall be kept on file with the Village Clerk for public review and inspection.

4. During the construction phases of the subdivision and/or development, and prior to acceptance by the Village of the public improvements, the subdivider/ developer shall maintain in good condition and restore all existing public improvements to prevent the material deterioration thereof, and to assure that no imminent hazard to life or property within the subdivision and/or development or the areas adjacent thereto shall exist. In the event that the subdivider/developer fails to properly maintain or restore existing public improvements, as required herein, the Village may, upon ten (10) days prior

written notice to the subdivider/developer, perform or have performed on its behalf any maintenance or restoration work reasonably necessary to assure that material deterioration of existing public improvements will not occur. In the event that it is determined by the Village Engineer or his authorized representative that failure of the subdivider/developer to properly maintain or restore existing public improvements will result in imminent hazard to life or property within the subdivision and/or development or the areas adjacent thereto, the Village may, without prior notice to the subdivider, perform or have performed on its behalf any maintenance or restoration work reasonably necessary to prevent such hazards. Within ten (10) days thereafter, the subdivider/ developer shall be notified in writing by the Village of the performance of such work by the Village, and the cost thereof. In the event that maintenance or restoration work is performed by or on behalf of the Village, the Village may withdraw the security required by this Part in an amount equivalent to the cost of that work.

5. FINAL INSPECTIONS. It is the responsibility of the subdivider or developer to initiate final inspection of public improvements. Upon completion of the public improvements required under the provisions of this Part, the owner or developer/ subdivider shall file with the Village Engineer a certificate, certified by a registered professional engineer licensed to practice engineering in this state, to the effect that all such public improvements have been completed substantially in accordance with the final plans and specifications approved by the Village Engineer. In addition, the owner or developer/ subdivider shall furnish to the Village four (4) copies of complete sets of as-built engineering plans, and two digital copies. The subdivider/developer shall submit all as-built information in a digital format approved by the Village Engineer.

6. If the public improvements as required have been completed within twelve (12) months from the approval of the final plat of subdivision or approval of the development, as the case may be, and the owner/subdivider/developer has filed the certificate and as-built engineering plans required herein, the Village Engineer shall inspect the public improvements. If he determines that the public improvements are in conformance with the as-built engineering plans, other approved plans, agreements and all codes of the Village, the Village Engineer shall forward to the Village Board his recommendation that the public improvements be approved and accepted by the Village Board as satisfactory, together with a statement of any extraordinary costs incurred by the Village in connection with the construction of the public improvements other than the review of the plans, specifications, and normal customary inspections of the work. Within forty-five (45) days following receipt of such recommendation, the Village Board may consider the approval and acceptance of the public improvements, and may authorize the Village Clerk to release or refund to the depositor thereof, security for said public improvements as may be accepted. The Village Board may authorize deductions therefrom of any extraordinary costs incurred by the Village; and further provided that the Village Board shall condition its acceptance of the public improvements upon the owner or subdivider providing the maintenance bond/security required herein.

7. If the owner or subdivider/developer fails to complete all required public improvements, or fails to complete these improvements in conformance with approved plans and specifications within twelve (12) months from the approval of the final plat of subdivision or approval of the development/site plan, as the case may be, the Village Engineer may withdraw all funds provided as security pursuant to Section 3.7 and may utilize those funds to cause the performance of any work necessary to complete the public improvements or to bring them into conformance with approved plans and specifications, codes of the Village. The owner or subdivider/developer shall be obligated to reimburse the Village for

any costs incurred in excess of those funds in order to complete the required public improvements.

B. MAINTENANCE GUARANTEES FOR PUBLIC IMPROVEMENTS

1. The owner or subdivider/developer shall guarantee the public improvements for a period of two (2) years from the date the Village Board accepts those improvements. During this two (2) year period, the owner or subdivider/developer shall be obligated, upon written notice from the Village Engineer as provided herein, to repair or reconstruct any public improvement or portion thereof which may deteriorate, fail due to poor workmanship, or otherwise cease to meet the standards established by the engineer's certificate or as-built plans, provided that ordinary maintenance shall not be obligation of the owner or subdivider/developer.

2. The Village shall provide written notice to the owner or subdivider/developer of deterioration of public improvements, specifying a time period in which the deterioration is to be remedied; and the owner or subdivider/developer shall perform the necessary repair or reconstruction at his own expense within the time specified.

3. In the event that it is determined by the Village Engineer or his/her authorized representative that failure of the owner or subdivider/developer to restore existing public improvements will result in imminent hazard to life or property within the development or subdivision or in areas adjacent thereto, the Village may, without prior notice to the owner or subdivider, perform, or have performed on its behalf, any restoration work reasonably necessary to prevent that hazard. Within ten (10) days thereafter, the owner or subdivider/developer shall be notified in writing by the Village of the performance of that work, and of the cost thereof.

4. To secure the obligations imposed by this section, the owner or subdivider/developer shall provide to the Village a letter of credit, issued by a surety authorized to do business in the state, in an amount equal to one hundred ten-percent (110%) of the Village Engineer's written estimate of the total cost of all public improvements, as provided in Section 3.7. A ten percent (10%) maintenance letter of credit shall be posted with the Village for a period not less than two (2) year after the Village Board's acceptance of the public improvements. The form shall be in accordance with Section 3.07 of this Ordinance.

5. In the event that during the two (2) year guarantee period, the owner or subdivider/ developer shall fail to repair, reconstruct, or otherwise remedy conditions of deterioration of public improvements in the development or subdivision within the time specified in the Village's written notice of those conditions, or shall fail to reimburse the Village of the cost of emergency restoration performed by or on behalf of the Village pursuant to division (C) of this section within thirty (30) days of receiving notice of such cost, the Village may file a claim against the security required by division (D) of this section of performance of the obligation by the surety.

C. ACCEPTANCE OF STREETS AND IMPROVEMENTS. Final approval of a plat by the Village Board shall not constitute an acceptance of any dedicated streets and improvements for maintenance purposes, irrespective of any act or acts by an officer, agent, or employee of the Village with respect to those streets or improvements. Final acceptance of all streets and improvements for maintenance shall be made only by the adoption of a resolution by the Village Board after there has been filed with the Village Clerk a certificate or letter by the Village Engineer indicating that all improvements required to be constructed or installed in connection with the approval of the final plat of subdivision or development

plan have been fully completed and the construction or installation thereof has been approved by the Village Engineer.

1. VILLAGE ENGINEER'S CERTIFICATE. The Village Engineer shall file with the Village Board a certificate that states that all required improvements have been fully completed, and that said improvements meet the design and operating standards and requirements of the Village and other agencies, including the Illinois Environmental Protection Agency, and the Illinois Department of Transportation.

2. APPROVAL OF VILLAGE ATTORNEY. The Village Attorney shall approve such legal documentation as is necessary in his opinion to protect the interests of the Village, including valid lien waivers from all persons who provided materials or performed work on the improvement for which the certification has been offered. When applicable, the Village Attorney shall require the developer to transfer title of the public improvements to the Village. The Village Attorney shall consider the following documents (where appropriate) for the closing:

    a. A bill of sale for the personal property to become public property located within the subdivision;

    b. An assignment to the Village of the subdivider's right's and interests and warranties with respect to said personal property in the subdivision;

    c. A quit claim deed for all mains, valve boxes, streets, etc. for the public improvements located in the subdivision;

    d. Universal Commercial Code searches with respect to the public personal property located in the subdivision;

    e. Judgment searches for the subdivider;

    f. Federal tax lien searches with respect to the subdivision and the subdivider;

    g. A certificate from the subdivider's engineer that the improvements are constructed in accordance with the approved engineering drawings or an explanation and certification as to any deviations;

    h. A certificate from the developer's attorney that the appropriate corporate action has been taken by the subdivider to make the conveyances through the bill of sale, quit claim deed or other documents;

    i. "As built" drawings to be delivered in a scale of one (1) inch equal to one hundred (100) feet and also in a digital format on a micro-computer CD-ROM that is compatible with the AutoCADD, Intergraph or DXF File formats. All utilities and public improvements located in the subdivision, including rights of way lines, lot number, lot lines, and other subdivision mapping data typical to the Village's GIS, shall be included as overlay maps; and,

    j. DISCLOSURE OF BENEFICIAL INTEREST IN ANY LAND TRUSTS. The Village's acceptance of dedication shall be expressly conditioned on the presentation by the developer of a policy of title insurance for the benefit of the Village showing that the developer owns the improvement in fee simple and that there are no liens, encumbrances, or other restrictions on the improvement unacceptable to the Village Attorney in his reasonable judgment. Acceptance of dedication of any improvement shall not constitute a waiver by the Village of the right to draw funds under the security provided herein on account of any defect in or failure of the improvement that is dedicated or which occurs after the acceptance of the dedication.

3. RESOLUTION. Upon receipt of the certificate of the Village Engineer and the approval of the Village Attorney of the public improvements the Village Board shall adopt a resolution accepting the public improvements.

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Article 4.8

Changes and Amendments to This Title

4.8.1. General Requirements for Changes and Amendments.

A. PUBLIC HEARING REQUIRED. The regulations imposed and the districts covered by this Title may be amended from time to time, but no such amendments shall be made until a public hearing has been held, and a report and recommendation has been made thereon by the Plan Commission.

B. REPORT OF PUBLIC HEARING. Following a public hearing, the Plan Commission shall transmit within thirty (30) days to the Village Board a report thereon containing its findings of fact and recommendation(s) for action to be taken by the Village Board.

C. ACTION BY THE VILLAGE BOARD. After receiving the recommendations and report of the Plan Commission, the Village Board shall within thirty (30) days review the recommendation and report and may pass the proposed amendment without change, may reject it, or may recommit it to the Plan Commission for further consideration. When the Plan Commission does not recommend approval of the proposed change or amendment, such proposed change or amendment shall not be passed except upon favorable vote of two-thirds (2/3) of all members of the Village Board.

D. EFFECT OF DENIAL. After a public hearing, no application for a proposed change or amendment which has been denied wholly or in part by the Village Board shall be resubmitted for a period of one (1) year from the date of said order of denial, except on the grounds of substantial new evidence or proof or changed conditions found to be valid by the Plan Commission and Village Board.

4.8.2. Additional Standards and Criteria for Amending the Village Comprehensive Plan

A. THE ROLE OF THE COMPREHENSIVE PLAN IN ADMINISTRATION OF THIS ORDINANCE. The Richmond Comprehensive Plan shall serve as the basic policy guide for the administration of this Ordinance. The Comprehensive Plan is a statement of goals and policies to guide new development, redevelopment and infrastructure investment decisions in the Village. It therefore, is the intent of the Village to administer this Ordinance in accordance with the Comprehensive Plan. The goals and policies of the Comprehensive Plan may be amended from time to time to meet changing community preferences, needs and requirements. Such amendments may at times be necessary to accommodate proposed development or redevelopment of property that may be inconsistent with the Comprehensive Plan. This Section therefore establishes the procedures for amending the Comprehensive Plan.

B. INITIATION OF AMENDMENTS. An amendment to the Comprehensive Plan may be initiated only by the Plan Commission, the Village Board, or the Owner of property proposing development of such property under this Chapter that may be inconsistent with the Comprehensive Plan.

C. NOTIFICATION REQUIREMENTS. No hearing shall be held on an application unless at least fifteen days notice of the time and place of such hearing shall be published in an official paper of general circulation in the Village.

D. APPLICATION FOR AMENDING THE COMPREHENSIVE PLAN.

1. FILING AN APPLICATION. Where an amendment to the Comprehensive Plan is proposed by someone other than the Plan Commission or Village Board, an application requesting the amendment shall be filed with the Development Administrator. The application shall be accompanied by a written statement from the applicant stating the basis for the request.

2. STAFF REVIEW. Upon receiving an application requesting an amendment, or upon an instruction from the Village Board, or Plan Commission, that it will

consider a proposed amendment, the Development Administrator shall review the proposed amendment to evaluate its effect on the integrity of the Comprehensive Plan and this Chapter. The Development Administrator may deliver copies of the proposed amendment to appropriate government agencies for review and comment. Prior to the scheduled public hearing, the Development Administrator shall deliver to the Plan Commission a written report incorporating or summarizing the comments of the Development Administrator, Planning Consultant, other Village departments, and other agencies.

3. ACTION BY THE PLAN COMMISSION.

   a. The Plan Commission shall hold a public hearing on the proposed amendment.

   b. In considering the amendment, the Plan Commission shall review the proposed amendment, the standards set forth in Section 4.8.2.(D)4 below, the report of the Development Administrator, and any oral and written comments received by the Plan Commission before or at the public hearing or otherwise made part of the record of the Plan Commission on the application. Based on this information, the Plan Commission shall submit, within a reasonable time, a report and recommendation to the Village Board on whether or not the proposed amendment should be adopted.

4. STANDARDS FOR REVIEWING PROPOSED COMPREHENSIVE PLAN AMENDMENTS. In deciding whether to recommend adoption of a proposed amendment to the Comprehensive Plan, the Plan Commission shall consider whether the amendment is necessary based on one or more of the following factors:

   a. There has been a change in projections or assumptions (such as demographic trends or the availability of public facilities) from those on which the Comprehensive Plan is based; or

   b. The data used as the basis for formulating the Comprehensive Plan are in error or out of date; or

   c. New issues or needs have presented themselves to the Village that are not adequately addressed in the Comprehensive Plan; and

   d. The amendment will not adversely affect the character of the area in which the proposed development is to be located.

5. ACTION BY THE VILLAGE BOARD. After receiving the recommendations and report of the Plan Commission, the Village Board shall, within thirty (30) days, review the recommendations and report and may accept the findings and recommendations of the Plan Commission in whole or part or may reject them in whole or in part, or the Village Board may refer the matter back to the Plan Commission for further consideration. However, in the event the Plan Commission recommends against an amendment of the Comprehensive Plan, then it may be approve only upon the favorable two-thirds (2/3) vote of all of the members of the Village Board.

E. TYPOGRAPHICAL OR DRAFTING ERRORS. Notwithstanding any other provisions set forth above, amendments to correct typographical or drafting errors in the Comprehensive Plan may be adopted by the Village Board at a regular meeting without the posting or personal delivery of prior notice and without a public hearing.

4.8.3. Additional Standards and Criteria for Amending the Unified Development Ordinance.

A. INITIATION OF AMENDMENTS. Except for Article 4.5, and Articles 6.6 through 6.9, inclusive, and Chapter 7, amendments to the text of this Title or the Zoning Map shall be proposed in writing by the Village Board, by the Plan Commission, by any person having

proprietary interest in property in the Village, or by any interested citizen of the Village. The Village Board, in the exercise of its sole discretion and authority, may amend Article 4.5, and Articles 6.6 through 6.9, inclusive, and Chapter 7 without a public hearing.

B. APPLICATION FOR AMENDING THE UNIFIED DEVELOPMENT ORDINANCE.

1. APPLICATION FOR UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT. Where an amendment to text of this Title is proposed by someone other than the Development Administrator, Plan Commission or Village Board, an application requesting the amendment shall be filed with the Development Administrator. The application shall be in a form determined by the Development Administrator and shall include the section of this Title to be amended and the proposed text.

2. APPLICATION FOR ZONING MAP AMENDMENT. Every application for an amendment to the Zoning Map shall be accompanied by the following, in a number prescribed by the Development Administrator:

   a. The certificate of a registered architect or registered structural engineer licensed by the State of Illinois, or of an owner-designer, that the proposed construction, remodeling, or reconstruction complies with all of the provisions of this Title subject to the proposed amendment;

   b. A plat, in duplicate, of the piece or parcel of land, lot, lots, block or blocks, or parts or portions thereof, drawn to scale showing the actual dimensions of the subject property, according to the recorded plat of such land;

   c. A site plan, drawing to scale and in such form as may from time to time be prescribed by the Development Administrator showing the location, ground area, height, and bulk of all present and proposed structures, drives and off-street parking and loading spaces, the building lines in relation to lot lines, waste disposal areas, the use to be made of such present and proposed structures on the land, and such other information as may be required by the Development Administrator for the proper enforcement of this Title;

   d. A legal description of the subject property;

   e. Evidence of ownership of the subject property and, if the applicant is not the record owner of the subject property, written consent of the record owner to make such application;

   f. A description of the activity to be conducted in sufficient detail to enable the Development Administrator to determine that there will be compliance with all of the applicable standards of this Title; and

   g. CERTIFICATION OF NOTICE. The applicant shall furnish, at or before the time of hearing, a written statement certifying that he has complied with the requirements of this subsection. Attached to the written statement shall be a list of all property owners notified in accordance with the above, the returned notices what are undeliverable by the post office, a copy of the notice sent to each of the individuals therein specified, and an affidavit, witnessed by a notary public that the sign was erected according to the requirements of this subsection.

3. STAFF REVIEW. Upon receiving an application requesting an amendment, or upon an instruction from the Village Board, or Plan Commission that it will consider a proposed amendment, the Development Administrator shall review the proposed amendment to evaluate its conformity with the Comprehensive Plan and this Chapter. The Development Administrator may deliver copies of the proposed amendment to appropriate Village departments and government

agencies for review and comment. Prior to the scheduled public hearing, the Development Administrator shall deliver to the Plan Commission a written report incorporating or summarizing the comments of the Development Administrator, Planning Consultant, or Village departments, and other agencies.

4. ACTION BY THE PLAN COMMISSION.

   a. The Plan Commission shall hold a public hearing on the proposed amendment.

   b. In considering the amendment, the Plan Commission shall review the proposed amendment, the report of the Development Administrator, and any oral and written comments received by the Plan Commission before or at the public hearing or otherwise made part of the record of the Plan Commission on the application. Based on this information, the Plan Commission shall submit, within a reasonable time, a report and recommendation to the Village Board on whether or not the proposed amendment should be adopted.

5. ACTION BY THE VILLAGE BOARD. After receiving the recommendations and report of the Plan Commission, the Village Board shall, within thirty (30) days, review the recommendations and report and may accept the findings and recommendations of the Plan Commission in whole or part or may reject them in whole or in part, or the Village Board may refer the matter back to the Plan Commission for further consideration. However, in the event the Plan Commission recommends against an amendment of this Ordinance, then it may be approve only upon the favorable two-thirds (2/3) vote of all of the members of the Village Board.

C. NOTIFICATION REQUIREMENTS. No hearing shall be held on an application for a zoning amendment unless the applicant complies with the requirements of this Section.

1. PUBLISHED NOTICE. For text and map amendments, the applicant shall cause to be published in an official paper of general circulation in the Village the time and place of such hearing at least fifteen (15) days prior to said hearing date.

2. WRITTEN NOTICE. For map amendments, in addition to the publication notice requirements otherwise provided by law, an applicant shall, not less than fifteen (15) days and not more than thirty (30) days prior to the date set for the public hearing, mail by return receipt requested delivery, to the owners, as recorded in the Office of the Recorder of Deeds of McHenry County and as appears from the authentic tax records of McHenry County, of all adjacent property or property lying across a public road, street, alley and other public way, or railroad, or stream, creek or river from the subject property in each direction of the property lines of the subject property for which the public hearing is requested.

   A copy of the notice with a copy of the list of names and addresses shall be mailed to the Development Administrator at the time notice is given to the adjoining property owners.

   The notices herein required shall contain the common street address or addresses and the property index number ("PIN") or numbers of all the parcels of real property for which the public hearing is requested, a brief statement of the nature of the request, the name and address of the legal and beneficial owner of the property, and the location and time and date on which said hearing shall be held. If, after a bonafide effort to determine such ownership by the applicant, the owner cannot be found, the notice requirements of this section shall be deemed satisfied upon filing by the applicant of an affidavit evidencing the inability to serve such notice. *(Ordinance 2012-03, adopted April 19, 2012)*

3. NOTICE BY SIGN. An applicant for public hearing shall post a readable sign(s) on each adjacent roadway in a number and location as determined by the Development Administrator not less than fifteen (15) days prior to the date before the public hearing. Sign(s) must be removed by the applicant no later than ten (10) days after conclusion of the hearing.

   Each sign shall be double faced and displayed such that each sign face is perpendicular to the adjoining roadway. The face of the sign(s) required by this Section shall be at least twenty-four (24) inches in height and thirty-six (36) inches in length. The sign(s) shall contain the following message:

PUBLIC NOTICE

CONSIDERATION OF
ZONING CHANGE
ON THIS PROPERTY-
CALL 815-678-4040
FOR MORE INFORMATION

   The sign shall have a white or yellow background with three (3) inch high black capital block letters, except that the words **"ZONING CHANGE"** shall be in four (4) inch high black capital block letters. The sign(s) shall meet all other requirements set forth by the Village. All costs associated with preparing and displaying public hearing sign(s) are to be borne by the applicant.

E. PROTEST AGAINST AMENDMENT. In case of written protest against any proposed amendment, signed and acknowledged by the owners of twenty-percent (20%) of the frontage proposed to be altered, or by the owners of twenty-percent (20%) of the frontage immediately adjoining or across an alley therefrom, or by the owners of twenty-percent (20%) of the frontage directly opposite the frontage proposed to be altered, is filed with the Village Clerk, the amendment shall not be passed except by a favorable vote of two-thirds (2/3) of the Board of Trustees. In such cases, a copy of the written protest shall be served upon the applicant for the proposed amendments and a copy upon the applicant's attorney, if any, by certified mail at the address of such applicant and attorney shown in the application for the proposed amendment.

Chapter 5
Development Districts

Article 5.1

DEVELOPMENT DISTRICTS

5.1.1. Establishment of Zones. In order to carry out the recommendations of the Richmond Comprehensive Plan and the purposes and provisions of this Title, the Village of Richmond is hereby divided into the following development districts:

A. AGRICULTURE AND CONSERVATION DISTRICT. It is recognized that the public health and welfare of the citizens of the Village of Richmond and McHenry County, as well as community character, are greatly dependent upon the sustenance and economic benefits provided by a viable agricultural industry and the protection of natural resources in the planning area. The intent of this district is to ensure that land areas in the Village which are well suited for production of food and fiber are retained for such production, and that those locations in the landscape that provide habitat and critical environmental resources are unimpeded by the establishment of incompatible uses which would hinder farming operations and irretrievably deplete agricultural lands or sensitive environmental landscape features and resources. Residential and non-residential buildings and uses of land are limited to an accessory role to the primary function of agriculture and natural resources conservation in this District. The map symbol and short name for the Agriculture and Conservation District shall be "T-1 District."

B. RURAL DEVELOPMENT DISTRICT. The Rural Development District is established to provide and maintain areas primarily for development of very low-density single-family residences. However, smaller lots and attached single-family and multiple-family dwellings and non-residential uses may be permitted in this district when served by municipal water and sewer systems according to the lot development criteria established for the building typologies permitted in this district. The application of conservation design and traditional neighborhood design principles is required in this district regardless whether development is served by municipal water and sewer utilities. The map symbol and short name for this district shall be "T-2 District."

C. VILLAGE DEVELOPMENT DISTRICT. The Village Development District is established to provide and maintain areas primarily for development of low-density single-family residences served by municipal water and sewer systems, but smaller lots and attached single-family and multiple-family dwellings and appropriately located and scaled commercial uses may be permitted in this district according to the lot development criteria established for the for the building typologies permitted in this district. It is the intent of this District to provide diversity in lot sizes, building typologies and thoroughfares, and establishes a public realm and built environment that is human scaled. The application of conservation design and traditional neighborhood design principles is required in this district. The map symbol and short name for this district shall be "T-3 District."

D. GENERAL DEVELOPMENT DISTRICT. The General Development District is established to provide and maintain areas for development of mixed-used neighborhoods served by municipal water and sewer systems according to the lot development criteria established for the building typologies permitted in this district. It is the intent of this District to provide diversity in lot sizes, building typologies, parks and thoroughfares, and establishes a public realm and built environment that is human scaled. The application of conservation design principles is recommended; the application of traditional

neighborhood design principles in this district is required. The map symbol and short name for this district shall be "T-4 District."

E. NEIGHBORHOOD CENTER DISTRICT. The Neighborhood Center District is established to provide and maintain areas for compact high density mixed-used development served by municipal water and sewer systems according to the lot development criteria established for the for the building typologies permitted in this district. The application of traditional neighborhood design principles in this district is required. The Neighborhood Center District should be generally located at the intersection of primary thoroughfares to be economically viable and to and provide shopping, employment and civic uses and opportunities to a diverse and sizable population within a one-quarter mile walk of the District. The map symbol and short name for this district shall be "T-5A District."

F. TRANSIT-ORIENTED DEVELOPMENT DISTRICT. The Transit-Oriented Development District is established to provide and maintain areas for compact high-density mixed-used development within one-quarter mile of a transit stop and served by municipal water and sewer systems and designed according to the lot development criteria established for the for the building typologies permitted in this district. The application of traditional neighborhood design principles in this district is required. The map symbol and short name for this district shall be "T-5B District."

G. INDUSTRIAL DISTRICT. The Industrial District is established to provide standards and locations exclusively for a wide range of manufacturing, warehousing, processing, production, assembly, research, testing, logistics, and office uses generating a minimum of noise, glare, dust, odor, vibration, air and water pollutants, fire, explosion and radioactive hazards and nuisances. The map symbol and short name for this district shall be "T-6 District."

H. CENTRAL BUSINESS DISTRICT. The Central Business District is established to provide standards for development to maintain a wide range of businesses and services; to protect and maintain the economic viability of the established commercial neighborhood; address the preservation of the use, value and enjoyment of property in adjoining residential districts; and, to maintain the central commercial core area as the commercial, social, civic, cultural and historic focus of the Village and its environs. It is the intention of this district to provide for an ongoing update of a mix of business, office, government and residential uses to encourage traditional social, cultural and civic functions in the Village. This district shall include, and is generally bounded by, the properties having frontage along Main Street between the north branch of Nippersink Creek on the north, South Street on the south, and the abandoned railroad right-of-way on the west as shown on the Richmond Comprehensive Plan Future Land Use Map. The map symbol and short name for this district shall be "CB District."

I. GENERAL BUSINESS DISTRICT. The General Business District is established to provide locations and standards for a wide range of retail, food service, service and repair businesses for community residents and outlying market areas. Such districts shall be generally concentrated around intersections along arterial thoroughfares. Development in this District is served by municipal water and sewer systems and designed according to the lot development criteria established for the district. The application of conservation design and traditional neighborhood design principles in this district is recommended. The map symbol and short name for this district shall be "GB District."

J. ESTATE RESIDENTIAL DISTRICT. The Residential Estate District is established to provide and maintain areas for development of very low-density single-family residences on generally uniform lots and generally established prior to December 31, 2007. This district is intended for the exclusive development of large lot detached single-family residences served by municipal water and sewer systems. The map symbol and short name for this district shall be "E-1 District."

K. SINGLE-FAMILY RESIDENTIAL DISTRICT. The Single-Family Residential District is established to provide and maintain area for development of low-density single-family

residences on generally uniform lots and generally established prior to December 31, 2007. This district is intended for the exclusive development of large lot detached single-family residences served by municipal water and sewer systems. The map symbol and short name for this district shall be "R-1 District."

L. TWO-FAMILY RESIDENTIAL DISTRICT. The Two Family Residential District is established to provide standards and to maintain areas for development of two family residential neighborhoods established prior to December 31, 2007. This district is predominantly attached single-family dwellings in character and appearance served by municipal water and sewer systems. The map symbol and short name for this district shall be "R-2 District."

M. HIGH DENSITY RESIDENTIAL DISTRICT. The High Density Residential District is established to provide locations and standards to maintain areas for development of a wide range and variety of residential neighborhoods, generally established prior to December 31, 2007. This district is predominantly attached single-family dwellings and multiple-family buildings in character and appearance and is served by municipal water and sewer systems. The map symbol and short name for this district shall be "R-3 District."

N. HISTORIC OVERLAY DISTRICT. The Historic Overlay District is an overlay district established to encourage the restoration, preservation, rehabilitation and conservation of neighborhoods, districts, buildings, sites and objects of historical and/or architectural significance and to prevent the decline, decay and/or demolition of such neighborhoods, districts, buildings, sites and objects. In order to enhance the attractiveness and character of the Village for its residents and visitors and to support and enhance the Village's business, commerce, and industry, it is the intent of this district to create a process to review designs for buildings and property improvements in Village neighborhoods having landmarks or representing elements of the Village's economic, social, cultural, and political past. All uses permitted in the underlying zoning districts shall be permitted in the Historic Overlay District. Regulations promulgated under the authority of this district shall not be construed to further regulate the use of structures in the underlying zoning districts. The map symbol and short name for this district shall be "HO District."

O. PLANNED SUBURBAN RESIDENTIAL DISTRICT. The Planned Suburban Residential District is established to provide locations and standards to maintain areas for development of a wide range and variety of residential neighborhoods, generally established prior to December 31, 2007. Any area classified as Planned Suburban Residential District shall be developed and limited in overall density by means of an annexation agreement, development agreement, recorded covenant or other written means approved by the Village Board. The map symbol and short name for this district shall be "PSR District."

P. COMMERCIAL, OFFICE, RESEARCH, INDUSTRIAL DISTRICT. The Commercial, Office, Research, Industrial District established to provide locations and standards to maintain areas for development of a variety of office, research and light industrial uses, together with commercial development, generally established prior to December 31, 2007. Any area classified as Commercial, Office, Research, Industrial District shall be developed and limited in overall intensity by means of an annexation agreement, development agreement, recorded covenant or other written means approved by the Village Board. The map symbol and short name for this district shall be "CORI District."

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Article 5.2

Permitted Uses

5.2.1. Table of Permitted Uses. Use of a building, structure or land shall be allowed only in the development districts indicated and for the purposes specified in the following Table of Permitted Uses. Each use is mutually exclusive and does not encompass other uses listed in the Table. A principal use listed in the Table in any district denoted by the letter "P" is permitted by right provided all other requirements of state law, this Title, and all other applicable ordinances and regulations of the Village of Richmond Municipal Code have been satisfied. A principal use listed in the Table of Permitted Uses in any district denoted by the letter "S" is a Special Use and permitted only subject to the provisions of Article 4.3. A principal use listed in the Table of Permitted Uses in any district denoted by the letter "T" is a temporary use and permitted only subject to the provisions of Section 6.3.1. A use of building, structure or land not indicated by either "P" or "S", or "T" is not allowed in that district. *(Ord. #2019-06; Ord. #2019-23, Ord. #2021-04)*

This Table of Permitted Uses does not include the i-1 zoning district as indicated on the Village of Richmond Zoning Map. All adult-use cannabis business establishments shall be allowed as a special use in the i-1 zoning district as indicated on the Village of Richmond Zoning Map. *(Ord. #2019-23, 10.17.19)*

PERMITTED USE TABLE														
USE CATEGORIES	**ZONING DISTRICTS**													
1. AGRICULTURE USES	**T1**	**T2**	**T3**	**T4**	**T5A**	**T5B**	**T6**	**CB**	**GB**	**E1**	**R1**	**R2**	**R3**	**CO/ RI**
Agriculture Equipment Sales, Rental, Service	S						P		S					
Animal Hospital	P						P		P					
Animal Shelter	P						P							
Apiculture-raising & care of bees	P													
Aquaculture aka Aquafarming	P						P							
Breeding, Raising, Feeding Farm Animals, but excluding commercial feed lot operations	P													
Dairying, excluding processing, pasteurization and distribution activities	P													
Dog Grooming	P				P	P			P					
Equestrian School, Stable	P													
Farm Homestead	P													
Farm Stand	T				T	T			T					
Farm Supply Store	P													
Fish Hatcheries	P						P							
Floriculture	P													
Fruit & Vegetable Stand	T				T	T			T					
Garden Supply Store	P						P		P					
Grain Storage, accessory to farming operations	P													
Grain Storage, commercial	S						S							
Greenhouses, Retail	P						P		S					
Greenhouses, Wholesale	P						P							
Kennel, Cattery for five or more animals	P						P		S					
Lawn and Garden Services	P						P		P					
Nursery, Sod, Tree	P													
Orchards	P													
Pasturage	P													
Research or Experimental Farms	P													
Retail Sale of Agricultural Products Produced on the Premises, accessory to principal farming operations	P													
Truck Garden Crops	P													
Veterinary Clinic	P						P		P					
Viticulture-growing of grapes for use in wine making	P													

2. BUSINESS SERVICES	**T1**	**T2**	**T3**	**T4**	**T5A**	**T5B**	**T6**	**CB**	**GB**	**E1**	**R1**	**R2**	**R3**	**CO/ RI**
Establishments engaged in the provision of assistance, as opposed to products, to individuals, business, industry government and other enterprises, except as otherwise provided in this Table				P	P	P	P	P	P					
Guard Service, excluding canines					P	P	P	P	P					
Guard Service, including canines							P							

KEY: P = Permitted S = Special Use T = Temporary

PERMITTED USE TABLE *(continued)*														
USE CATEGORIES	**ZONING DISTRICTS**													
3. CONSTRUCTION USES	**T1**	**T2**	**T3**	**T4**	**T5A**	**T5B**	**T6**	**CB**	**GB**	**E1**	**R1**	**R2**	**R3**	**CO/ RI**
Building Services and Supplies							P							
Building Services and Supplies w/Outdoor Storage, Display							P							
Concrete Plants	S						S							
Contractor's Office							P		P					
Contractor's Office, Yard w/o Outdoor Storage							P		P					
Contractor's Office, Yard w/Outdoor Storage							P							
Fuel and Fuel Oil Dealer							S							
Lumber Yard, Retail							P		P					
Mineral Mining	S						S							
Roll-off Dumpster Business *(Ord.2021-15)*							S							

4. FINANCIAL INSTITUTIONS	**T1**	**T2**	**T3**	**T4**	**T5A**	**T5B**	**T6**	**CB**	**GB**	**E1**	**R1**	**R2**	**R3**	**CO/ RI**
Uses which are engaged in bank services, except as provided otherwise in this Table					P	P		P	P					
Automated Teller Machines, Accessory and inside another use or building					P	P	P	P	P					
Automated Teller Machines, Freestanding or Drive-up					S	S	S	S	S					

5. FOOD SERVICES	**T1**	**T2**	**T3**	**T4**	**T5A**	**T5B**	**T6**	**CB**	**GB**	**E1**	**R1**	**R2**	**R3**	**CO/ RI**
Bakery Shop				P	P	P		P	P					
Banquet Halls *(Ord. 2021-12)*						P	P	P	P					
Candy and Confectionary Store					P	P		P	P					
Catering Establishment where food is prepared on the premises for consumption elsewhere						P	P		P					
Dairy Products Store					P	P		P	P					
Delicatessen				P	P	P		P	P					
Farmer's Market					T	T		T	T					
Food Locker-Rental						P			P					
Grocery/Food Store					P	P		P	P					
Grocery/Food Store, gross floor area of 25,000 sq ft or more						P			S					
Ice Cream Store				P	P	P		P	P					
Liquor Store					S	S			S					
Meat Market (Butcher Shop)					P	P		P	P					
Outdoor Cafes, accessory to a restaurant, delicatessen, bakery, ice cream store or other retail use not requiring a liquor license				P	P	P		P	P					
Outdoor Cafes, accessory to a restaurant, tavern, pub, on-site brewery, or other food service use having a liquor license					P	P		P	P					
Restaurant, with On-Site Brewery ("Brew-Pub")					P	P		P	P					
Restaurants, seating less than 100 persons				P	P	P	P	P	P					
Restaurants, seating 100 or more persons					S	S		S	S					

KEY: P = Permitted S = Special Use T = Temporary

PERMITTED USE TABLE *(continued)*														
USE CATEGORIES	**ZONING DISTRICTS**													
6. GOVERNMENT USES	**T1**	**T2**	**T3**	**T4**	**T5A**	**T5B**	**T6**	**CB**	**GB**	**E1**	**R1**	**R2**	**R3**	**CO/ RI**
Airport	S						S		S					
Fire Station	S	S	S	S	S	S	S	S	S	S	S	S	S	
Library					P	P	P	P	P					
Parks, playgrounds, athletic fields	P	P	P	P	P	P	P	P	P	P	P	P	P	
Parks, athletic fields - Lighted for competition purposes	S	S	S	S	S	S	S			S	S	S	S	
Police Station, Substation	S	S	S	S	S	S	P	S	S	S	S	S	S	
Post Office, full service					S	S		S	S					
Post Office, customer services only					P	P	P	P	P					
Post Office, carrier operations only							P		P					
Public Works Garage, Maintenance Shop, or Yard	S				S	S	P		S	S	S			
School, Elementary, Secondary, Post-Secondary (public or private)	S	S	S	S	S	S				S	S	S	S	
Vocational Schools (public or private)						P	P		P					

7. MANUFACTURING	**T1**	**T2**	**T3**	**T4**	**T5A**	**T5B**	**T6**	**CB**	**GB**	**E1**	**R1**	**R2**	**R3**	**CO/ RI**
Uses which involve the manufacture, processing, production, assembly, fabrication, and/or distribution of goods, provided same complies with Section 5.4, Performance Standards, and Conditions of Use, and all lot development standards, except as specifically identified otherwise in this Table							P							
Uses Which Draw, Roll, Extrude, Cast, Forge, Heat Treat, Electroplate, Plate, Annodize, or Color Ferrous and Non-Ferrous Metals, except as specifically identified otherwise in this Table							P							
Adult-Use Cannabis Cultivation Center, subject to Article 4.3							S							S
Adult-Use Cannabis Infuser Organization or Infuser, subject to Article 4.3							S							S
Adult-Use Cannabis Processing Organization or Processor, subject to Article 4.3							S							S
Junk Yard							S							
Motor Vehicle Wrecking Yard							S							
Recycling, Reprocessing Used Batteries							S							
Petroleum Refining, Processing, Storage							S							
Sawmill	P						P							
Solid Waste Transfer Station							S							
Recycling Center							S							
Recycling Collection Center, accessory to another use				P	P	P	P		P					
Recycling Collection Center, principal use						P	P		P					
Warehouses							P							

KEY: P = Permitted S = Special Use T = Temporary

PERMITTED USE TABLE *(continued)*														
USE CATEGORIES	**ZONING DISTRICTS**													
8. MOTOR VEHICLE USES	**T1**	**T2**	**T3**	**T4**	**T5A**	**T5B**	**T6**	**CB**	**GB**	**E1**	**R1**	**R2**	**R3**	**CO/ RI**
Automobile Rental/ Leasing Office					P	P			P					
Automobile Sales and Rental, New and/or Used, including accessory repair and body shop operations							P	S	P					
Auto Parts Store, no repairs permitted on premises					P	P	P		P					
Boat Sales, Rental, Service							P		P					
Car Wash, Automatic/Mechanical					P	P	P		P					
Car Wash, Automatic/Mechanical, within 660 feet of a residential lot					S	S	S		S					
Car Wash, Manual					P	P	P		P					
Car Wash, Manual, within 660 feet of a residential lot					S	S	S		S					
Fuel Station					P	P	P		P					
Fuel Station within 660 feet of a residential lot					S	S	S		S					
Motorcycle Sales/Service/Rental					P	P	P		P					
Motor Vehicle Accessories Store					P	P	P		P					
Motor Vehicle Body Shop							P		S					
Motor Vehicle Mini-Mart					P	P	P		P					
Motor Vehicle Mini-Mart within 660 feet of a residential lot					S	S	S		S					
Motor Vehicle Repair Facility					P	P	P		P					
Recreational Vehicle/Camper Sales, Service, Rental							P		P					
Service Station					P	P	P		P					
Service Station within 660 feet of a residential lot					S	S	S		S					
Tire, Battery & Accessory Store							P		P					
Towing Service, with on-site vehicle impoundment							S							
Towing Service, without on-site vehicle impoundment					P	P	P		P					
Truck Sales, New and/or Used, including accessory repair and body shop operations							P		P					
Truck Service, Repair							P		P					

9. OFFICES	**T1**	**T2**	**T3**	**T4**	**T5A**	**T5B**	**T6**	**CB**	**GB**	**E1**	**R1**	**R2**	**R3**	**CO/ RI**
Establishments maintained by a member of a professional organization for the conduct of that profession, except as specifically identified otherwise in this Table					P	P	P		P					
Professional and Business Offices, such as, but not limited to Finance, Insurance, Real Estate					P	P	P		P					
Government Offices					P	P	P		P					
Offices, professional, government, business, on second floor or higher					P	P	P	P	P					

KEY: P = Permitted S = Special Use T = Temporary

PERMITTED USE TABLE *(continued)*														
USE CATEGORIES	**ZONING DISTRICTS**													
10. PERSONAL SERVICES	**T1**	**T2**	**T3**	**T4**	**T5A**	**T5B**	**T6**	**CB**	**GB**	**E1**	**R1**	**R2**	**R3**	**CO/ RI**
Establishments engaged in the provision of frequent or recurrent needed services of a personal nature, except as specifically identified otherwise in this Table				P	P	P		P	P					
Day Care Center		P	P	P	P	P	P	P	P	P	P	P	P	
Dentist's Office/Clinic					P	P		P	P					
Doctor's, Surgeon's, Physician's Office/Clinic					P	P		P	P					
Funeral Home					S	S	S	S	S					
Funeral Home w/Crematorium							S		S					
Nursery School		P	P	P	P	P	P	P	P	P	P	P	P	
Personal Instruction					P	P		P	P					

11. RECREATION & ENTERTAINMENT USES	**T1**	**T2**	**T3**	**T4**	**T5A**	**T5B**	**T6**	**CB**	**GB**	**E1**	**R1**	**R2**	**R3**	**CO/ RI**
Adult Business, subject to Article 4.3							S							
Amusement Arcade					P	P			P					
Amusements, Coin-operated, accessory					P	P	P	P	P					
Amusement Park									S					
Ballroom/Dance Hall						P			P					
Billiards/Pool Tables *(Ord. 2022-03)*					P	P		P	P					
Bowling Alley					P	P			P					
Campground	S													
Circuses, Carnivals	T	T	T	T	T	T	T	T	T	T	T	T	T	
Cocktail Lounge					S	S		S	S					
Commercial Recreation	S								S					
Golf Course, Public/Private, including accessory clubhouse, restaurant, lounge, bar, pro shop and banquet facilities	S	S	S	S	S	S				S	S	S	S	
Golf Driving Range	S	S	S	S	S	S			S	S	S	S	S	
Gun/Archery Range, Indoor	P						P		P					
Gun/Archery Range, Outdoor	S													
Health Club, Public/Private	P				P	P			P					
Hunting Club, Private	S													
Live Entertainment Establishment					P	P			P					
Membership Clubs, other than Sport and Recreation	S				P	P			P					
Membership Sport and Recreation Clubs	S				P	P			P					
Movie Theater					S	S			S					
Night Club					S	S			S					
Performance Theater					S	S		S	S					
Physical Fitness Facilities *(2021-12)*					P	P			P					
Recreation Equipment Sales, Service, Rental					P	P		P	P					
Skating Rink, Ice or Roller Skating					P	P			P					
Tavern, Pub					S	S		S	S					

KEY: P = Permitted S = Special Use T = Temporary

PERMITTED USE TABLE *(continued)*

USE CATEGORIES	ZONING DISTRICTS													
12. RESIDENTIAL USES	**T1**	**T2**	**T3**	**T4**	**T5A**	**T5B**	**T6**	**CB**	**GB**	**E1**	**R1**	**R2**	**R3**	**CO/ RI**
Accessory Cottage/Office *(Ord. 2026-06)*	P	P	P	P	P	P				P	P			
Bed & Breakfast Inn	S	S	S	S	S	S		S	S	S	S	S	S	
Convalescent, Nursing Home, Rest Home				S	S	S				S	S	S	S	
Convents, Rectories, Parish Houses		P	P	P	P	P			P	P	P	P	P	
Day Care Home, Licensed by IL DCFS	P	P	P	P	P	P				P	P	P	P	
Development Sales Office/Model Home(s)		T	T	T	T	T		T	T	T	T	T	T	
Dwelling Units, Attached Single-family		P	P	P	P	P						P		
Dwelling Units, Detached Single-family	P	P	P	P	P	P				P	P	P		
Dwelling Units, Multiple-family		P	P	P	P	P							P	
Dwelling Units when Business uses occupy the ground floor , *subject to the condition that each building be limited to a maximum of (1) one residential unit, with only (1) one stove, (1) one refrigerator, provide at least (1) bathroom. In addition, the water/sewer account for the residential unit must have an additional user fee and debt service surcharge account set up with the Village Hall, unless a separate water meter is installed.* *(Ord. 2021-12)*				P	P	P		P	S					
Group Homes		P	P	P	P	P				P	P	P	P	
Home-Based Business, in accordance with Article 6.4	P	P	P	P	P	P		P	P	P	P	P	P	
Hotel					P	P			P					

13. WHOLESALE USES	**T1**	**T2**	**T3**	**T4**	**T5A**	**T5B**	**T6**	**CB**	**GB**	**E1**	**R1**	**R2**	**R3**	**CO/ RI**
Enterprises engaged in the display, storage, and sale of goods to other firms for resale, as well as activities involving significant movement and storage of products or equipment, provided use and operation comply with Section 5.4, Performance Standards and Conditions of Use and lot development standards, except as specifically identified otherwise in this Table							P							
Adult-Use Cannabis Craft Grower, subject to Article 4.3							S		S					S
Truck Freight Terminal							S							
Freight Forwarding Service, w/Terminal							S							
Freight Forwarding Service, w/o Terminal							P							

14. RETAIL USES	**T1**	**T2**	**T3**	**T4**	**T5A**	**T5B**	**T6**	**CB**	**GB**	**E1**	**R1**	**R2**	**R3**	**CO/ RI**
Enterprises that are devoted in whole or in part to the sale, rental, or servicing of goods or commodities which are normally delivered or provided on the premises to a consumer, except as specifically identified otherwise in this Table				P	P	P		P	P					
Adult-Use Cannabis Dispensing Organization, subject to Article 4.3							S		S					S
Gun Shop *(Ord. 2026-06)*									S					
Showroom, Display Room					P	P	P		P					
Smoke Shop/Vape Shop *(Ord. 2026-21)*							P							
Tombstone and Monument Sales							P		P					

KEY: P = Permitted S = Special Use T = Temporary

PERMITTED USE TABLE *(continued)*														
USE CATEGORIES	**ZONING DISTRICTS**													
15. TRANSPORTATION & UTILITY USES	**T1**	**T2**	**T3**	**T4**	**T5A**	**T5B**	**T6**	**CB**	**GB**	**E1**	**R1**	**R2**	**R3**	**CO/ RI**
Adult-Use Cannabis Transporting Organization or Transporter, subject to Article 4.3							S							S
Bus Charter Services Office/Dispatch					P	P	P		P					
Bus Charter Services Garage							P							
Bus Station						P	P		P					
Cartage Services							P							
Commercial, Radio, Microwave Antenna Towers	S	S	S	S	S	S	S	S	S	S	S	S	S	
Helipad, Helistop	S	S	S	S	S	S	S	S	S	S	S	S	S	
Livery Service Operator's Office/Dispatch					P	P	P	P	P					
Livery Service Garage							P		P					
Personal Wireless Communication Facilities not on Municipal Property	S	S	S	S	S	S	S	S	S	S	S	S	S	
Personal Wireless Communication Facilities on Municipal Property	P	P	P	P	P	P	P	P	P	P	P	P	P	
Radio & TV Broadcasting Studio					P	P	P		P					
Recording Studios					P	P	P		P					
Shipping Container Storage							S							
Taxicab Operator Office w/garage							P		P					
Taxicab Operator Offices					P	P	P	P	P					
Taxicab Stand, not occupying any required off-street parking spaces					P	P	P	P	P					
Telegraph Office					P	P	P	P	P					
Towing Service, with on-site vehicle impoundment							S							
Towing Service, without on-site vehicle impoundment					P	P	P		P					
Truck Trailer Storage *(Ord. 2026-06)*							S							
Utility Facility, Small	P	P	P	P	P	P	P	P	P	P	P	P	P	
Utility Facility, Medium	P	P	P	P	P	P	P	P	P	P	P	P	P	
Utility Facility, Large	S	S	S	S	S	S	S			S	S	S	S	
Warehouse & Distribution Center (Logistics Facility)							P							

KEY: P = Permitted S = Special Use T = Temporary

PERMITTED USE TABLE *(continued)*														
USE CATEGORIES	**ZONING DISTRICTS**													
16. Building Typologies	**T1**	**T2**	**T3**	**T4**	**T5A**	**T5B**	**T6**	**CB**	**GB**	**E1**	**R1**	**R2**	**R3**	**CO/ RI**
The following building typologies are permitted subject to the Conditions of Use, Section 5.2, and the requirements and notes in Section 6.5.1 for the respective building typology														
SINGLE-FAMILY BUILDINGS														
Type 1 Building, Small Detached House		P	P	P	P	P								
Type 2 Building, Small Detached House		P	P	P	P	P								
Type 3 Building, Small Sideyard House		P	P	P		P								
Type 4 Building, Large Sideyard House		P	P	P		P								
Type 5 Building, Large Detached House		P	P	P		P								
Type 6 Building, Large Detached House		P	P	P										
Type 7 Building, Large Detached House		P	P	P										
Type 8 Building, Large Detached House											P			
Type 9 Building, (Reserved)														
Type 10 Building, Large Estate House	P									P				
Type 11 Building, Estate House	P	P	P	P										
Type 12 Building, Small Attached House												P		
Type 13 Building, Small Attached House		P	P	P	P	P								
Type 14 Building, Medium Attached House		P	P	P	P	P								
Type 15 Building, Large Attached House		P	P	P	P	P								
Type 16 Building, Small Attached Townhouse		P	P	P	P	P								
Type 17 Building, Large Attached Townhouse		P	P	P	P	P								
Type 18 Building, Large Attached Townhouse		P	P	P	P	P								
Type 19 Building, Stacked Flat (Duplex)		P	P	P	P	P								
MULTIPLE-FAMILY BUILDINGS														
Type 20 Building, Multiple-Family Building													P	
Type 21 Building, Small Multiple-Family Building		P	P	P	P	P								
Type 22 Building, Large Multiple-Family Building		P	P	P	P	P								
Type 23 Building, Courtyard Multiple-Family Building		P	P	P	P	P								
NON-RESIDENTIAL BUILDINGS														
Type 24 Building, Small Commercial Shop		P	P	P	P	P								
Type 25 Building, Small Commercial Shop								P						
Type 26 Building, General Commercial Building									P					
Type 27 Building, Industrial Building							P							
Type 28 Building, Lodging Building					P	P			P					
Type 29 Building, Fuel Station/Mini-Mart Building, provided a Special Use Permit is granted where required in Part 8 of this Table					P	P	P		P					

KEY: P = Permitted S = Special Use T = Temporary

PERMITTED USE TABLE *(continued)*														
USE CATEGORIES	**ZONING DISTRICTS**													
17. MISCELLANEAOUS USES	**T1**	**T2**	**T3**	**T4**	**T5A**	**T5B**	**T6**	**CB**	**GB**	**E1**	**R1**	**R2**	**R3**	**CO/ RI**
Buildings, Structures exceeding 45 feet in height	S	S	S	S	S	S	S	S	S	S	S	S	S	
Cemetery, Mausoleum, Columbarium	S	S	S	S						S	S			
Christmas Tree Sales	T				T	T	T	T	T					
Churches, Other Places of Worship having a total worship area accommodating less than 400 persons		P	P	P	P	P			S	P	P	P	P	
Churches, Other Places of Worship having a total worship area accommodating 400 or more persons		S	S	S	S	S			S	S	S	S	S	
Community Building			P	P	P	P	P	P						
Crematorium	S	S	S	S			S			S	S			
Garage Sales, Estate Sales, Auctions, Sidewalk Sales	T	T	T	T	T	T	T	T	T	T	T	T	T	
Hospital						S	S		S					
Meeting Hall				P	P	P		P	P					
Mini-warehouse, personal storage facilities *(Ord. 2026-06)*					S	S	S		S					
Mini-warehouse, personal storage facilities, w/outdoor storage					S	S	S		S					
Museum	S	S	S	S	S	S	S	S	S	S	S	S	S	
Parking Garage/Lot (Commercial)					P	P	P	P	P	P				
Portable Storage Containers, subject to Section 6.3	T	T	T	T	T	T	T	T	T	T	T	T	T	
Planned Development	S	S	S	S	S	S	S	S	S	S	S	S	S	
Tents	T	T	T	T	T	T	T	T	T	T	T	T	T	
Train Station						P								
School, Commercial						P	P		P					

KEY: P = Permitted S = Special Use T = Temporary

Article 5.3

PERFORMANCE STANDARDS

5.3.1. Purpose. The purpose of this Article is to establish regulations and standards for the installation and operation of non-residential uses based upon consideration of the objectionable characteristics of such uses and the zoning districts in which they are permitted. This section is also intended to prescribe the procedures and methods of measurement of the installation and operation characteristics of non-residential uses subject to such standards.

5.3.2. Hazardous Substances. Hazardous substances are defined by the U.S. Department of Transportation (USDOT) in the Code of Federal Regulations (CFR), Title 49, Parts 100 to 177 (October, 1983). Specific hazardous substances are assigned to categories in the Hazardous Materials Table, 49 CFR, Part 172.101. Hazardous substances that are not listed in the Hazardous Material Table are assigned to categories based on the definitions of the categories.

A. PROHIBITED USES INVOLVING HAZARDOUS SUBSTANCES. Certain substances pose a high risk to public health and safety and to the air, surface and groundwater resources of the Village. Potential harm from exposure to these substances can be reduced by prohibiting large quantities of hazardous materials and hazardous materials and hazardous wastes from occurring in the Village. The following uses shall be prohibited in the Village:

1. Uses which use hazardous substances at the bulk plant quantity level;
2. Waste collection and transfer facilities, which involve hazardous substances;
3. Uses involving:
    a. Asphaltic and petroleum-based coating and preserving materials;
    b. Formulations of Chrome-Copper-Arsenate (CCC), pentachlorophenols (PENTA), creosote, and related chemicals;
    c. Oils containing PCB's;
    d. Used batteries, for recycling or processing; and,
    e. Petroleum storage tanks, excluding retail gas stations and truck stops, and petroleum storage tanks for the exclusive use of on-site fleet vehicles;
4. Primary and secondary metal industries that manufacture, produce, smelt or refine ferrous and non-ferrous metals, but excluding uses which roll, draw, extrude, cast, forge, heat treat, electroplate, plate, anodize, or color ferrous and non-ferrous metals.
5. Agricultural application of halogenated volatile liquid organic pesticides, such as ethylene dibromide (EDB) and dibromo chloropropane (DBCP), related chemicals and their commercial formulations. Other fertilizers, plant growth retardants and pesticides are allowed if applied in accordance with State and Federal standards for accepted farming and horticultural practices.
6. Uses involving nuclear fuels, fissionable materials and products, and reactor elements such as Uranium 235 and Plutonium 239.

B. NONCONFORMING USES THAT INVOLVE HAZARDOUS SUBSTANCES. Non-conforming uses are prohibited from increasing the quantities of hazardous substances produced for off-site use.

C. OTHER USES INVOLVING HAZARDOUS SUBSTANCES. It is the intention of these regulations to allow hazardous substances in a manner consistent with the recommendations of the Village of Richmond Comprehensive Plan and the purpose of the zoning districts in the Village while maintaining the safety and welfare of the general

public and protecting the environment. Hazardous substances shall be permitted by on-site quality characteristics as defined herein and in Section 5.3.2(D).

D. TABLE OF PERMITTED ON-SITE CHARACTERISTICS OF HAZARDOUS SUBSTANCES BY ZONING DISTRICT.

On-Site Quantity Characteristics / Hazardous Substance Category		ZONING DISTRICTS												
		T1	**T2**	**T3**	**T4**	**T5A**	**T5B**	**T6**	**CB**	**GB**	**E1**	**R1**	**R2**	**R3**
Uses involving Class A or B explosives	BP													
	BU													
	PU													
	CC	**S**						**S**						
Uses involving poison A or B, pyrophoric liquid	BP													
	BU	**P**						**S**						
	PU	**P**						**S**						
	CC	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**
Uses involving corrosives, flammable gas or flammable liquid	BP													
	BU							**S**						
	PU							**P**				**P**		
	CC	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**
Uses involving flammable solids, irritating non-flammable gas, ORM A, B or E, organic peroxide, or oxidizers	BP													
	BU	**P**						**S**						
	PU	**P**						**P**						
	CC	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**
Uses involving combustible liquid	BP													
	BU	**P**				**S**	**S**	**P**	**P**	**P**	**P**			
	PU	**P**				**P**	**P**	**P**	**P**	**P**	**P**			
	CC	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**

Where BP = Bulk Plant; BU = Bulk Use; PU = Package Use; CC = Consumer Commodity as defined herein
Where P = Permitted Use, and S = Special Use
NOTE: *Hazardous Substance Categories are defined by USDOT in the Code of Federal Regulations (CFR), Title 49, Parts 100 to 177, October, 1983.*

E. ON-SITE QUANTITY CHARACTERISTICS OF HAZARDOUS SUBSTANCES.

1. BULK PLANT. Hazardous substances at the bulk plant level are manufactured, collected, repackaged, stored, or distributed, but are generally not used on the site. Materials are stored in large, permanent tanks. Bulk plant quantities are larger than amounts transported in or any single shipment. Processors of hazardous substances will generally be at this level. Uses which produce hazardous substances as a by-product or accessory to another product are not in this category.

2. BULK USE. Hazardous substances at the bulk use level are used or sold on site. The hazardous substances are incidental to the primary product or service of the use. Hazardous substances are transported to the site in an unpackaged form and are then transferred to the use's storage tank by hose, pipeline, conveyor belt, etc. On-site use of a portable tank such as rail car, tanker truck, or similar vehicle is considered to be at this quantity level. Use of containers over sixty (60) gallons in size is classified at this level.

3. PACKAGE USE. Hazardous substances at the package use level are stored in discrete containers of sixty (60) gallons or less which are handled individually or on pallets for purposes of transportation. Package materials are used or sold on site. Packages may include cylinders, drums, boxes, glass jars, etc.

4. CONSUMER COMMODITIES. Consumer commodities are packaged and distributed in a form intended or suitable for sale through retail sale outlets for consumption by individuals for purposes of personal care or household use.

F. FIRE PROTECTION DISTRICTS STANDARDS. In addition to these regulations, all storage or use of hazardous substances must be reviewed by the Richmond Township Fire Protection District and must conform with all appropriate fire and building codes.

5.3.3. Fire and Explosion Hazards.

A. The storage, utilization or manufacture of materials or products ranging from free or active burning to intense burning (as determined for liquids by a closed cup flash point of less than one hundred eighty-seven degrees Fahrenheit (187°F), but not less than one hundred five degrees Fahrenheit (105°F)) is permitted, providing the following conditions are met:

1. Said materials or products shall be stored, utilized or produced within completely enclosed buildings or structures having exterior walls of non-combustible construction, in accordance with the building code of the Village.

2. Buildings in which such materials or products are stored, utilized or produced shall be set back at least forty (40) feet from lot lines, or in lieu thereof, all such buildings or structures shall be protected throughout by an appropriate fire suppression system for products and materials stored in accordance with the Village Building Code and standards prescribed by the National Fire Protection Association (NFPA).

B. The storage, utilization or manufacture of materials or products ranging from incombustible to moderate burning (as determined for liquids by a closed cup flash point of not less than one hundred eighty-seven degrees Fahrenheit (187°F)) is permitted.

C. The utilization in manufacturing processes of materials which produce flammable or explosive vapors or gases (as determined for liquids by a closed cup flash point of less than one hundred five degrees Fahrenheit (105°F)) shall be permitted in an Industrial District, provided that;

1. The final manufactured product does not itself have a closed cup flash point of less than one hundred eighty-seven degrees (187°F) Fahrenheit.

2. The use and storage of such materials shall be in conformity with standards prescribed by the NFPA and with requirements of other ordinances of the Village.

3. The storage of said materials shall be prohibited above ground.

D. Detonable materials shall not be stored within two hundred (200) feet of a lot line in any Industrial District, and not within one thousand (1,000) feet of any residential district.

5.3.4. Smoke and Particulate Matter. The emission of particulate matter from all sources within any lot containing more than five percent (5%) by weight of particles having a particle diameter larger than forty-four (44) microns is prohibited. Dust and other types of air pollution borne by the wind from such sources as storage areas, yards, and roads within the boundaries of any lot shall be kept to a minimum by appropriate landscaping, paving, or other acceptable means. Emission of particulate matter from such sources in excess of weight limitations specified herein is prohibited. The emission of smoke or particulate matter of a density equal to or greater than No. 3 on the Ringlemann Chart is prohibited at all times, except as otherwise provided herein.

A. SMOKE EMISSIONS. In all districts the emission or more than twelve (12) smoke units per stack in any one hour period is prohibited. However, once during any six (6) hour period each stack shall be permitted up to twelve (12) additional units in a fifteen (15) minute period for soot blowing and fire cleaning. Only during fifteen (15) minute periods shall smoke of a density equal to, but not exceeding, No. 3 on the Ringlemann Chart be permitted, and then only for fire cleaning and for not more than four (4) minutes per period.

B. PARTICULATE MATTER EMISSION. The rate of emission of particulate matter from all sources within the boundaries of any lot shall not exceed 1.00 pounds per hour per acre in all Districts.

C. METHOD OF MEASUREMENT.

1. SMOKE**:** For the purpose of grading the density of emission of smoke, the Ringlemann Chart, published and used by the United States Bureau of Mines, shall be employed. For the purposes of determining smoke units, the Ringlemann density readings shall be made at least every minute during the period of observation. Each reading (Ringlemann number) shall be multiplied by the time in minutes for which it is observed, and the products added together to determine the total number of smoke units observed during the total period of observation.

2. PARTICULATE MATTER: The total net rate of emission of particulate matter within the boundaries of any lot shall be determined as follows: Determine the maximum emission in pounds per hours from each source of emission and divide this figure by the number of acres of lot area, thereby obtaining the hourly rate of emission in pounds per acre. Add together the individual rates of emission from all sources of emission within the boundaries of the lot. It is this total that shall not exceed the rate established in Section 5.3.4(B).

5.3.5. Odors. No continuous, frequent, or repetitive emission of odors or odor-causing substances that would be offensive beyond any property line of any industrial use shall be permitted. An odor emitted no more than fifteen (15) minutes in any one day shall not be deemed as continuous, frequent, or repetitive within the meaning of these regulations. The existence of an odor shall be presumed when analysis by a competent technician demonstrates that a discernible odor is being emitted. Any process involving the creation or emission of any odors shall be provided with a primary and a secondary safeguard system so that control will be maintained if the primary safeguard system fails. All land uses shall comply with the rules and regulations of the Illinois Pollution Control Board

5.3.6. Radiation Hazards. The handling of radioactive materials, the discharge of such materials into air and water, and the disposal of radioactive wastes shall be in conformance with applicable regulations of the Atomic Energy Commission, and the applicable regulations of any instrumentality of the State of Illinois.

5.3.7. Vibration. Steady-state vibrations, for the purpose of this Article, are vibrations that are continuous or vibrations in discrete pulses more frequent than one hundred (100) per minute. Discrete pulses that do not exceed one hundred (100) impulses per minute shall not cause displacement in excess of twice the values established in Table 5.3.7(A)1 below. Impact vibrations shall mean vibrations occurring in discrete pulses separated by an interval of at least one minute and numbering no more than eight (8) per each twenty-four (24) hour period.

A. PERMITTED VIBRATION DISPLACEMENTS. At no point on or beyond the boundary of any lot shall the ground-transmitted steady-state or impact vibration caused by any use or activity (except those not directly under the control of the property user) exceed the limits as established in Tables 5.3.7 (A)1 and 5.3.7 (A)2 below for the various industrial zones and for any industrial zone boundary abutting a residential zone.

B. METHOD OF MEASUREMENT. For the purpose of measuring vibrations, a three-component measuring system shall be used. A three-component measuring system denotes instrumentation that can measure earthborn vibrations in three directions each of which occurs at right angles to the other two.

TABLE 5.3.7(A)1. MAXIMUM PERMITTED STEADY-STATE VIBRATION DISPLACEMENT (INCHES)

Frequency (Cycles per Second)	*Commercial Districts*	*Industrial Districts*	*Abutting any Residential Districts*
Less than 10	.0008	.0020	.0004
10-19	.0005	.0010	.0002
20-29	.0003	.0006	.0001
30-39	.0002	.0004	.0001
40-49	.0001	.0003	.0001
50 and over	.0001	.0002	.0001

TABLE 5.3.7(A)2. MAXIMUM PERMITTED IMPACT VIBRATION DISPLACEMENT (INCHES)

Frequency (Cycles per Second)	*Commercial* Districts	*Industrial* Districts	*Abutting any Residential* Districts
Less than 10	.0016	.0100	.0006
10-19	.0010	.0050	.0003
20-29	.0006	.0030	.0002
30-39	.0004	.0020	.0001
40-49	.0002	.0015	.0001
50 and over	.0002	.0010	.0001

5.3.8. Glare and Heat. Every use and activity shall be so operated that it does not emit heat or heated air beyond the boundary of the lot on which it is located. No direct or sky-reflected glare shall emanate beyond the boundary of the lot on which such use or activity is located. This restriction shall not apply to signs otherwise permitted by the provisions of this Chapter or applicable Ordinances, nor to activities of a temporary or of any emergency nature. Night lighting necessary for safety and the protection of property is excluded from these provisions.

5.3.9. Electromagnetic Interference. There shall be no electromagnetic interference that adversely affects the operation of any equipment other than that belonging to the creator of such interference, or than does not conform to the regulations of the Federal Communications Commission.

5.3.10. Sources of Illumination. Sources of illumination and their standards or fixtures shall be governed by height or by shielding so that any direct or reflected light source shall not be permitted to cause light beams to fall beyond any lot line of the lot on which the light source is located.

5.3.11. Industrial Wastewater Disposal. Industrial wastewater is herein defined as the wastewater resulting from production, or resulting from the washing of equipment and vehicles, or resulting from similar activities. All industrial wastewater disposal must be approved by the Village Engineer prior to issuance of a Zoning Certificate. Industrial wastewater shall be disposed into a sanitary sewer unless an alternative disposal is approved by the Village Engineer. The engineer may require pretreatment. A sampling manhole and industrial wastewater discharge permit may be required. Sanitary and industrial wastewater quality must meet requirements of the Village Engineer.

5.3.12. Storm Water Disposal. All storm water, groundwater, and run-off from the watering of landscaping must be discharged into an adequate watercourse, water body, storm sewer or into an approved on-site disposal system. Storm water and groundwater disposal methods and the determination of the adequacy of the receiving systems require the approval of the Village Engineer prior to issuance of a zoning certification.

5.3.13. Noise. The maximum permissible sound pressure levels at specified points of measurements for noise radiated continuously from any use in the following zoning districts shall not exceed the level provided in Table 5.3.13(A).

TABLE 5.3.13(A). MAXIMUM SOUND PRESSURE LEVELS (DECIBELS)

Octave Band Center Frequency (*Hertz*)	All Residential Districts		Commercial Districts		Industrial Districts	
	Night	*Day*	*Night*	*Day*	*Night*	*Day*
31.5	63	68	72	77	79	84
63	61	66	71	76	78	83
125	55	60	65	70	72	77
250	47	52	57	62	64	69
500	40	45	51	56	58	63
1000	35	40	45	50	52	57
2000	30	35	39	44	46	51
4000	25	30	34	30	41	46
8000	25	30	32	37	39	44
A-wt. level (db), for monitoring purposes only	45	50	55	60	62	67

B. CORRECTIONS. If the noise is not smooth and continuous, one or more of the following corrections shall be added or subtracted from each of the decibel levels given above:

Type of operation or character of noise	Correction (db)
Noise source operates less than twenty percent (20%) of time	+5*
Noise source operates less than five percent (5%) of time	+10*
Noise source operates less than one percent (1%) of time	+15*
Noise of impulsive character (hammering, etc.)	-5
Noise of periodic character (hum, screech, etc.)	-5

* apply one of these corrections only

C. Noise of intermittent nature that cannot be measured shall be controlled so as not to become a nuisance to adjacent uses. Night is defined as the period between 9:00 p.m. and the following 7:00 a.m, and shall apply during all hours on Sundays.

D. METHOD OF MEASUREMENT. Measurement is to be made at the nearest lot line of any adjacent lot within the same use district or at the nearest boundary other than the use district within which the noise source is located, or at any point along such lot lines or district boundaries where the noise level may be higher. The sound levels shall be measured with a sound level meter and associated octave band filter as prescribed by the American Standards Association.

E. Nothing in this section is intended to restrict the temporary use of equipment during the construction or maintenance of buildings, grounds, or utilities within any zoning district, nor shall they apply to noises not directly under the control of the property user, such as noise from warning signals and devices, noises of railroads and trucking equipment, aircraft, refuse collection, and domestic power tools.

5.3.14. Certificate of Compliance.

A. No use permitted in any manufacturing district shall be issued a zoning certificate until a certified statement has been signed by a qualified professional engineer and a responsible agent for the proposed use stating that all provisions of the performance standards set forth in this Article will be met.

B. No use permitted in any manufacturing district shall be issued a certificate of compliance until all provisions of this Title have been complied with and tests on operating equipment made under normal operating conditions have been performed indicating full compliance with all performance standards. Such statement shall be certified and signed by a qualified professional engineer and a responsible agent for the operating use.

5.3.15. Enforcement. The Development Administrator shall enforce the provisions of this Article 5.3. Upon confirmation of a violation, enforcement and penalty provisions of Article 2.6 shall prevail. In addition, the Development Administrator may require of the offending business or industry the installation, maintenance, and operation of continuous measuring or recording instruments to demonstrate the operation and to ensure continuous compliance with the prescribed standards.

5.3.16. Violations. Established uses found to be in noncompliance will be liable for inspection fees and costs as well as penalties imposed by a court. In the event no due cause is found, the challenger will be liable for the fees and costs.

Article 5.4

Conditions of Use

5.4.1. Scope and Purpose. In order to carry out the recommendations of the Village of Richmond Comprehensive Plan and the purposes and provisions of this Title, all uses permitted in the development districts described in Article 5.1 of this Title shall be subject to all of the applicable conditions and restrictions, as follows:

A. All uses in all districts shall be subject to the following conditions:

1. All common wall construction, whether existing or proposed, shall conform with all building, electrical, plumbing, and other applicable codes and ordinances in the Village.

2. Each detached single-family and attached single-family dwelling unit shall be served with its own water line, sanitary sewer line, sump pump line, if applicable, and other utility lines and extensions.

3. All uses shall be conducted within completely enclosed buildings unless otherwise permitted, herein.

4. All rooftop mechanical service equipment shall be screened from view from grade level of any street, park, parking lot, or from grade of adjoining property. All mechanical equipment shall be screened or colored to match or blend in with the field color of the building.

5. OUTDOOR STORAGE, TRASH COLLECTION, AND LOADING AREAS. Loading areas and outdoor storage areas exert visual and noise impacts on surrounding property and neighborhoods. These areas when visible from adjoining properties and/or public streets shall be screened, recessed or enclosed. Appropriate locations for loading and outdoor storage areas include areas between buildings, where more than one building is located on a site and such buildings are not more than forty (40) feet apart, or on those sides of buildings that do not have customer or public entrances.

a. Areas for outdoor storage, truck parking, trash collection or compaction, loading, or other such uses shall not be visible from adjacent streets.

b. No areas for outdoor storage, trash collection or compaction, loading, or other such uses shall be located within twenty (20) feet of any public street or public sidewalk.

c. Loading docks, truck parking, outdoor storage, utility meters, HVAC equipment, trash collection, trash compaction, and other service functions shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets, and no attention attracted to the functions by the use of screening materials that are different from or inferior to the principal materials of the building and landscape.

d. Non-enclosed areas for the storage and sale of seasonal inventory shall be permanently defined and screened with walls and/or fences. Materials, colors, and design of screening walls and/or fences and the cover shall conform to those used as predominant materials and colors on the building. If such areas are to be covered, then the covering shall conform to those used as predominant materials and colors on the building.

B. All uses in all commercial or industrial districts shall be subject to the following additional conditions:

1. All uses shall comply with the performance standards for noise, odor, dust, smoke and vibration established in Section 5.3.

2. All transition yards shall be screened and/or landscaped to provide visual and acoustical privacy for adjacent residents, and refuse storage areas shall be screened from view.

3. All exterior lighting, building and parking lot lights shall be directed away from adjacent property, alleys and thoroughfares and shall apply Dark Sky photometrics.

4. All open bulk material storage shall be screened from public view and adjacent property by a solid fence or wall.

5. DELIVERY AND LOADING OPERATIONS. Delivery and loading operations shall not disturb adjoining neighborhoods or other uses. No delivery, loading, trash removal or compaction, or other such operations shall be permitted between the hours of 10:00 p.m. and 7:00 a.m. unless the lot owner submits evidence that sound barriers between all areas for such operations effectively reduce noise emissions to a level of 45 decibels as measured at the lot line of any adjoining property.

C. All uses in all commercial districts shall be subject to the following additional conditions:

1. All business establishments shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold in a retail manner on the premises where produced.

2. All business, servicing, storage and display of goods shall be conducted within completely enclosed structures, except that bedding plants and flowers in season may be displayed out of doors and outdoor dining areas where permitted may be established without said enclosure provided that their location does not interfere with adequate and safe pedestrian circulation.

3 There shall be no manufacture, processing or treatment of products other than what is clearly accessory or essential to the retail business conducted on the premises.

4. Outdoor display of items intended for direct sale to the public shall be permitted only on a sidewalk adjacent the shop front, only during business hours of operation, and shall not obstruct or interfere with pedestrian circulation. Such outdoor display is permitted only as an accessory use.

D. All fuel stations shall be subject to the following conditions:

1. The building and pump island canopy shall conform to surrounding architecture and building typologies, e.g. shop front.

2. *(Reserved)*.

E. All uses with live music shall be subject to the following conditions:

1. Live music shall not be audible off the premises at decibel levels greater than normal background noise after 11:00 p.m., if such establishments are located within three hundred (300) feet of a residence.

2. *(Reserved)*

F All uses with outdoor seating shall be subject to the following conditions:

1. Outdoor seating, tables and canopies may encroach upon public sidewalks but shall not obstruct any sidewalks or streets.
2. Live music associated with any outdoor seating area shall not be located on the public sidewalk.
3. Recorded music shall not be audible off the premises at decibel levels greater than normal background noise.

Chapter 6

LAND USE AND DEVELOPMENT STANDARDS

Article 6.1

GENERAL PROVISIONS

6.1.1. New Structures. All structures built hereafter shall comply with all of the regulations of this Title. Any structure hereafter moved from one site to another site shall be considered to be a structure built hereafter. Any structure rebuilt or restored after damage or destruction by fire or other casualty shall be considered to be structure built hereafter, unless Chapter 3 of this Title permits such structure to be rebuilt or restored.

6.1.2. New Uses of Old Structures. If the use of any existing structure is hereafter changed to another use, then the new use shall comply with the use regulations of this Title provided, however, the mere establishment of a new use does not itself require the existing structure to conform to the lot size or other bulk regulations of this Title.

6.1.3. Remodeling. If any structure is hereafter remodeled:

A. The entire structure as remodeled shall comply with the use regulations of this Title; and

B. Any alterations or enlargements of, or additions to the structure shall comply with the bulk regulations of this Title; and

C. The off-street parking facilities provided for the structure shall not be reduced below (or if already less than, shall not be further reduced below) the requirements that would be applicable to a similar new structure or use.

6.1.4. Uses of Open Land. If any use of open land is hereafter established, or if any use of open land is hereafter changed to another use, such use shall comply with all the regulations of this Title.

6.1.5. Uses Permitted In All Districts. The following public utility and municipal uses are permitted in all districts: poles, wires, cables, conduits, vaults, laterals, pipes, mains, valves or any other similar equipment (not including substations located on or above the surface of the ground) for the distribution to consumers of telephone or other communications, electricity, gas, water, or for the collection of sewage or surface water.

6.1.6. Public Sewer and Water Facilities Required. All structures built after July 17, 1990 shall be served by and connected to a public sanitary sewage disposal system and water distribution system. Existing structures not connected to a public sanitary sewage disposal system and water distribution system may be enlarged, repaired, or altered without connection to said system provided that the failure to connect said structure shall not create a hazard to the public health, safety, or welfare.

6.1.7. Permitted Uses. No structure shall hereafter be built, moved or remodeled, and no structure or land shall be used, occupied or designed for use or occupancy except for a use that is permitted within the zoning district in which the structure or land is located.

6.1.8. Special Uses. No use of a structure or of land that is designated as a Special Use in any zoning district shall hereafter be established, and no existing Special Use shall hereafter be changed to another Special Use, in such district unless a Special Use Permit has been secured in accordance with the provisions of Article 4.3 of this Title.

6.1.9. Lot Size Requirements.

A. No structure or part thereof shall hereafter be built, moved or remodeled, and no structure or land shall hereafter be used, occupied, arranged or designed for use or occupancy on a zoning lot which is:

1. Smaller in area than the minimum lot area or minimum lot area per dwelling unit required in the zoning district in which the structure or land is located; or

2. Narrower than the minimum lot width required in the zoning district in which the structure or land is located; or

3. Shallower than the minimum lot depth required in the zoning district in which the structure or land is located.

B. No existing structure shall hereafter be rebuilt, remodeled or otherwise altered or modified so as to conflict or further conflict with the lot area per dwelling unit or lot size requirements as set forth in Article 6.5, for the zoning district in which the structure is located.

C. Whenever a minimum contiguous area is specified for a zoning district, then no property shall be classified or reclassified in any such zoning district unless, after such classification or reclassification, the said property will, when considered alone or in conjunction with similarly classified property which it abuts, contain at least the minimum contiguous area specified for such zoning district.

6.1.10. Lot Development Regulations. In this Title, lot development regulations are expressed in terms of maximum structure height, maximum lot coverage, maximum floor area ratio, minimum building separation and minimum front, side, corner side, transition, rear, and double frontage yards, location of parking, and frontage types, among other terms by building typology. No structure or part thereof, shall hereafter be built, moved or remodeled, and no structure or land shall hereafter be used, occupied or designed for use or occupancy so as to;

A. exceed the maximum lot coverage percentage, the maximum structure height or the maximum floor area ratio specified for the building typology that is closest to that proposed or maintained on the property; or

B. provide any setback or front, side, corner side, transition or rear yard that is less than that specified for the building typology which most closely represents such structure proposed or maintained.

6.1.11. Off-Street Parking and Loading. No structure shall hereafter be built or moved and no structure or land shall hereafter be used, occupied or designed for use or occupancy unless the minimum off-street parking and off-street loading spaces required by Article 6.7 of this Title are provided. No structure or use already established on the effective date of this Title shall be enlarged unless the minimum off-street parking and loading spaces required by Article 6.7 for such enlargement are provided.

6.1.12. Number of Structures and Uses on a Zoning Lot.

A. RESIDENTIAL DISTRICTS. Unless otherwise permitted for a specific building typology, not more than one principal residential building shall be located on a single zoning lot, unless such principal residential building is located in a planned development that was approved pursuant to the provisions of this Title.

B. COMMERCIAL AND INDUSTRIAL DISTRICTS. In commercial and industrial districts, any number of structures and uses including residential, when permitted, may be constructed or established on a single zoning lot, but no single zoning lot shall be smaller than the minimum lot area prescribed for the district in which such structures are located.

6.1.13. Yard Requirements for Open Land. If a zoning lot is, or will be, occupied by a permitted use without structures, then the minimum front, side or rear yards that would otherwise be required for such zoning lot shall be provided and maintained unless some other provisions of this Title requires or permits a different front, side, corner side or rear yard, on zoning lots used for garden purposes without structures, or on zoning lots used for open, public recreation areas.

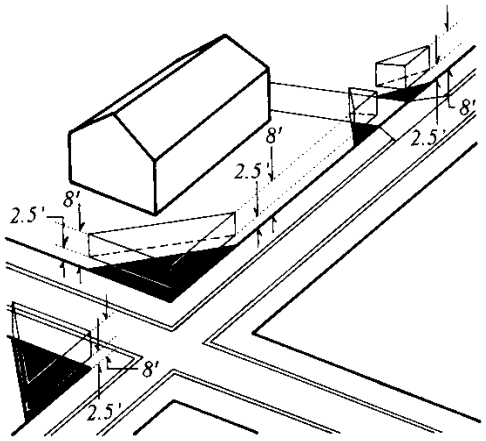
6.1.14. Restrictions on Allocation and Disposition of Required Yards or Open Space.

A. No part of the lot area, or of a yard, or other open space, or off-street parking or loading space provided in connection with any structure or use in order to comply with this Title shall, by reason of a change of ownership or otherwise, be included as a part of the minimum lot area, yard, other open space, or off-street parking or loading space required for any other structure or use, except as specifically permitted by this Title.

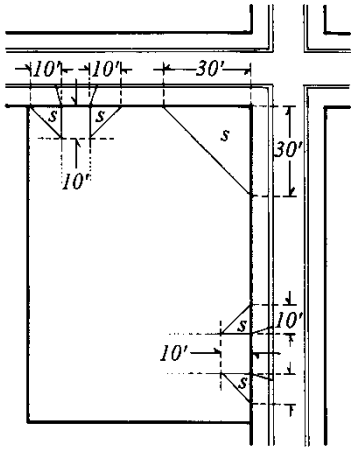
B. All of the lot area and all yards and other open spaces provided in connection with any structure or use in order to comply with is Title shall be located on the same lot as the structure or use.

6.1.15. Use Limitations. No permitted use hereafter established, altered, modified or enlarged shall be operated or designed so as to conflict with the use limitations for the zoning district in which such use is, or will be, located. No permitted use already established on the effective date of this Title shall be altered, modified or enlarged so as to conflict with or further conflict with, the use limitations for the zoning district in which such use is located.

6.1.16. Sight Triangle. No building, structure, fence, sign, landscaping or other obstruction, whether temporary or not, shall be erected or permitted to grow in the sight triangle located at the intersection of every street, street and alley, and street and driveway. The sight triangle is a three-dimensional volume, the bottom of which is two and one-half (2.5) feet above grade and the top of which is eight (8) feet above grade, and the sides of which are formed by the right-of-way lines of two intersecting streets or a street and a driveway or a street and an alley. The length of the sides of said triangle shall be thirty (30) feet along the street right-of-way that intersect, and ten (10) feet along the street right-of-way and driveway when a street and driveway intersect, or along the street right-of-way and alley when a street and alley intersect.



Sight Triangle



Sight Triangle (s)
Plan View

6.1.17. Platted Building and Setback Lines. If a recorded subdivision plat imposes a building or setback line for a lot which is less than the minimum yard required by the applicable section of this Title, then, notwithstanding the recorded plat, the minimum yard shall be the same a required by the applicable section of this Title.

6.1.18. Established Setbacks in Conflict with this Title.

A. Notwithstanding any other provisions regarding setbacks in residential and commercial areas as set forth in this Title, if forty percent (40%) of any defined residential or commercial block shall be improved with buildings at the time of any application for building permit and the existing improved frontage of any such block shall have been established to a setback line which is less than the minimum requirement as provided for in the district in which the property is located then the setback existing at the time of the application for building permit shall be accepted as a proper set back and no hearing for variation shall be required to permit the construction of a building conforming to the existing established setback.

B. If forty percent (40%) of any defined commercial block in the GB General Business or CB Central Business Districts shall be improved with buildings at the time of any application for building permit and the existing improved frontage of any such block shall have been established to a setback line which is greater than the minimum requirement as provided for in the appropriate district in which the property is located then that setback, existing at the time of the application for building permit shall be accepted as a proper setback notwithstanding the fact that

the minimum setback is less. The purpose of this provision is to provide for buildings to conform to the existing established setback.

6.1.19. Effect on Prior Plans. Nothing in this ordinance shall be deemed to require any change in the plans, construction or designated use of any building upon which actual construction was lawfully begun prior to the adoption of this ordinance and upon which building actual construction has been diligently carried on and provided further that such building shall be completed within two (2) years from the date of passage of this Title.

Article 6.2

ACCESSORY STRUCTURES AND USES

6.2.1. Accessory Structures and Uses. No accessory structure or use, as defined herein, shall hereafter be built, moved or remodeled, established altered or enlarged unless such accessory structure or use is permitted by the Title. Accessory uses are permitted in any zoning district in connection with any principal use that is permitted within such district.

A. ACCESSORY STRUCTURES AND USES LIMITATIONS AND CONDITIONS. Each accessory structure and use shall comply with the applicable limitations in the zoning district in which it is located and, in addition:

1. No accessory structure or use shall be constructed, occupied or established on any lot prior to the completion of the principal structure to which it is accessory.

2. No accessory structure or use shall be permitted in any yard unless it is a permitted yard obstruction as provided in Section 6.2.1(B)2 or 6.2.1(B)3.

3. Outdoor storage, where permitted, shall be maintained in such a manner so as to prevent the over-growth of weeds, grasses and other obnoxious plant material, and the harboring of rodents and other animal and insect pests.

4. Buildings and structures essential, incidental or customary to the pursuit of agriculture are exempt from the requirements of this Section 6.2.1.

5. On a corner lot occupied by a principal residential structure that is legally nonconforming with respect to the corner side yard setbacks, accessory uses and structures may be located in said corner side yard provided they maintain the same setback as the principal residential structure.

6. No accessory structure or use, except fences, shall be constructed, occupied or established on any public utility, drainage, or pipeline easement, except with the written permission of the Village and all utility companies having rights to use the easement.

B. PERMITTED YARD OBSTRUCTIONS.

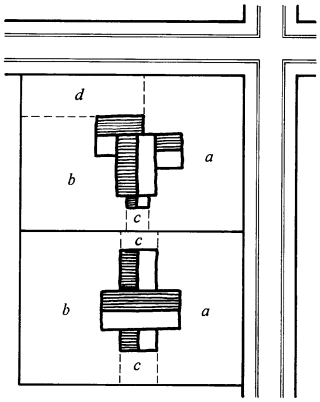
1. No accessory structure and use, except those which are permitted as obstructions in yards as indicated in Section 6.2.1(B)2, Table of Permitted Yard Obstructions, shall be established, constructed or altered in, or moved to any yard. *For the purpose of this Section 6.2.1:*

a. Front yard shall refer to the open space on a lot between the front lot line and all of the vertical planes forming the front elevation of the principal structure;

b. Rear yard shall refer to the open space on a lot between the rear lot line and all of the vertical planes forming the rear elevation of the of the principal structure, but excluding any corner side yard;

c. Side yard shall refer to the open space on a lot between the side lot line and the vertical plane(s) forming the side elevation of the principal structure closest to the side lot line, but excluding any rear or front yards; and,

d. Corner side yard shall refer to the open space on a lot between the corner side lot line and the vertical plane forming the side wall(s) of the principal structure closest to the corner side lot line, but excluding any rear or front yards.



Accessory Structures and Uses Yards

Where a = Front Yard
b = Rear Yard
c = Side Yard
d = Corner Side Yard

2. TABLE OF PERMITTED YARD OBSTRUCTIONS. *(ORD.2016-24;2026-06))*

STRUCTURE OR USE	FRONT YARD	CORNER SIDE YARD	REAR YARD	SIDE YARD	STRUCTURE OR USE	FRONT YARD	CORNER SIDE YARD	REAR YARD	SIDE YARD
Accessory Dwelling Units			P						
Air conditioner condenser unit, window units	P	P	P	P	Greenhouse, private in accordance with Section 6.2.1			P	
Animal houses, for domestic animals, not to exceed sixteen (16) square feet in area and four (4) feet in height			P		Lamp posts	P	P	P	P
Antenna, freestanding, for non-commercial purposes			P		Landscaping	P	P	P	P
Arbors, trellises and pergolas	P	P	P	P	Laundry drying (clotheslines)			P	
Architectural ornamentation, e.g. sills, belt courses, cornices	P	P	P	P	Lawn and garden ornaments, sculpture and statuary, and garden furniture	P	P	P	P
Awnings and canopies, projecting no more than forty-eight (48) inches from the structure	P	P	P		Outdoor storage of firewood			P	P
Balconies, projecting no more than sixty (60) inches from the structure	P	P	P		Outdoor storage, in Industrial Districts			P	P
Barbeque grills, in-ground			P		Temporary parking boats, trailers, campers, recreational vehicles and trucks in accordance with Section 6.7.4 and 4.2.6(B)(4)(a)	P	P	P	P
Bay windows, having no foundation and projecting no more than thirty (30) inches from the structure	P	P	P	P	Parking spaces and aisles, loading berths, except covered or enclosed, in accordance with Article 6.7	P	P	P	P
Cabanas			P		Patio, open to the sky			P	P
Carport, attached, projecting no more than ten (10) feet from the structure			P	P	Patio, permanently roofed-over			P	
Children's playhouse, not to exceed forty (40) square feet in area			P		Porches, projecting no more than eight (8) feet from the structure	P	P	P	P
Chimneys, having no foundation and projecting no more than thirty (30) inches from the structure	P	P	P	P	Portico chere, projecting no more than fourteen (14) feet from the structure	P	P	P	P
Decks, open to the sky and less than thirty-six (36) inches above the ground under the deck			P	P	Recreational equipment, e.g. children's swing set			P	
Decks, permanently roofed-over			P		Satellite stations, freestanding in accordance with Section 6.2.1			P	P
Dog runs, open to the sky and not to exceed thirty-two (32) square feet in area			P		Signs and nameplates, in accordance with Article 6.8	P	P	P	P
Driveways and walkways	P	P	P	P	Solar energy devices, attached	P	P	P	P
Eaves and gutters, projecting no more than thirty (30) inches from the structure	P	P	P	P	Solar energy devices, detached			P	
Fall-out, storm shelters, attached or detached, above or below grade			P		Steps, at or below the first floor level	P	P	P	P
Fences and walls, Type A (All Zoning Districts) not to exceed (4) feet	P	P	P	P	Storing boats, trailers, campers, recreational vehicles and trucks in accordance with Section 6.7.4 and 4.2.6(B)(4)(a)			P	P
Fences and walls, Type B (Residential Zoning) not to exceed (6) feet, (all other Zoning) not to exceed (10) feet			P		Swimming pools, hot tubs, Jaccuzi and outdoor spas in accordance with Section 6.2.1			P	
Fire escapes, open to the elements and projecting no more than five (5) feet from the structure	P	P	P	P	Tennis, basketball courts			P	
Fireplace, outdoor			P		Terraces	P	P	P	P
Flag poles, the height of which shall not exceed the distance from any lot line	P	P	P	P	Tool, garden shed or similar buildings or structures for domestic storage purposes in accordance with Section 6.2.1			P	
Garages and carports, detached in accordance with Section 6.2.1			P		Trash receptacles and enclosures			P	P
Gazebos			P		Utility meters, distribution boxes, pedestals and other above ground appurtenances	P	P	P	P

Where 'P' indicates accessory structure or use is a permitted yard obstruction in the indicated yard as defined in this Section 6.2.1(B)1.

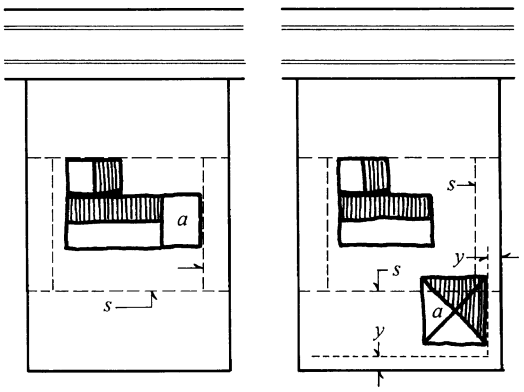
Accessory structures and uses not listed in this Table shall be considered to be prohibited yard obstructions.

Accessory structures and uses listed in this Table shall conform with the bulk regulations in Section 6.2.2 unless otherwise specified in this Table. *(Ord. 2016-24; 7/7/16)*

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6.2.2. Bulk Regulations. Except as otherwise provided by this Title, all accessory structures and uses shall observe the bulk regulations of the district in which they are located, provided that:

A. ATTACHED ACCESSORY STRUCTURES: Accessory structures, except porches, balconies and decks attached to the principal building, shall be considered part of the principal building and shall comply with the required yards for the principal structure.



Yard Requirements for Accessory Structures (a)
Where s = required setback for principle structure, and
y = required setback for detached accessory structure

B. DETACHED ACCESSORY STRUCTURES, EXCEPT FENCES AND WALLS:

1. Minimum rear and side yard: Detached accessory structures shall be located at least three (3) feet from any side or rear lot line. If the accessory structure is more than ten (10) feet in height, the required rear and side setbacks shall be ten (10) feet. In no case shall such accessory structure be permitted in any public utility or drainage or access easement.

2. Maximum structure height: Fifteen (15) feet, except as provided otherwise in this Article 6.2. *(Ord. 2018-20; 9/20/18)*

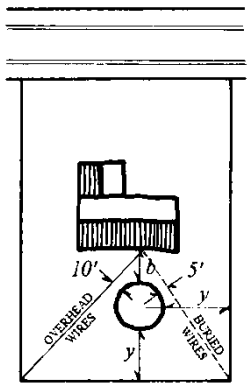
3. Minimum building separation: No detached accessory structure may be located less than ten (10) feet from the principal structure or another accessory structure on the lot, except as provided otherwise in this Article 6.2.

C. ADDITIONAL BULK REGULATIONS.

1. SWIMMING POOLS, HOT TUBS, AND OUTDOOR SPAS.

a. No swimming pool, hot tub or outdoor spas and any deck attached thereto, may be located less than five (5) feet from any fence or property line.

b. No swimming pool, hot tub, and outdoor spa shall be located within ten (10) feet of any overhead electric distribution or above ground service utility line transformer, pedestal or meter, nor within five (5) feet of any buried electric distribution or service utility line.



Swimming Pool (p) Setbacks

Where b = building separation (≥ 10 feet)
y = yard setback (≥ 5 feet)

c. All swimming pools, hot tubs, and outdoor spas, hereinafter referred to as "pool", shall provide adequate enclosure when not in use or supervised. Said enclosure shall be:

1. A fence or wall with no openings or breaks, except for gates, not less than four (4) feet in height must be placed around the pool or lot on which the pool is located; or

2. The pool must be constructed with a self-contained fence and retractable ladder; or,

3. A manufacturer's swimming pool, hot tub, or outdoor spa cover or other type of protective device providing equal or better degree of protection than the other options in this Section and approved by the Village building official.

Planting material shall not be accepted as a substitute for a fence or wall required by this Section.

d. Maximum area of all swimming pools, hot tubs, or outdoor spas located on a lot shall not exceed six hundred (600) square feet or one percent (1%) of the lot area, whichever is less.

2. FENCES AND WALLS.

a. DEFINITION. For the purpose of this Article 6.2, a fence shall mean a free standing structure of metal, masonry, composition or wood or any combination thereof permanently installed by being partially buried in the ground and rising above ground level, and used for confinement, screening, or partition purposes, including the following: (*i*) *Fence, decorative*; A fence having a regular pattern that has more than thirty percent (30%) of the surface open and unobstructed to vision, light and air, when viewed perpendicular to the plane of the fence and intended primarily for aesthetic purposes; (*ii*) *Fence, natural;* A living barrier that is made of natural growth, such as shrubs, hedges, evergreens and similar planted vegetation; and, (*iii*) *Fence, solid*; a fence having a regular pattern that has less than thirty percent (30%) of the surface open and unobstructed to vision, light and air, when viewed perpendicular to the plane of the fence and intended primarily for privacy or security purposes.

b. PROHIBITED FENCES AND WALLS.

1. Fences, including walls and planting material used in the nature of a fence, placed or maintained on any portion of any public right-of-way or in any required yard which, by the nature of the materials used for its construction, its design or location would impair public safety by interfering with and obstructing the vision of persons using the streets, sidewalks or driveways on or adjacent to such a yard. No such fence may be located within the sight triangle, as described in Section 6.1.16 of this Chapter.

2. Fences or walls constructed in whole or in part of, spikes, glass, protruding nails, or other sharp or pointed material of any kind.

3. Fences or walls constructed in whole or in part of electrically charged wire or barbed wire, except that barbed wire and electrically charged wire may be used on a fence on a lot in the T-1 District only when such lot is used for permitted agriculture purposes.

4. Chain link fences with barbed ends up.

5. Chain link fences with privacy insert strips in residential zoning districts. Privacy insert strips may be used in chain link fences in non-residential zoning districts provided all of the inserts are of the same color.

6. Snow fences, except for the exclusive control of windblown snow between November 1 and March 31 and erected by State or local highway authorities, or used exclusively for protection devices at excavation sites.

7. Fences constructed of less than 9-gauge wire.

c. FENCE AND WALL REQUIREMENTS.

1. FENCE CATEGORIES. For the purpose of this Section, there shall be two categories of fences in Richmond:

i. TYPE A. A Type A fence may only be a decorative, natural or solid fence and shall not exceed four (4) feet in height above the ground level in all zoning districts.

ii. TYPE B. A Type B fence may be a wall, decorative, natural or solid fence.

2. FENCE STANDARDS AND CONDITIONS OF USE.

i. TYPE A. A Type A fence is permitted in all yards. When a Type A fence, other than a natural fence, is erected in a front or corner side yard is of wood construction it shall be painted or stained white in color.

ii. TYPE B. A Type B fence shall not exceed six (6) feet in height in residential districts or ten (10) feet in all other districts and is permitted only in rear yards, unless otherwise specified or permitted in this Title.

iii. ADDITIONAL REGULATIONS FOR FRONT AND CORNER SIDE YARD FENCES AND WALLS. Chain link fences and walls, except terraces, knee-walls and retaining walls, shall be prohibited in a front yard.

3. Fences and walls shall be located entirely on the lot of the property owner constructing the fence or wall.

4. The finished side of the fence or wall must face out from the property of property owner constructing the fence or wall.

5. No fence or wall shall be constructed or maintained in such a manner as to obstruct, inhibit, impair or otherwise alter over land surface drainage across any adjoining lot.

6. Fences may be located on public utility and drainage easements, however, the Village and the public utility companies having rights to use said easement reserve the right to remove said fence to construct, repair or maintain utility facilities with no obligation to replace or restore said fence, unless so stated in the governing easement document. It shall be the obligation of the property owner to locate all utilities prior to construction of a fence.

d. EXEMPTIONS. The provisions of this Section 6.2.2.C.2 shall not apply to the following:

1. Fences constructed for the safety of children on park or school playgrounds.

2. Planting material used in the nature of a fence, except as otherwise prohibited by Section 6.2.1.D.2.a.1.

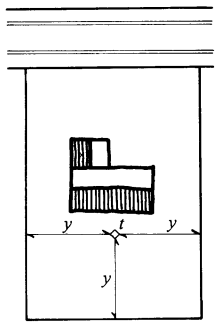
3. PRIVATE ANTENNA TOWERS AND SATELLITE STATIONS. Satellite stations with a diameter of forty (40) inches or less are exempt from these regulations. All other antenna and satellite stations shall conform to the following:

a. MAXIMUM HEIGHT: Fifty (50) feet above grade.

b. MINIMUM YARDS:

1. Freestanding towers or antenna structures and satellite stations that are unattached to the principal structure shall not be located closer to the lot line than the total height of the tower, satellite stations or antenna structure. All unattached, freestanding towers, satellite stations or antenna structures shall be located in the rear yard and must be properly guyed entirely within the limits of the property.

3. Towers, satellite stations or antenna structures that are directly attached to the principal structure may be located in a side yard or rear yard.



Freestanding Antenna Tower (t)

Where y = yard setback, and y = height of tower or antenna

c. SCREENING REQUIRED. Detached satellite stations greater than forty (40) inches in diameter shall be screened from view from adjoining lots and adjoining public right-of-way by a solid fence, wall and/or landscaping.

4. DETACHED GARAGES AND CARPORTS. In addition to the requirements of Section 6.2.2.B, detached garages and carports shall comply with the following:

a. MAXIMUM AREA: One thousand two hundred (1,200) square feet or eight percent (8%) of the lot area, whichever is less.

b. MAXIMUM NUMBER: One (1) per single family lot.

c. ACCESS. A continuous hard dust-free surface shall be provided between any garage or carport and the adjoining public right-of-way or alley.

d. MAXIMUM HEIGHT: Twenty (20) feet, unless an accessory dwelling unit or accessory office is located above the garage in which case the garage shall not exceed the height of the principal structure. *(Ord. 2018-20; 9/20/18)*

5. DECKS, OPEN-TO-THE-SKY. In addition to the requirements of Section 6.2.2.B, decks, open-to-the-sky, shall comply with the following:

   a. MAXIMUM AREA: Ten-percent (10%) of the lot area.

   b. MINIMUM YARDS: Five (5) feet from any side or rear lot line provided that no deck attached to the principal building shall be located less than fifteen (15) feet from a rear lot line.

   c. MAXIMUM HEIGHT: No deck detached from the principal building shall be higher than thirty-six (36) inches above the ground beneath the deck. Decks attached to above ground swimming pools shall be exempt from the maximum height limitation set forth herein but shall not be less than five (5) feet from any adjoining property line.

6. ACCESSORY DWELLING UNITS AND ACCESSORY OFFICES. In addition to the requirements of Section 6.2.2.B, accessory dwelling units and accessory offices shall comply with the following:

   a. MAXIMUM FLOOR AREA: Six hundred forty (640) square feet.

   b. NUMBER: Only one (1) accessory dwelling or accessory office shall be permitted on a lot.

   c. MAXIMUM HEIGHT: The accessory dwelling or accessory office shall not exceed the height of the principal residential building on the lot.

   d. ADDITIONAL STANDARDS AND CRITERIA:

      1. If the accessory dwelling or office is adjacent an alley, it shall have at least one window overlooking the alley.

      2. The entrance to the accessory dwelling or office shall not open directly onto an alley or face a public street.

      3. The accessory dwelling or office shall not materially differ in architectural appearance from the principal residence on the property.

7. PORTE-COCHERES AND ATTACHED CARPORTS. In addition to the requirements of Section 6.2.2.B, porte-cocheres or attached carports shall comply with the following:

   a. NUMBER: One (1) per lot

   b. MAXIMUM HEIGHT: The top of the porte-cochere or attached carport shall not be higher than the lowest eave line of the wall to which it is attached.

   c. YARDS: A porte-cochere or attached carport may extend in to a required yard provided that it has no solid wall, other than the wall of the principal building to which it is attached, and is open to the elements year round.

   d. The roof of a porte-cochere may be used as a deck, but shall not be enclosed and used as habitable space if the porte-cochere is located in a required yard.

8. TOOL, GARDEN STORAGE SHEDS, GAZEBOS, CABANAS AND OTHER ACCESSORY STRUCTURES, NOT OTHERWISE SPECIFIED IN THIS SECTION 6.2.2. In addition to the requirements of Section 6.2.2.B, tool, garden storage sheds, gazebos, cabanas and other accessory structures not specified in this Section 6.2.2 shall comply with the following:

   a. MAXIMUM AREA: Ten-percent (10%) of the lot area.

   b. MAXIMUM NUMBER: One (1) each per lot.

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Article 6.3

TEMPORARY STRUCTURES AND USES

6.3.1. Temporary Structures and Uses. No temporary structure or use as listed herein shall hereafter be built, established, moved or remodeled, altered or enlarged unless such temporary structure or use is permitted by this Title. The following uses of land are permitted in each zoning district (unless specifically restricted to a particular in each district), subject to the specific regulations and time limited which follow, and to the other applicable regulations of the district or districts in which it is located:

A. CHRISTMAS TREE SALES. Christmas tree sales, when located on a lot not less than one (1) acre for a period not to exceed thirty (30) days. Such use need not comply with the yard requirements of this Title, provided than no trees shall be displayed within ten (10) feet of any driveway or street right-of-way or within thirty (30) feet of the intersection of the rights-of-way of any two streets.

B. CONTRACTORS' OFFICES AND EQUIPMENT SHEDS AND TRAILERS. Contractors' offices and equipment sheds and trailers, when accessory to a construction project and only for the duration of the project while building permits are in effect and provided that such office or equipment shed or trailer is located on the premises undergoing construction. No such office, shed or trailer shall contain sleeping accommodations or cooking facilities. Such use shall be removed upon the lapse of building permits or issuance of the last occupancy certificate and shall be screened from public view with a fence or landscaping.

C. SUBDIVISION OR MODEL HOMES SALES OFFICES. Subdivision or model home sales offices, which may be located in a trailer or in a model home on the premises, when incidental to a new housing development. No such use may be used for sleeping or cooking purposes and may continue only until all dwelling units in the development have been sold or leased.

Fences may be located on lots used for subdivision sales offices and model homes provided that such fences comply with the provisions of 6.2.1.C.2, except that points of access be provided as required by the Development Administrator for persons, equipment and vehicles which may be required in case of emergency, and that fences used to control and direct sales pedestrian traffic may exceed the maximum height for fences in the yard in which they are located. If fences are used in connection with a subdivision or model home sales office, the Development Administrator may require a fence plan for the sales area prior to issuing a zoning certificate.

D. SEASONAL SALE OF FARM PRODUCTS. Seasonal sales of farm produce, grown on the premises in a T-1 District, for a period not to exceed four (4) months in any calendar year. Structures incidental to such sales shall comply with the yard requirements of the district in which it is located.

E. CIRCUSES AND CARNIVALS. Circus or carnivals, when operated or sponsored by a religious, civic, or institutional not-for-profit group for a period not to exceed one week. No such use may occur on a lot which will pose a safety hazard to pedestrians and motorists or interfere with the use and privacy of adjacent property. Such use may not be located in any residential district, except on park, church, or school property, and shall comply with the yard requirements of the district in which it is located.

F. SIDEWALK SALES. Sidewalk sales, when conducted in a commercial district incidental to the business(s) located on the lot provided such use in conducted in conjunction with a special event or promotion which is related to or sponsored by the business(s) on the lot and conducted adjacent to the entrance of said business(s), and that such use occurs for a period not to exceed four days and does not to occur more than three (3) times in a calendar year.

G. GARAGE OR YARD SALES. Garage or yard sales, estate sales and house auctions when conducted on private property in a residential district for the display and sale of household and personal items, provided such use occurs for a period not to exceed six (6) days in a calendar year.

H. PORTABLE STORAGE CONTAINERS. Portable storage containers are permitted on a lot only by permit for not more than thirty (30) days in a calendar year and shall comply with the location

requirements for a storage shed as provide in Section 6.2.2.C.8 of this Title. Only one (1) portable storage container shall be permitted on a lot at any one time. Extensions of time may be granted by the Development Administrator in instances where the portable storage container is used in connection with (re)construction occurring on a lot but in no event shall the total elapsed time exceed one hundred (120) days. For the purpose of this Section, a portable storage container is any structure designed and intended to be moved from one location to another with or without its own frame and chassis and is intended for the temporary storage of personal property.

Article 6.4

HOME-BASED BUSINESSES

6.4.1. Purpose. Home-based businesses are a necessary and desirable part of the development of a community, but if left unchecked can have a deleterious effect on the value, use and enjoyment of adjoining property and the neighborhood. It is necessary to establish performance standards to measure the appropriateness of the many diverse home-based businesses in Richmond neighborhoods. It is the intent of this section to:

1. Ensure the compatibility of home-based businesses with other uses permitted in residential zoning districts;
2. Maintain and preserve the character of residential neighborhoods;
3. Promote the efficient use of public services and facilities by assuring that services are provided to the residential population for which they were planned and constructed, rather than provided to commercial uses; and,
4. Prevent the generation of vehicular or pedestrian traffic in greater volumes than would normally be expected in a residential neighborhood.

6.4.2. Performance Standards. In addition to all of the use limitations applicable in the district in which a home-based business is located, no home-based business, as defined herein, shall hereafter be established, altered or enlarged in any residence district unless such home-based business complies with the following performance standards in all residence districts:

A. EMPLOYEES. No person who is not a member of the immediate family occupying such dwelling unit shall be employed at the home in connection with the home-based business.

B. SIGNS. Except for a two (2) square foot nameplate, no sign on the premises shall advertise the presence or conduct of a home-based business.

C. No wholesale, jobbing or retail business shall be permitted unless sales are conducted entirely by mail, telephone, and internet or by appointment.

D. DELIVERIES. The business does not involve the receipt, shipment, delivery (except by mail or package delivery service) or storage of merchandise on or from the premises.

E. NO EXTERIOR EVIDENCE. There shall be no activity, structure, or other exterior evidence that the dwelling unit is being used for any non-residential purpose in order to conduct the home-based business.

F. AREA LIMITATION. No more than twenty-five percent (25%) of the area of a dwelling shall be devoted to the home-based business.

G. EQUIPMENT. No mechanical or electrical equipment may be used except such types as are customary for purely domestic, household, or hobby purposes, or used in a manner to indicate that the structure is being used for a non-residential purpose. Furthermore, no equipment which creates noise vibration, glare, fumes, odors or electrical interference beyond what normally occurs in the applicable zoning district shall be used in such home-based business.

H. OUTSIDE STORAGE. There shall be no storage outside a principal building or accessory structure of equipment or materials or products used in the home-based business.

I. OUTDOOR BUSINESS OPERATIONS. The home-based business shall be conducted entirely within the principal residential building or in a private garage accessory thereto.

J. CHARACTER. The home-based business shall be conducted in a manner which would not cause the premises to differ from its residential character either by use of colors, materials, lighting, or the emission of sounds, noises, or vibrations.

K. TRAFFIC IMPACT. The home-based business shall not have an adverse affect on the neighborhood through the congestion of Village streets.

L. SCALE. The home-based business shall be incidental and subordinate to the principal use of a building used as a dwelling.

M. CUSTOMER SALES AND PICK-UP. Direct sales of products from the dwelling unit are prohibited, but a person may pick-up an order placed earlier.

N. DISPLAYS. No article or stock-in-trade shall be displayed such that it is visible from the exterior of the dwelling unit.

O. PARKING. The conduct of the home-based business shall not require more vehicle parking space than exists on the residential driveway on the property, or on assigned parking spaces serving the dwelling unit.

P. HUMAN CARE SERVICES AND PERSONAL INSTRUCTION. Home-based businesses involving human care services or personal instruction shall be limited to: the care of humans for barber or beauty shops with not more than one (1) cutting chairs; babysitting services and licensed day care homes; and, personal instruction for not more than three (3) individuals at one time.

6.4.3. Particular Home-based Businesses Prohibited. Any home-based business that cannot satisfy the requirements of Section 6.4.2(B) shall be prohibited. Prohibited home-based businesses include, but are not limited to, the following:

A. Funeral homes
B. Nursery schools and day care centers
C. Restaurants
D. Stables, kennels, or animal hospitals
E. Tourist homes and lodging houses
F. Medical or dental offices, clinics or hospitals
G. Antique shops or sales
H. Catering
I. Motor vehicle body shops and repair shops

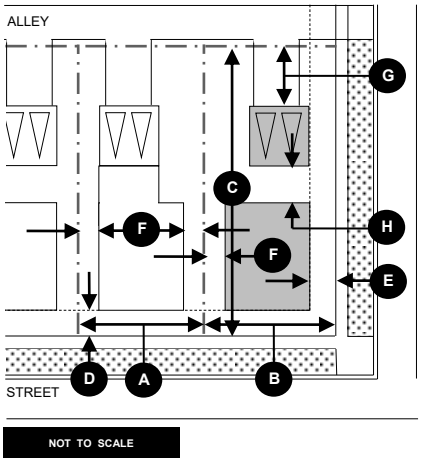
Article 6.5

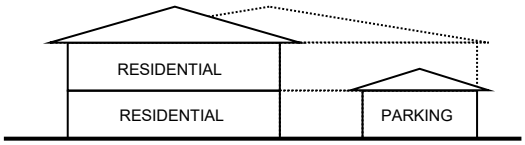
LOT DEVELOPMENT STANDARDS

6.5.1. Purpose. Parcels of property in the Village shall be subdivided and developed in accordance with the following lot development standards.

A. RESIDENTIAL BUILDINGS.

1. TYPE 1 Building (Small Detached House)





BUILDING USE

a. PERMITTED DEVELOPMENT DISTRICTS

T-2 T-3 T-4 T-5A T5B

b. LOT STANDARDS

Lot Width:	40 feet	A
Lot Width, Corner Lot:	55 feet	B
Lot Depth:	130 feet	C
Lot Coverage (max):	80%	

c. BUILDING PLACEMENT STANDARDS

Front Setback:*	20 feet	D
Corner Side Setback:	20 feet	E
Side Setback:	5 feet**	F
Rear Setback:		
Garage with direct alley access	20 feet	G
Garage separation from dwelling, if detached	15 feet	H
Building Coverage (max):	50%	
Permitted Yard Obstructions:	See Section 6.2.1	

**Front and Corner Side Setback shall be considered a Build-to Line*

***Minimum 10-feet building separation shall be provided between side elevations of adjacent dwellings*

d. FRONTAGE TYPE

- Dooryard *(max 2-foot height above public sidewalk)*
- Fence *(See Vertical Standards)*
- Lawn
- Porch *(minimum 6-foot depth)*

e. VERTICAL STANDARDS

Maximum Height:	35 feet
Maximum Stories:	2
Fences and walls:	See Section 6.2.2.C.2

f. BUILDING USE STANDARDS

Upper Floor:	Residential
Ground Floor:	Residential/Parking

g. PARKING STANDARDS

Number of off-street parking spaces required:	4
Alley:	Required
Covered parking:	Optional

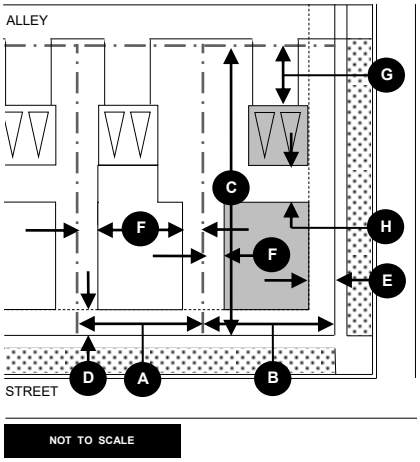
h. ACCESSORY DWELLING UNIT STANDARDS

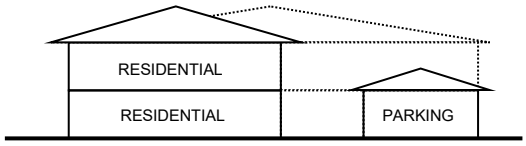
Permitted?	YES
Maximum floor area:	800 square feet
Alley access?	Not Required
Off-Street parking spaces required:	0
Additional requirements:	See Section 6.2.2.C.6

Notes:

- All dimensions are expressed as minimums, except where noted otherwise
- Lot width and side yard setbacks shall be increased to accommodate excessive side slope situations
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage

2. TYPE 2 Building (Small Detached House)





BUILDING USE

a. PERMITTED DEVELOPMENT DISTRICTS

T-2 T-3 T-4 T-5A T5B

b. LOT STANDARDS

Lot Width:	50 feet	A
Lot Width, Corner Lot:	65 feet	B
Lot Depth:	130 feet	C
Lot Coverage (max):	80%	

c. BUILDING PLACEMENT STANDARDS

Front Setback:*	20 feet	D
Corner Side Setback:	20 feet	E
Side Setback:	5 feet**	F
Rear Setback:		
Garage with direct alley access	20 feet	G
Garage separation from dwelling, if detached	15 feet	H
Building Coverage (max):	50%	
Permitted Yard Obstructions:	See Section 6.2.1	

**Front and Corner Side Setback shall be considered a Build-to Line*

***Minimum 10-feet building separation shall be provided between side elevations of adjacent dwellings*

d. FRONTAGE TYPE

- Dooryard *(max 2-foot height above public sidewalk)*
- Fence *(See Vertical Standards)*
- Lawn
- Porch *(minimum 6-foot depth)*

e. VERTICAL STANDARDS

Maximum Height:	35 feet
Maximum Stories:	2
Fences and walls:	See Section 6.2.2.C.2

f. BUILDING USE STANDARDS

Upper Floor:	Residential
Ground Floor:	Residential/Parking

g. PARKING STANDARDS

Number of Off-Street Parking Spaces Required:	4
Alley:	Required
Covered Parking:	Optional

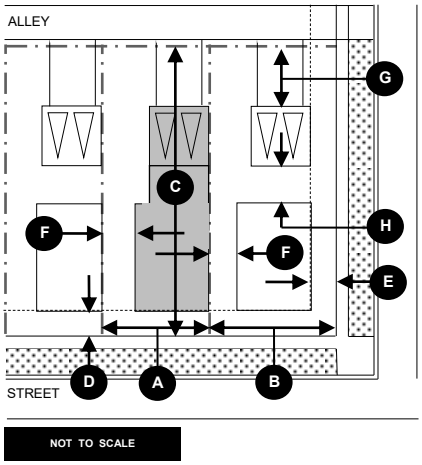
h. ACCESSORY DWELLING UNIT STANDARDS

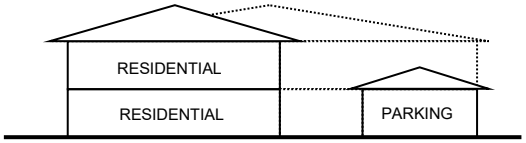
Permitted?	YES
Maximum floor area:	800 square feet
Alley access?	Not Required
Off-Street parking spaces required:	0
Additional Requirements:	See Section 6.2.2.C.6

Notes:

- All dimensions are expressed as minimums, except where noted otherwise
- Lot width and side yard setbacks shall be increased to accommodate excessive side slope situations
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage

3. TYPE 3 Building (Small Sideyard House)





BUILDING USE

a. PERMITTED DEVELOPMENT DISTRICTS

T-2 T-3 T-4 T5B

b. LOT STANDARDS

Lot Width:	40 feet	A
Lot Width, Corner Lot:	60 feet	B
Lot Depth:	130 feet	C
Lot Coverage (max):	80%	

c. BUILDING PLACEMENT STANDARDS

Front Setback:	20 feet	D
Corner Side Setback:	20 feet	E
Side Setback:	10 feet*	F
Rear Setback:		
Garage with direct alley access	20 feet	G
Garage separation from dwelling, if detached	15 feet	H
Building Coverage (max):	50%	
Permitted Yard Obstructions:	See Section 6.2.1	

**One zero side yard permitted if minimum 10-feet building separation provided between side elevations of adjacent dwellingsand zero side yard is not located along street or alley*

d. FRONTAGE TYPE

- Dooryard *(max 2-foot height above public sidewalk)*
- Fence *(See Vertical Standards)*
- Lawn
- Porch *(minimum 6-foot depth)*

e. VERTICAL STANDARDS

Maximum Height:	35 feet
Maximum Stories:	2
Fences and walls:	See Section 6.2.2.C.2

f. BUILDING USE STANDARDS

Upper Floor:	Residential
Ground Floor:	Residential/Parking

g. PARKING STANDARDS

Number of Off-Street Parking Spaces Required:	4
Alley:	Required
Covered Parking:	Optional

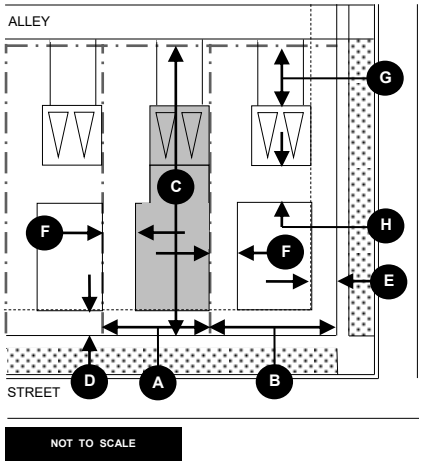
h. ACCESSORY DWELLING UNIT STANDARDS

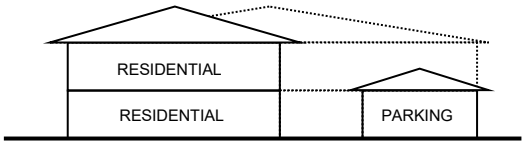
Permitted?	YES
Maximum Floor Area:	800 square feet
Alley Access?	Not Required
Off-Street parking spaces required:	0
Additional Requirements:	See Section 6.2.2.C.6

Notes:

- All dimensions are expressed as minimums, except where noted otherwise
- Lot width and side yard setbacks may be increased to accommodate excessive side slope situations
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage
- Front and Corner Side Setback shall be considered a Build-to Line

4. TYPE 4 Building (Large Sideyard House)





BUILDING USE

a. PERMITTED DEVELOPMENT DISTRICTS

T-2 T-3 T-4 T5B

b. LOT STANDARDS

Lot Width:	50 feet	A
Lot Width, Corner Lot:	70 feet	B
Lot Depth:	130 feet	C
Lot Coverage (max):	80%	

c. BUILDING PLACEMENT STANDARDS

Front Setback:	20 feet	D
Corner Side Setback:	20 feet	E
Side Setback:	10 feet*	F
Rear Setback:		
Garage with direct alley access	20 feet	G
Garage separation from dwelling, if detached	15 feet	H
Building Coverage (max):	50%	
Permitted Yard Obstructions:	See Section 6.2.1	

**One zero side yard permitted if minimum 10-feet building separation provided between side elevations of adjacent dwellings and zero side yard is not located along street or alley*

d. FRONTAGE TYPE

- Dooryard *(max 2-foot height above public sidewalk)*
- Fence *(See Vertical Standards)*
- Lawn
- Porch *(minimum 6-foot depth)*

e. VERTICAL STANDARDS

Maximum Height:	35 feet
Maximum Stories:	2
Fences and walls:	See Section 6.2.2.C.2

f. BUILDING USE STANDARDS

Upper Floor:	Residential
Ground Floor:	Residential/Parking

g. PARKING STANDARDS

Number of Off-Street Parking Spaces Required:	4
Alley:	Required
Covered Parking:	Optional

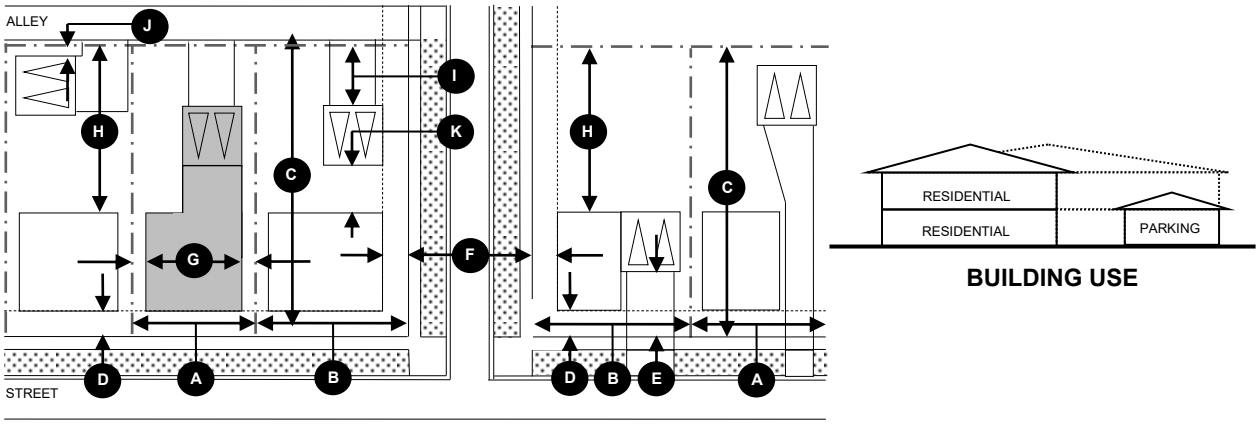
h. ACCESSORY DWELLING UNIT STANDARDS

Permitted?	YES
Maximum Floor Area:	800 square feet
Alley Access?	Not Required
Off-Street parking spaces required:	0
Additional Requirements:	See Section 6.2.2.C.6

Notes:

- All dimensions are expressed as minimums, except where noted otherwise
- max = maximum
- Lot width and side yard setbacks shall be increased to accommodate excessive side slope situations
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage
- Front and Corner Side Setback shall be considered a Build-to Line

5. TYPE 5 Building (Large Detached House)



NOT TO SCALE

a. PERMITTED DEVELOPMENT DISTRICTS		
T-2 T-3 T-4 T5B		
b. LOT STANDARDS		
Lot Width:	60 feet	A
Lot Width, Corner Lot:	73 feet	B
Lot Depth:	130 feet	C
Lot Coverage (max):	80%	
c. BUILDING PLACEMENT STANDARDS		
Front Setback:	20 feet	D
Garage with direct street access	36 feet	E
Corner Side Setback:	20 feet	F
Side Setback:	7 feet	G
Rear Setback:	30 feet	H
Garage with direct alley access	20 feet	I
Garage w/side-loaded access	5 feet	J
Garage separation from dwelling, if detached	15 feet	K
Building Coverage (max):	50%	
Permitted Yard Obstructions:	See Section 6.2.1	

d. FRONTAGE TYPE

- Dooryard *(max 2-foot height above public sidewalk)*
- Fence *(See Vertical Standards)*
- Lawn
- Porch *(minimum 6-foot depth)*

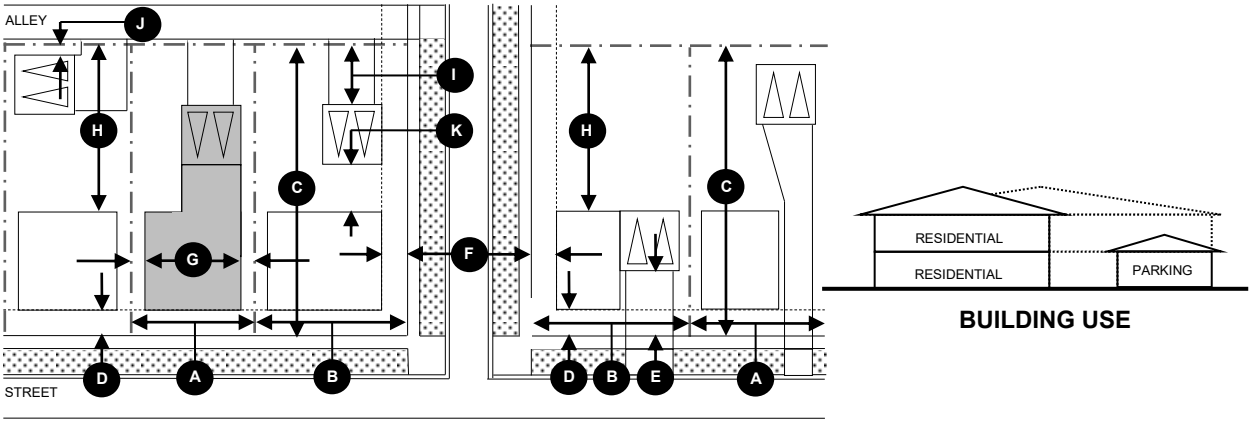
e. VERTICAL STANDARDS	
Maximum Height:	35 feet
Maximum Stories:	2
Fences and walls:	See Section 6.2.2.C.2

f. BUILDING USE STANDARDS	
Upper Floor:	Residential
Ground Floor:	Residential/Parking
g. PARKING STANDARDS	
Number of Off-Street Parking Spaces Required:	4
Alley:	Optional
Covered Parking:	Optional
h. ACCESSORY DWELLING UNIT STANDARDS	
Permitted?	YES
Maximum Floor Area:	800 square feet
Alley Access?	Not Required
Off-Street parking spaces required:	0
Additional Requirements:	See Section 6.2.2.C.6

Notes:

- All dimensions are expressed as minimums, except where noted otherwise
- Lot width and side yard setbacks shall be increased to accommodate excessive side slope situations
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage
- Front and Corner Side Setback shall be considered a Build-to Line

6. TYPE 6 Building (Large Detached House)



NOT TO SCALE

a. PERMITTED DEVELOPMENT DISTRICTS

T-2 T-3 T-4

b. LOT STANDARDS

Lot Width:	75 feet	A
Lot Width, Corner Lot:	90 feet	B
Lot Depth:	130 feet	C
Lot Coverage (max):	80%	

c. BUILDING PLACEMENT STANDARDS

Front Setback:	20 feet	D
Garage with direct street access	36 feet	E
Corner Side Setback:	20 feet	F
Side Setback:	10 feet	G
Rear Setback:	30 feet	H
Garage with direct alley access	20 feet	I
Garage w/side-loaded access	5 feet	J
Garage separation from dwelling, if detached	15 feet	K
Building Coverage (max):	50%	
Permitted Yard Obstructions:	See Section 6.2.1	

d. FRONTAGE TYPE

- Dooryard *(max 2-foot height above public sidewalk)*
- Fence *(See Vertical Standards)*
- Lawn
- Porch *(minimum 6-foot depth)*

e. VERTICAL STANDARDS

Maximum Height:	35 feet
Maximum Stories:	2
Fences and walls:	See Section 6.2.2.C.2

f. BUILDING USE STANDARDS

Upper Floor:	Residential
Ground Floor:	Residential/Parking

g. PARKING STANDARDS

Number of Off-Street Parking Spaces Required:	4
Alley:	Optional
Covered Parking:	Optional

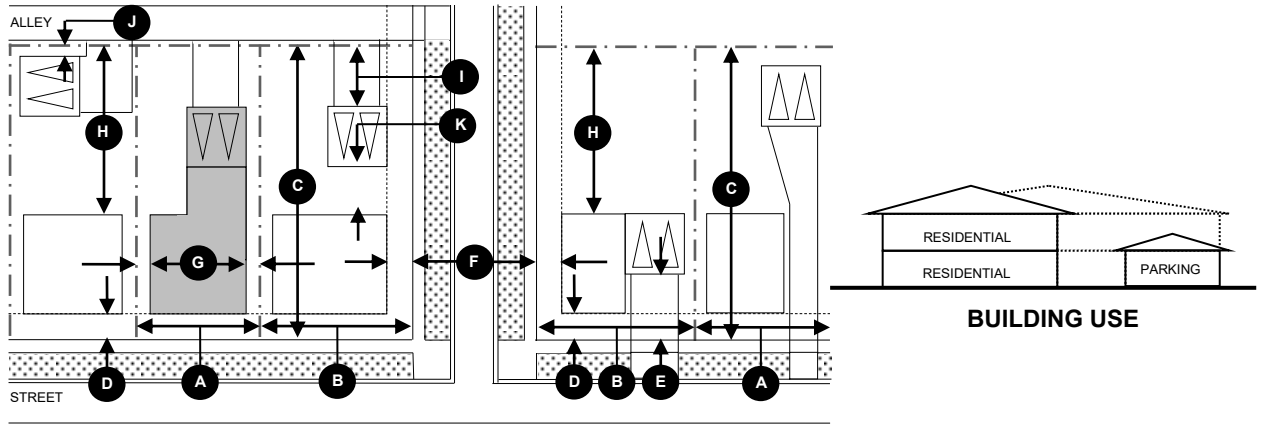
h. ACCESSORY DWELLING UNIT STANDARDS

Permitted?	YES
Maximum Floor Area:	800 square feet
Alley Access?	Not Required
Off-Street parking spaces required:	0
Additional Requirements:	See Section 6.2.2.C.6

Notes:

- All dimensions are expressed as minimums, except where noted otherwise
- Lot width and side yard setbacks shall be increased to accommodate excessive side slope situations
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage
- Minimum 10-foot building separation required between detached garage and dwelling unit
- Front and Corner Side Setback shall be considered a Build-to Line

7. TYPE 7 Building (Large Detached House)



a. PERMITTED DEVELOPMENT DISTRICTS

T-2 T-3 T-4

b. LOT STANDARDS

Lot Width:	90 feet	A
Lot Width, Corner Lot:	100 feet	B
Lot Depth:	130 feet	C
Lot Coverage (max):	70%	

c. BUILDING PLACEMENT STANDARDS

Front Setback:	20 feet	D
Garage with street access	36 feet	E
Corner Side Setback:	20 feet	F
Side Setback:	10 feet	G
Rear Setback:	30 feet	H
Garage with direct alley access	20 feet	I
Garage w/side-loaded access	5 feet	J
Garage separation from dwelling, if detached	15 feet	K
Building Coverage (max):	40%	
Permitted Yard Obstructions:	See Section 6.2.1	

d. FRONTAGE TYPE

- Dooryard *(max 2-foot height above public sidewalk)*
- Fence *(See Vertical Standards)*
- Lawn
- Porch *(minimum 6-foot depth)*

e. VERTICAL STANDARDS

Maximum Height:	35 feet
Maximum Stories:	2
Fences and walls:	See Section 6.2.2.C.2

f. BUILDING USE STANDARDS

Upper Floor:	Residential
Ground Floor:	Residential/Parking

g. PARKING STANDARDS

Number of Off-Street Parking Spaces Required:	4
Alley:	Optional
Covered Parking:	Optional

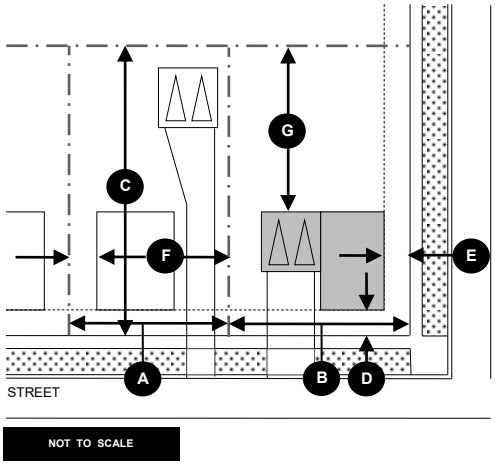
h. ACCESSORY DWELLING UNIT STANDARDS

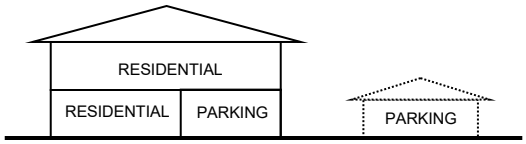
Permitted?	YES
Maximum Floor Area:	800 square feet
Alley Access?	Not Required
Off-Street parking spaces required:	0
Additional Requirements:	See Section 6.2.2.C.6

Notes:

- All dimensions are expressed as minimums, except where noted otherwise
- Lot width and side yard setbacks shall be increased to accommodate excessive side slope situations
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage
- Front and Corner Side Setback shall be considered a Build-to Line

8. TYPE 8 Building (Large Detached House)





BUILDING USE

a. PERMITTED DEVELOPMENT DISTRICTS	
R-1	
b. LOT STANDARDS	
Lot Width:	100 feet (A)
Lot Width, Corner Lot:	100 feet (B)
Lot Depth:	120 feet (C)
Lot Coverage (max):	35%
c. BUILDING PLACEMENT STANDARDS	
Front Setback:	35 feet (D)
Corner Side Setback:	35 feet (E)
Side Setback:	10 feet (F)
Rear Setback:	25 feet (G)
Building Coverage (max):	35%
Permitted Yard Obstructions:	See Section 6.2.1

d. FRONTAGE TYPE

- Fence *(See Vertical Standards)*
- Lawn
- Porch

e. VERTICAL STANDARDS	
Maximum Height:	35 feet
Maximum Stories:	2
Fences and walls:	See Section 6.2.2.C.2
f. BUILDING USE STANDARDS	
Upper Floor:	Residential
Ground Floor:	Residential/Parking

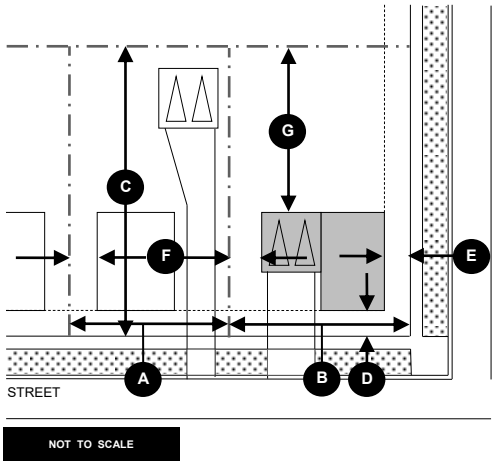
g. PARKING STANDARDS	
Number of Off-Street Parking Spaces Required:	4
Alley:	Optional
Covered Parking:	Optional
h. ACCESSORY DWELLING UNIT STANDARDS	
Permitted?	YES
Maximum Floor Area:	800 square feet
Alley Access?	Not Required
Off-Street parking spaces required:	0
Additional Requirements:	See Section 6.2.2.C.6

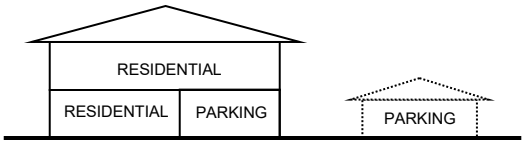
Notes:

- All dimensions are expressed as minimums, except where noted otherwise
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage
- For all Type 8 Buildings constructed after the Effective Date of this Ordinance, garages shall not be closer to the front set back line than any habitable space in the dwelling unit

9. TYPE 9 Building (RESERVED)

10. TYPE 10 Building (Large Estate House)





BUILDING USE

a. PERMITTED DEVELOPMENT DISTRICTS

T-1 E-1

b. LOT STANDARDS

Lot Area:	32,670 square feet	
Lot Width:	150 feet	A
Lot Width, Corner Lot:	175 feet	B
Lot Depth:	200 feet	C
Lot Coverage (max):	28%	

c. BUILDING PLACEMENT STANDARDS

Front Setback:	50 feet	D
Corner Side Setback:	50 feet	E
Side Setback:	25 feet	F
Rear Setback:	50 feet	G
Building Coverage (max):	15%	
Permitted Yard Obstructions:	See Section 6.2.1	

d. FRONTAGE TYPE

- Fence *(See Vertical Standards)*
- Lawn
- Porch

e. VERTICAL STANDARDS

Maximum Height:	35 feet
Maximum Stories:	2
Fences and walls:	See Section 6.2.2.C.2

f. BUILDING USE STANDARDS

Upper Floor:	Residential
Ground Floor:	Residential/Parking

g. PARKING STANDARDS

Number of Off-Street Parking Spaces Required:	4
Alley:	NO
Covered Parking:	Optional

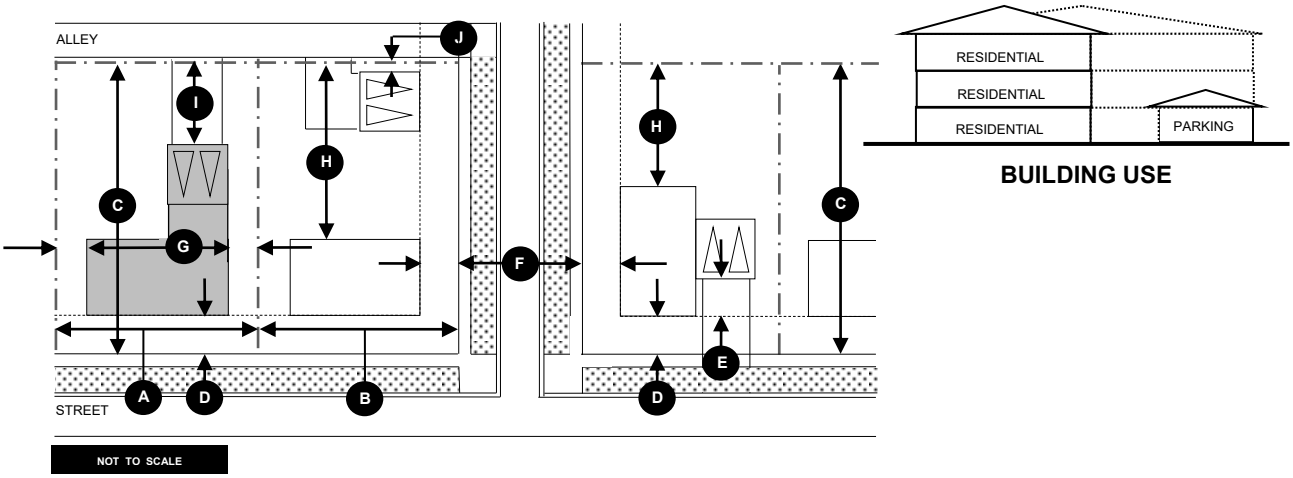
h. ACCESSORY DWELLING UNIT STANDARDS

Permitted?	YES
Maximum Floor Area:	800 square feet
Alley Access?	Not Required
Off-Street parking spaces required:	0
Additional Requirements:	See Section 6.2.2.C.6

Notes:

- All dimensions are expressed as minimums, except where noted otherwise
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage
- For all Type 10 Buildings constructed after the Effective Date of this Ordinance, garages shall not be closer to the front set back line than any habitable space in the dwelling unit

11. TYPE 11 Building (Small Estate House)



a. PERMITTED DEVELOPMENT DISTRICTS	
T-1 T-2 T-3 T-4	

b. LOT STANDARDS		
Lot Width:	120 feet	A
Lot Width, Corner Lot:	135 feet	B
Lot Depth:	130 feet	C
Lot Coverage (max):	65%	

c. BUILDING PLACEMENT STANDARDS		
Front Setback:	30 feet	D
Corner Side Setback:	30 feet	F
Side Setback:	15 feet	G
Rear Setback:	30 feet	H
Garage with direct alley access	20 feet	I
Garage w/side-loaded access	5 feet	J
Building Coverage (max):	20%	
Permitted Yard Obstructions:	See Section 6.2.1	

d. FRONTAGE TYPE

- Dooryard *(max. 2-foot height above public sidewalk)*
- Fence *(See Vertical Standards)*
- Lawn
- Porch

e. VERTICAL STANDARDS	
Maximum Height:	40 feet
Maximum Stories:	3
Fences and walls:	See Section 6.2.2.C.2

f. BUILDING USE STANDARDS	
Upper Floor(s):	Residential
Ground Floor:	Residential/Parking

g. PARKING STANDARDS	
Number of Off-Street Parking Spaces Required:	4
Alley:	Optional
Covered Parking:	Optional

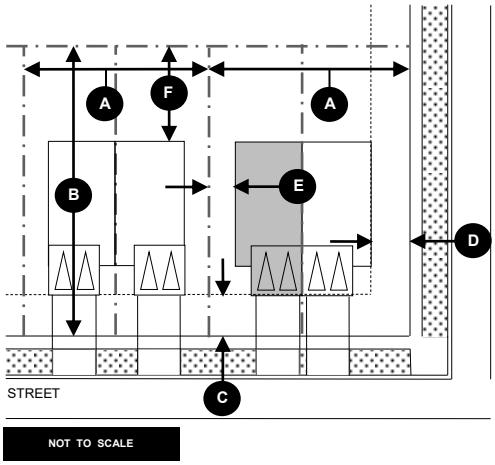
h. ACCESSORY DWELLING UNIT STANDARDS	
Permitted?	YES
Maximum Floor Area:	800 square feet
Alley Access?	Not Required
Off-Street parking spaces required:	0
Additional Requirements:	See Section 6.2.2.C.6

Notes:

- All dimensions are expressed as minimums, except where noted otherwise
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage

E Attached garages having the car doors facing the same street as the front elevation of the building, shall be set back from the front plane of the front elevation by no less than 12-feet.

12. TYPE 12 Building (Small Attached House)





a. PERMITTED DEVELOPMENT DISTRICTS

R-2

b. LOT STANDARDS

Lot* Width:	100 feet	A
Lot* Depth:	75 feet	B
Lot* Coverage (max):	65%	

c. BUILDING PLACEMENT STANDARDS

Front Setback:	35 feet	C
Corner Side Setback:	35 feet	D
Side Setback:	10 feet**	E
Rear Setback:	25 feet	F
Building Coverage (max):	37%	
Permitted Yard Obstructions:	See Section 6.2.1	

**Applies to the lot on which the structure is located*
***One zero side yard permitted for common wall if minimum 10-feet building separation provided between side elevations between adjacent structures*

d. FRONTAGE TYPE

- Fence *(See Vertical Standards)*
- Lawn
- Porch *(minimum 6-foot depth)*

e. VERTICAL STANDARDS

Maximum Height:	35 feet
Maximum Stories:	2
Fences and walls:	See Section 6.2.2.C.2

f. BUILDING USE STANDARDS

Upper Floor:	Residential
Ground Floor:	Residential/Parking

g. PARKING STANDARDS

Number of Off-Street Parking Spaces Required:	4
Alley:	Optional
Covered parking:	Optional

h. ACCESSORY DWELLING UNIT STANDARDS

Permitted?	NO

i. DWELLING UNIT STANDARDS

One bedroom:	690 sqft
Two bedroom:	850 sqft

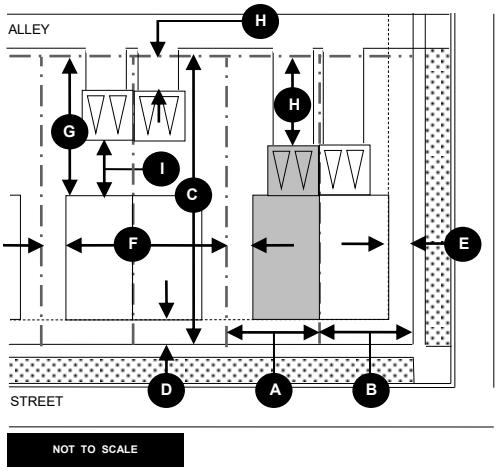
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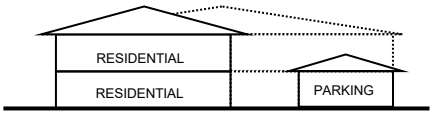
- All dimensions are expressed as minimums, except where noted otherwise
- Lot width and side yard setbacks shall be increased to accommodate excessive side slope situations
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage

Notes:

- **All of the standards for Type 12 Building apply to each dwelling unit in the building**
- All dimensions are expressed as minimums, except where noted otherwise
- Lot width and side yard setbacks shall be increased to accommodate excessive side slope situations
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage

13. TYPE 13 Building (Small Attached House)





BUILDING USE

a. PERMITTED DEVELOPMENT DISTRICTS

T-2 T-3 T-4 T-5A T-5B

b. LOT STANDARDS

Lot Width:	30 feet	A
Lot Width, Corner Lot:	45 feet	B
Lot Depth:	130 feet	C
Lot Coverage (max):	80%	

c. BUILDING PLACEMENT STANDARDS

Front Setback:*	20 feet	D
Corner Side Setback:	20 feet	E
Side Setback:**	5 feet	F
Rear Setback:	30 feet	G
Garage with direct alley access	20 feet	H
Garage separation from dwelling, if detached	15 feet	I
Building Coverage (max):	50%	
Permitted Yard Obstructions:	See Section 6.2.1	

**Front Setback shall be considered a Build-to Line*
***One zero side yard permitted for common wall if minimum 10-feet building separation provided between side elevations of adjacent buildings*

d. FRONTAGE TYPE

- Dooryard *(max 2-foot height above public sidewalk)*
- Fence *(See Vertical Standards)*
- Lawn
- Porch *(minimum 6-foot depth)*

e. VERTICAL STANDARDS

Maximum Height:	35 feet
Maximum Stories:	2
Maximum Ground Floor Elevation above public sidewalk:	3 feet
Fences and walls:	See Section 6.2.2.C.2

f. BUILDING USE STANDARDS

Upper Floor:	Residential
Ground Floor:	Residential/Parking

g. PARKING STANDARDS

Number of Off-Street Parking Spaces Required:	4
Alley:	Required
Covered Parking:	Optional

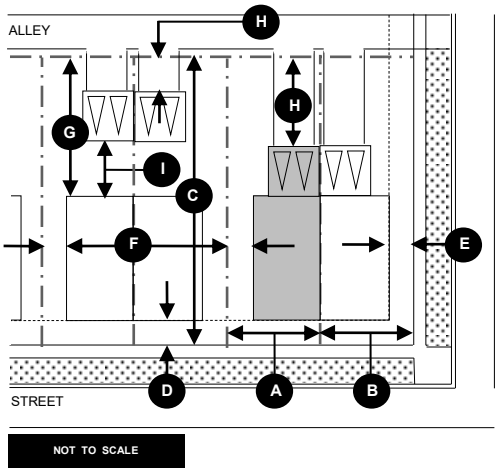
h. ACCESSORY DWELLING UNIT STANDARDS

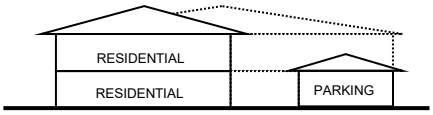
Permitted? NO

Notes:

- **All of the standards for Type 13 Building apply to each dwelling unit in the building**
- All dimensions are expressed as minimums, except where noted otherwise
- Lot width and side yard setbacks shall be increased to accommodate excessive side slope situations
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage

14. TYPE 14 Building (Medium Attached House)





BUILDING USE

a. PERMITTED DEVELOPMENT DISTRICTS	
T-2 T-3 T-4 T-5A T-5B	

b. LOT STANDARDS		
Lot Width:	40 feet	A
Lot Width, Corner Lot:	55 feet	B
Lot Depth:	130 feet	C
Lot Coverage (max):	80%	

c. BUILDING PLACEMENT STANDARDS		
Front Setback:*	20 feet	D
Corner Side Setback:	20 feet	E
Side Setback:**	5 feet	F
Rear Setback:	30 feet	G
Garage with direct alley access	20 feet	H
Garage separation from dwelling, if detached	15 feet	I
Building Coverage (max):	50%	
Permitted Yard Obstructions:	See Section 6.2.1	

**Front Setback shall be considered a Build-to Line*
***One zero side yard permitted for common wall if minimum 10-feet building separation provided between side elevations of adjacent buildings*

d. FRONTAGE TYPE

- Dooryard *(max 2-foot height above public sidewalk)*
- Fence *(See Vertical Standards)*
- Lawn
- Porch *(minimum 6-foot depth)*

e. VERTICAL STANDARDS	
Maximum Height:	35 feet
Maximum Stories:	2
Maximum Ground Floor Elevation above public sidewalk:	3 feet
Fences and walls:	See Section 6.2.2.C.2

f. BUILDING USE STANDARDS	
Upper Floor:	Residential
Ground Floor:	Residential/Parking

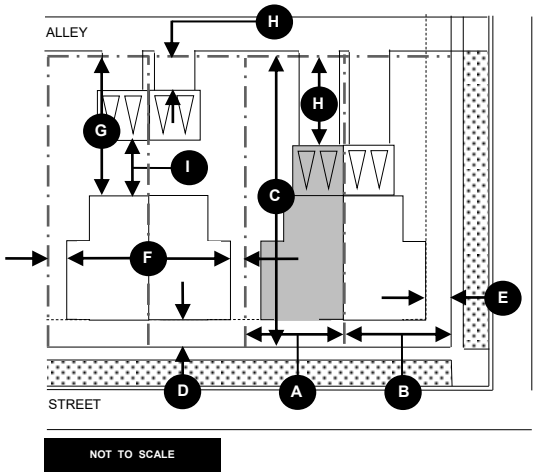
g. PARKING STANDARDS	
Number of Off-Street Parking Spaces Required:	4
Alley:	Required
Covered Parking:	Optional

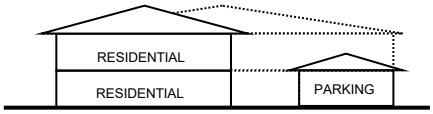
h. ACCESSORY DWELLING UNIT STANDARDS	
Permitted?	NO

Notes:

- **All of the standards for Type 14 Building apply to each dwelling unit in the building**
- All dimensions are expressed as minimums, except where noted otherwise
- Lot width and side yard setbacks shall be increased to accommodate excessive side slope situations
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage

15. TYPE 15 Building (Large Attached House)





BUILDING USE

a. PERMITTED DEVELOPMENT DISTRICTS		
T-2 T-3 T-4 T-5A T-5B		
b. LOT STANDARDS		
Lot Width:	50 feet	A
Lot Width, Corner Lot:	65 feet	B
Lot Depth:	130 feet	C
Lot Coverage (max):	80%	
c. BUILDING PLACEMENT STANDARDS		
Front Setback:*	20 feet	D
Corner Side Setback:	20 feet	E
Side Setback:**	5 feet	F
Rear Setback:	30 feet	G
Garage with direct alley access	20 feet	H
Garage separation from dwelling, if detached	15 feet	I
Building Coverage (max):	50%	
Permitted Yard Obstructions:	See Section 6.2.1	

**Front Setback shall be considered a Build-to Line*
***One zero side yard permitted for common wall if minimum 10-feet building separation provided between side elevations of adjacent buildings*

d. FRONTAGE TYPE

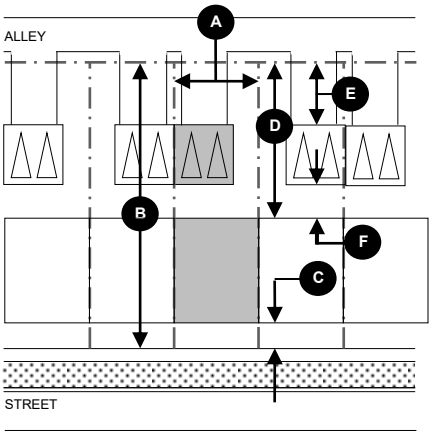
- Dooryard *(max 2-foot height above public sidewalk)*
- Fence *(See Vertical Standards)*
- Lawn
- Porch *(minimum 6-foot depth)*

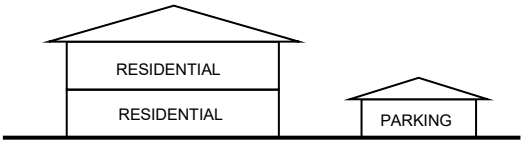
e. VERTICAL STANDARDS	
Maximum Height:	35 feet
Maximum Stories:	2
Maximum Ground Floor Elevation above public sidewalk:	3 feet
Fences and walls:	See Section 6.2.2.C.2
f. BUILDING USE STANDARDS	
Upper Floor:	Residential
Ground Floor:	Residential/Parking
g. PARKING STANDARDS	
Number of Off-Street Parking Spaces Required:	4
Alley:	Required
Covered Parking:	Optional
h. ACCESSORY DWELLING UNIT STANDARDS	
Permitted?	NO

Notes:

- **All of the standards for Type 15 Building apply to each dwelling unit in the building**
- All dimensions are expressed as minimums, except where noted otherwise
- Lot width and side yard setbacks shall be increased to accommodate excessive side slope situations
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage

16. TYPE 16 Building (Small Attached Townhouse)





BUILDING USE

a. PERMITTED DEVELOPMENT DISTRICTS		
T-2 T-3 T-4 T-5A T-5B		

b. LOT STANDARDS		
Lot Width:	24 feet	A
Lot Width, Corner Lot:	34 feet	
Lot Depth:	130 feet	B
Lot Coverage (max):	85%	

c. BUILDING PLACEMENT STANDARDS		
Front Setback:*	10 feet**	C
Corner Side Setback:	10 feet**	
Side Setback:	0 feet***	
Rear Setback:	50 feet	D
Garage with direct alley access	20 feet	E
Garage to dwelling separation	15 feet	F
Building Coverage (max):	65%	
Permitted Yard Obstructions:	See Section 6.2.1	

**Front Setback shall be considered a Build-to Line*
***Nothing in this Section shall permit a building and/or accessory garage to be located within a sight triangle located at the intersection of two streets or an alley and a street*
****Zero side yard(s) permitted for common walls if minimum 10-feet building separation provided between building side elevations*

d. FRONTAGE TYPE

- Dooryard *(max 2-foot height above public sidewalk)*
- Fence *(See Vertical Standards)*
- Lawn
- Porch *(minimum 6-foot depth)*
- Stoop *(ground floor elevation shall be minimum 2-feet above grade of public sidewalk)*

e. VERTICAL STANDARDS	
Maximum Height:	35 feet
Maximum Stories:	2
Maximum Ground Floor Elevation above public sidewalk:	3 feet
Fences and walls:	See Section 6.2.2.C.2

f. BUILDING USE STANDARDS	
Upper Floor(s):	Residential
Ground Floor:	Residential/Parking
Maximum number of dwelling units per building:	8

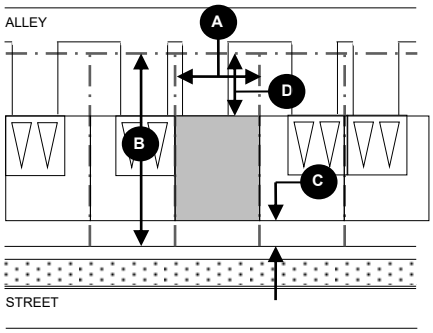
g. PARKING STANDARDS	
Number of Off-Street Parking Spaces Required:	3
Alley:	Required
Covered Parking:	Optional

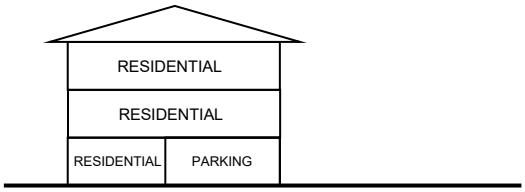
h. ACCESSORY DWELLING UNIT STANDARDS	
Permitted?	NO

Notes:

- All of the standards for this Building Typology apply to each dwelling unit in the building
- All dimensions are expressed as minimums, except where noted otherwise
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage
- Detached garages may share common walls

17. TYPE 17 Building (Large Attached Townhouse)





BUILDING USE

a. PERMITTED DEVELOPMENT DISTRICTS

T-2 T-3 T-4 T-5A T-5B

b. LOT STANDARDS

Lot Width:	24 feet	A
Lot Width, Corner Lot:	34 feet	
Lot Depth:	70 feet	B
Lot Coverage (max):	85%	

c. BUILDING PLACEMENT STANDARDS

Front Setback:*	10 feet**	C
Corner Side Setback:	10 feet**	
Side Setback:	0 feet***	
Rear Setback:		
Garage with direct alley access	20 feet	D
Building Coverage (max):	65%	
Permitted Yard Obstructions:	See Section 6.2.1	

**Front Setback shall be considered a Build-to Line*

***Nothing in this Section shall permit a building and/or accessory garage to be located within a sight triangle located at the intersection of two streets or an alley and a street*

****Zero side yard(s) permitted for common walls if minimum 10-feet building separation provided between building side elevations*

d. FRONTAGE TYPE

- Dooryard *(max 2-foot height above public sidewalk)*
- Fence *(Se vertical Standards)*
- Lawn
- Porch *(minimum 6-foot depth)*
- Stoop *(ground floor elevation shall be minimum 2-feet above grade of public sidewalk)*

e. VERTICAL STANDARDS

Maximum Height:	45 feet
Maximum Stories:	3
Maximum Ground Floor Elevation above public sidewalk:	3 feet
Fences and walls:	See Section 6.2.2.C.2

f. BUILDING USE STANDARDS

Upper Floors:	Residential
Ground Floor:	Residential/Parking
Maximum number of dwelling units per building:	8

g. PARKING STANDARDS

Number of Off-Street Parking Spaces Required:	3
Alley:	Required
Covered Parking:	Optional

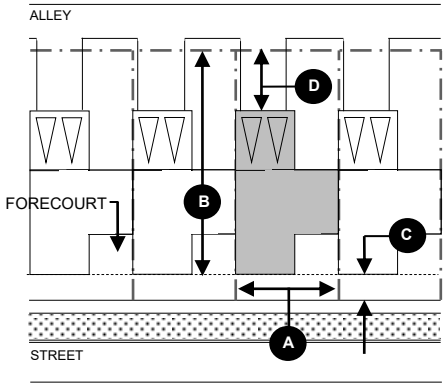
h. ACCESSORY DWELLING UNIT STANDARDS

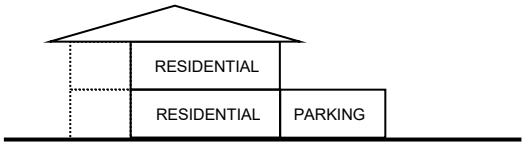
Permitted? NO

Notes:

- All of the standards for this Building Typology apply to each dwelling unit in the building
- All dimensions are expressed as minimums, except where noted otherwise
- Building separation shall be increased to accommodate excessive side slope situations
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage

18. TYPE 18 Building (Large Attached Townhouse)





BUILDING USE

a. PERMITTED DEVELOPMENT DISTRICTS

T-2 T-3 T-4 T-5A T-5B

b. LOT STANDARDS

Lot Width:	36 feet	A
Lot Width, Corner Lot:*	46 feet	
Lot Depth:	130 feet	B
Lot Coverage (max):	85%	

c. BUILDING PLACEMENT STANDARDS

Front Setback:*	10 feet**	C
Corner Side Setback:	10 feet**	
Side Setback:	0 feet***	
Rear Setback:		
Garage with direct alley access	20 feet	D
Garage w/side-loaded access	5 feet	
Building Coverage (max):	65%	
Permitted Yard Obstructions:	See Section 6.2.1	

**Front Setback shall be considered a Build-to Line*

***Nothing in this Section shall permit a building and/or accessory garage to be located within a sight triangle located at the intersection of two streets or an alley and a street*

****Zero side yard(s) permitted for common walls if minimum 10-feet building separation provided between building side elevations*

d. FRONTAGE TYPE

- Dooryard *(max 2-foot height above public sidewalk)*
- Forecourt *(Min. depth: 10-feet; max. width: 24-feet)*
- Porch *(minimum 6-foot depth)*
- Stoop *(ground floor elevation shall be minimum 2-feet above grade of public sidewalk)*

e. VERTICAL STANDARDS

Maximum Height:	35 feet
Maximum Stories:	2
Maximum Ground Floor Elevation above public sidewalk:	3 feet
Fences and walls:	See Section 6.2.2.C.2

f. BUILDING USE STANDARDS

Ground Floor:	Residential
Upper Floor(s):	Residential
Maximum number of dwelling units per building:	8

g. PARKING STANDARDS

Number of Off-Street Parking Spaces Required:	3
Alley:	Required
Covered Parking:	Optional

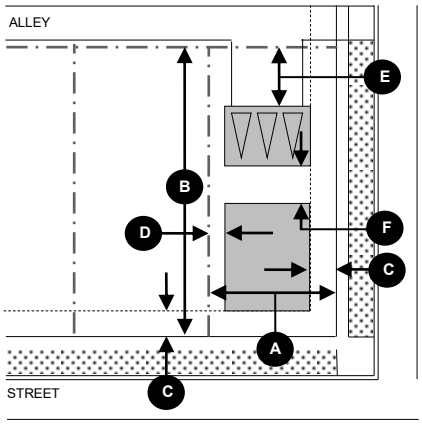
h. ACCESSORY DWELLING UNIT STANDARDS

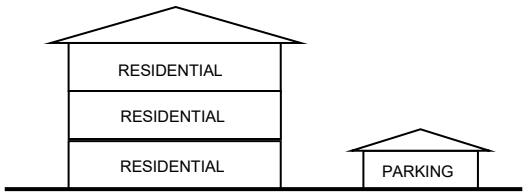
Permitted? NO

Notes:

- All of the standards for this Building Typology apply to each dwelling unit in the building
- Forecourt is required
- All dimensions are expressed as minimums, except where noted otherwise
- Building separation shall be increased to accommodate excessive side slope situations
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage

19. TYPE 19 Building (Stacked Flat/Duplex)





BUILDING USE

a. PERMITTED DEVELOPMENT DISTRICTS		
T-2 T-3 T-4 T-5A T-5B		

b. LOT STANDARDS		
Lot Width:*	60 feet	A
Lot Width, Corner Lot:*	60 feet	A
Lot Depth:	130 feet	B
Lot Coverage (max):	85%	

**Type 19 Buildings are permitted only on corner lots*

c. BUILDING PLACEMENT STANDARDS		
Front Setback:*	20 feet	C
Corner Side Setback:*	20 feet	C
Side Setback:	5 feet	D
Rear Setback:		
Garage with direct alley access	20 feet	E
Garage separation from dwelling	15 feet**	F
Building Coverage (max):	65%	
Permitted Yard Obstructions:	See Section 6.2.1	

**Front Setback and Corner Side Setback shall be considered Build-to Lines*
***Garages shall be detached from dwellings*

d. FRONTAGE TYPE

- Dooryard *(max 2-foot height above public sidewalk)*
- Fence *(See Vertical Standards)*
- Lawn
- Porch *(minimum 6-foot depth)*
- Stoop *(ground floor elevation shall be minimum 2-feet above grade of public sidewalk)*

e. VERTICAL STANDARDS	
Maximum Height:	35 feet
Maximum Stories:	3
Maximum Ground Floor Elevation above public sidewalk:	3 feet
Fences and walls:	See Section 6.2.2.C.2

f. BUILDING USE STANDARDS	
Upper Floor(s):	Residential
Ground Floor:	Residential
Maximum number of dwelling units per building:	2

g. PARKING STANDARDS	
Number of Off-Street Parking Spaces Required:	5
Alley:	Required
Covered Parking:	Optional

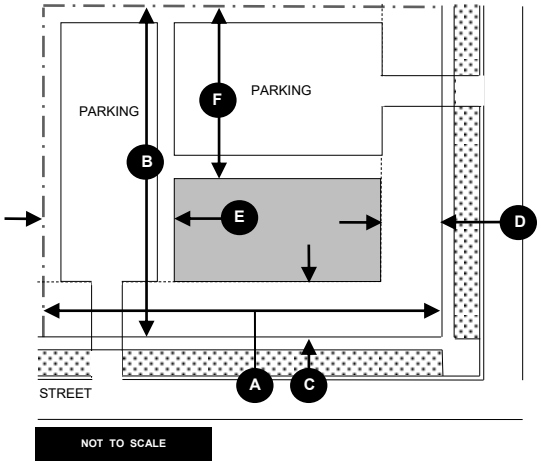
h. ACCESSORY DWELLING UNIT STANDARDS	
Permitted?	NO

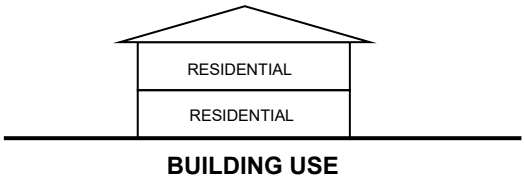
i. ILLUMINATION STANDARDS	
Outdoor illumination:	See Article 6.9

Notes:

- All dimensions are expressed as minimums, except where noted otherwise
- Lot width and side yard setbacks shall be increased to accommodate excessive side slope situations
- Dwelling entrances shall face front lot line or corner side lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage

20. TYPE 20 Building (Multiple-Family Building)





a. PERMITTED DEVELOPMENT DISTRICTS

R-3

b. LOT STANDARDS

Lot Area:	7,500 square feet per dwelling unit
Lot Width:	100 feet
Lot Width, Corner Lot:	125 feet (A)
Lot Depth:	100 feet (B)
Lot Coverage (max):	38%

c. BUILDING PLACEMENT STANDARDS

Front Setback:	35 feet (C)
Corner Side Setback:	35 feet (D)
Side Setback:	10 feet (E)
Rear Setback:	25 feet (F)
Building Coverage (max):	30%
Permitted Yard Obstructions:	See Section 6.2.1

d. FRONTAGE TYPE

- Dooryard *(max 2-foot height above public sidewalk)*
- Fence *(See Vertical Standards)*
- Forecourt *(Min. depth: 20-feet; max. width: 40-feet)*
- Lawn

e. VERTICAL STANDARDS

Maximum Height:	35 feet
Maximum Stories:	2
Maximum Ground Floor Elevation above public sidewalk:	3 feet
Fences and walls:	See Section 6.2.2.C.2

f. BUILDING USE STANDARDS

Upper Floor(s):	Residential
Ground Floor:	Residential
Maximum number of dwelling units per building:	8

g. PARKING STANDARDS

Number of Off-street parking spaces required per dwelling unit:	2
Alley:	Optional
Covered Parking:	Optional

Covered parking shall not occupy ground floor in Type 20 Buildings

h. ACCESSORY DWELLING UNIT STANDARDS

Permitted?	NO

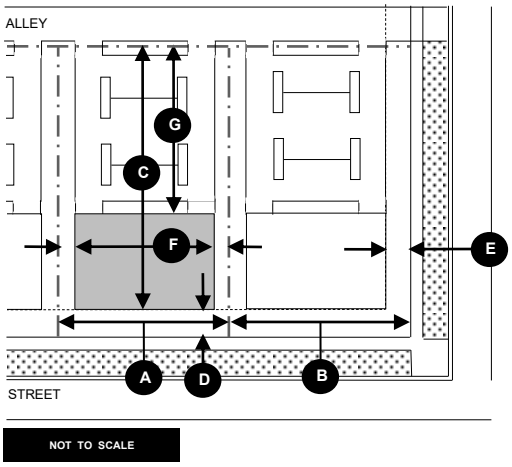
i. ILLUMINATION STANDARDS

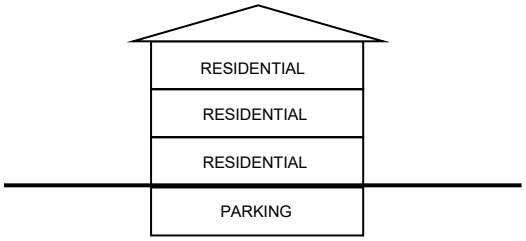
Outdoor illumination:	See Article 6.9

Notes:

- All dimensions are expressed as minimums, except where noted otherwise
- Lot width and side yard setbacks shall be increased to accommodate excessive side slope situations
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage

21. TYPE 21 Building (Small Multiple-Family Building)





BUILDING USE

a. PERMITTED DEVELOPMENT DISTRICTS

T-2 T-3 T-4 T-5A T-5B

b. LOT STANDARDS

Lot Width:	120 feet	A
Lot Width, Corner Lot:	130 feet	B
Lot Depth:	130 feet	C
Lot Coverage (max):	85%	

c. BUILDING PLACEMENT STANDARDS

Front Setback:*	20 feet	D
Corner Side Setback:	20 feet	E
Side Setback:**	10 feet	F
Rear Setback:	35 feet	G
Building Coverage (max):	40%	
Permitted Yard Obstructions:	See Section 6.2.1	

**Front Setback shall be considered a Build-to Line*
***No balconies may be located along side lot lines unless side yard setback increased to 20-feet*

d. FRONTAGE TYPE

- Dooryard *(max 2-foot height above public sidewalk)*
- Fence *(See Vertical Standards)*
- Forecourt *(Min. depth: 40-feet; max. width: 60-feet)*
- Lawn

e. VERTICAL STANDARDS

Maximum Height:	40 feet
Maximum Stories:	3
Maximum Ground Floor Elevation above public sidewalk:	3 feet
Fences and walls:	See Section 6.2.2.C.2

f. BUILDING USE STANDARDS

Upper Floor(s):	Residential
Ground Floor:	Residential
Below Grade Floor(s):	Parking/Utilities
Maximum number of dwelling units per building:	24

g. PARKING STANDARDS

Number of Off-street parking spaces required per dwelling unit:	2
Alley:	Required
Location:	Side or Rear yard only
Covered Parking:	Optional

Covered parking shall not occupy ground floor in Type 21 Buildings

h. ACCESSORY DWELLING UNIT STANDARDS

Permitted?	NO

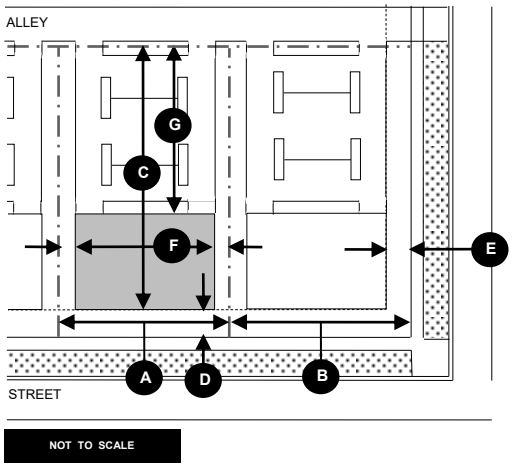
i. ILLUMINATION STANDARDS

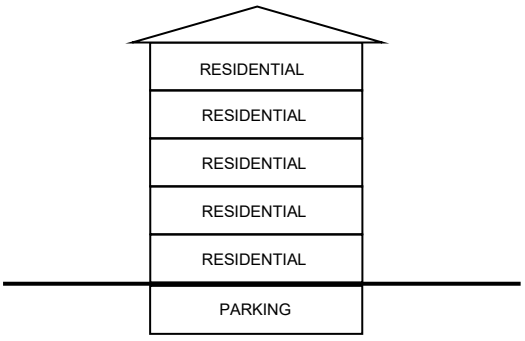
Outdoor illumination:	See Article 6.9

Notes:

- All dimensions are expressed as minimums, except where noted otherwise
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage

22. TYPE 22 Building (Large Multiple-Family Building)





BUILDING USE

a. PERMITTED DEVELOPMENT DISTRICTS

T-2 T-3 T-4 T-5A T-5B

b. LOT STANDARDS

Lot Width:	200 feet	A
Lot Width, Corner Lot:	220 feet	B
Lot Depth:	130 feet	C
Lot Coverage (max):	85%	

c. BUILDING PLACEMENT STANDARDS

Front Setback:*	20 feet	D
Corner Side Setback:	20 feet	E
Side Setback:**	10 feet	F
Rear Setback:	35 feet	G
Building Coverage (max):	40%	
Permitted Yard Obstructions:	See Section 6.2.1	

**Front Setback shall be considered a Build-to Line*
***No balconies may be located along side lot lines unless side yard setback increased to 20-feet*

d. FRONTAGE TYPE

- Dooryard *(max 2-foot height above public sidewalk)*
- Fence *(See Vertical Standards)*
- Forecourt *(Min. depth: 40-feet; max. width: 60-feet)*
- Lawn

e. VERTICAL STANDARDS

Maximum Height:	60 feet
Maximum Stories:	5
Maximum Ground Floor Elevation above public sidewalk:	3 feet
Fences and walls:	See Section 6.2.2.C.2

f. BUILDING USE STANDARDS

Upper Floor(s):	Residential
Ground Floor:	Residential
Below Grade Floor(s):	Parking/Utilities
Maximum number of dwelling units per building:	48

g. PARKING STANDARDS

Number of Off-street parking spaces required per dwelling unit:	2
Alley:	Required
Location:	Rear Yard only
Covered Parking:	Optional

Covered parking shall not occupy ground floor in Type 22 Buildings

h. ACCESSORY DWELLING UNIT STANDARDS

Permitted?	NO

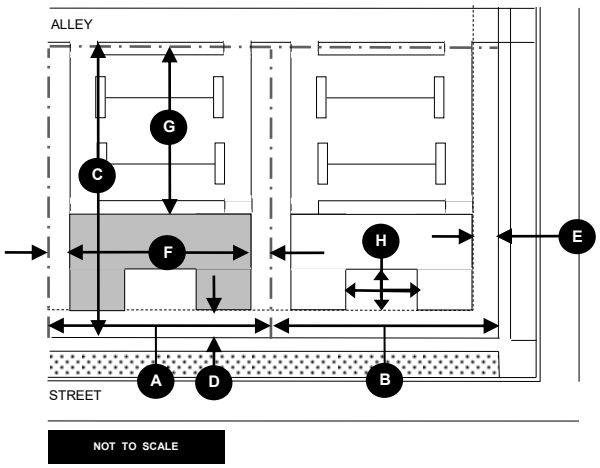
i. ILLUMINATION STANDARDS

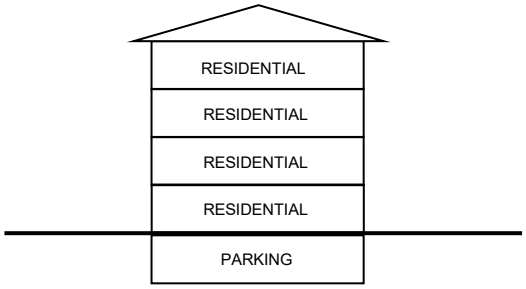
Outdoor illumination:	See Article 6.9

Notes:

- All dimensions are expressed as minimums, except where noted otherwise
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage

23. TYPE 23 Building (Courtyard Apartment)





BUILDING USE

a. PERMITTED DEVELOPMENT DISTRICTS

T-2 T-3 T-4 T-5A T-5B

b. LOT STANDARDS

Lot Width:	240 feet	A
Lot Width, Corner Lot:*	260 feet	B
Lot Depth:	130 feet	C
Lot Coverage (max):	90%	

c. BUILDING PLACEMENT STANDARDS

Front Setback:*	20 feet	D
Corner Side Setback:	20 feet	E
Side Setback:**	10 feet	F
Rear Setback:	35 feet	G
Building Coverage (max):	60%	
Permitted Yard Obstructions:	See Section 6.2.1	

**Front Setback shall be considered a Build-to Line*
***No balconies may be located along side lot lines unless side yard setback increased to 20-feet*

d. FRONTAGE TYPE

- Dooryard *(max 2-foot height above public sidewalk)*
- Forecourt *(Depth: minimum 40-feet; maximum 80-feet; Width: minimum 40-feet; maximum100-feet)* H

e. VERTICAL STANDARDS

Maximum Height:	60 feet
Maximum Stories:	4
Maximum Ground Floor Elevation above public sidewalk:	3 feet
Fences and walls:	See Section 6.2.2.C.2

f. BUILDING USE STANDARDS

Upper Floor(s):	Residential
Ground Floor:	Residential
Below Grade Floor(s):	Parking/Utilities
Maximum number of dwelling units per building:	72

g. PARKING STANDARDS

Number of Off-street parking spaces required per dwelling unit:	2
Alley:	Required
Location:	Side or Rear yard only
Covered Parking:	Optional

Covered parking shall not occupy ground floor in Type 23 Buildings

h. ACCESSORY DWELLING UNIT STANDARDS

Permitted? NO

i. ILLUMINATION STANDARDS

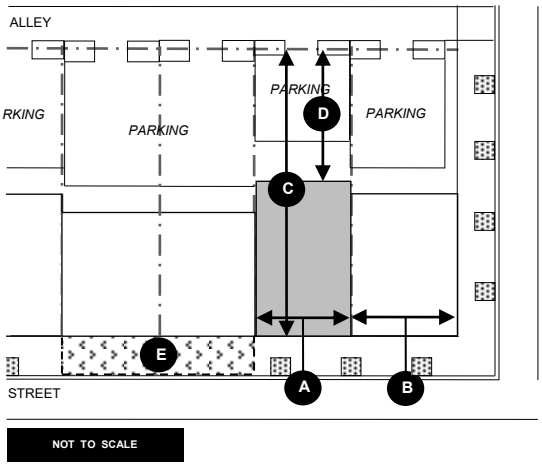
Outdoor illumination: See Article 6.9

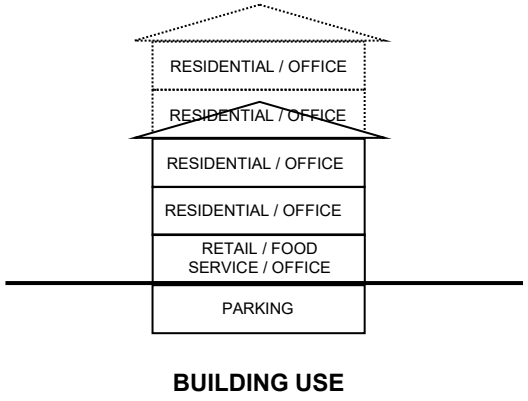
Notes:

- All dimensions are expressed as minimums, except where noted otherwise
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage

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24. TYPE 24 BUILDING (SMALL COMMERCIAL SHOP)





BUILDING USE

a. PERMITTED DEVELOPMENT DISTRICTS

T-2 T-3 T-4 T-5A T-5B

b. LOT STANDARDS

Lot width:	60 feet	A
Lot width, corner lot:	70 feet	B
Lot depth:	130 feet	C
Lot coverage (max):	NA	

c. BUILDING PLACEMENT STANDARDS

Front setback:*	0 feet	
Corner side setback:**	0 feet	
Side setback:	0 feet	
Adjacent residential property:	15 feet	
Rear setback:	35 feet	D
Building coverage (max):	NA	
Permitted yard obstructions:	See Section 6.2.1	

**Front Setback shall be considered a Build-to Line*
***Nothing in this Section shall permit a building to occupy the sight triangle located at the intersection of two streets or an alley and a street*

d. FRONTAGE TYPE

- Arcade *(minimum depth: 8-feet)* E
- Shopfront *(Required)*

e. VERTICAL STANDARDS

Height:	40 feet
T-5A and T-5B Districts:	60 feet
Stories:	3
T-5A and T-5B Districts:	5
Fences and walls:	See Section 6.2.2.C.2

f. BUILDING USE STANDARDS

Upper Floor(s):	Office/Residential
Ground Floor:	Retail/Food Service/Office
Below Grade Floor(s):	Parking/Utilities

g. PARKING STANDARDS

Number of off-street parking spaces required:	See Section 6.7.5
Location on lot:	Rear or side yard

Parking on the side of a building shall be screened along the street frontage by a decorative wall or fence and landscaped to continue street wall

Alley:	Required
Covered parking:	Optional

Covered parking shall not occupy the ground floor in Type 24 Buildings

h. ACCESSORY DWELLING UNIT STANDARDS

Permitted? NO

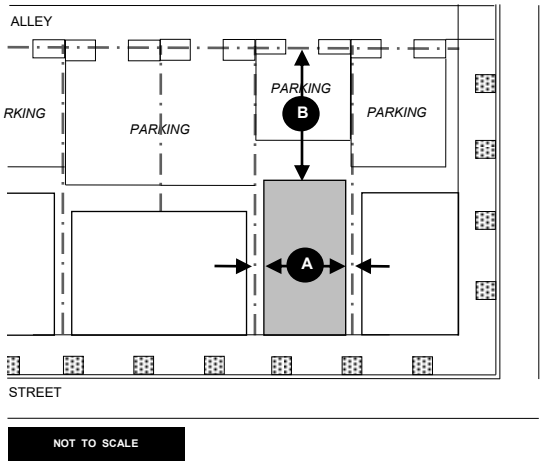
i. ILLUMINATION STANDARDS

Outdoor illumination: See Article 6.9

Notes:

- All dimensions are expressed as minimums, except where noted otherwise
- Lot width and side yard setbacks may be increased to accommodate excessive side slope situations
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage

25. TYPE 25 BUILDING (SMALL COMMERCIAL SHOP)*(ORD. 2019-06; ORD. 2022-03)*





BUILDING USE

a. PERMITTED DEVELOPMENT DISTRICTS

CB

b. LOT STANDARDS

Lot Area:	20,000 square feet
Lot width:	NA
Lot width, corner lot:	NA
Lot depth:	NA
Lot coverage (max):	NA

c. BUILDING PLACEMENT STANDARDS

Front setback:*	0 feet
Corner side setback:**	0 feet
Side setback:	3 feet*** (A)
Adjacent residential property:	20 feet
Adjacent industrial property:	10 feet
Rear setback:	20 feet (B)
Adjacent industrial property:	10 feet
Building coverage (max):	80%
Permitted yard obstructions:	See Section 6.2.1

**Front Setback shall be considered a Build-to Line*
***Nothing in this Section shall permit a building to occupy the sight triangle located at the intersection of two streets or an alley and a street*
****Zero side yard is permitted when a self-supporting common wall is constructed along the side lot line*

d. FRONTAGE TYPE

- Shopfront *(Required)*

e. VERTICAL STANDARDS

Height:	35 feet
Stories:	2
Fences and walls:	See Section 6.2.2.C.2

f. BUILDING USE STANDARDS

Upper Floor:	Office/Residential
Ground Floor:	Retail/Food Service
Below Grade Floor(s):	Parking/Utilities

g. PARKING STANDARDS

Number of off-street parking spaces required:	See Section 6.7.5
Location on lot	Front, rear or side yard
Alley:	Optional
Covered parking:	Optional

Covered parking shall not occupy the ground floor in Type 25 Buildings

h. ACCESSORY DWELLING UNIT STANDARDS

Permitted?	NO

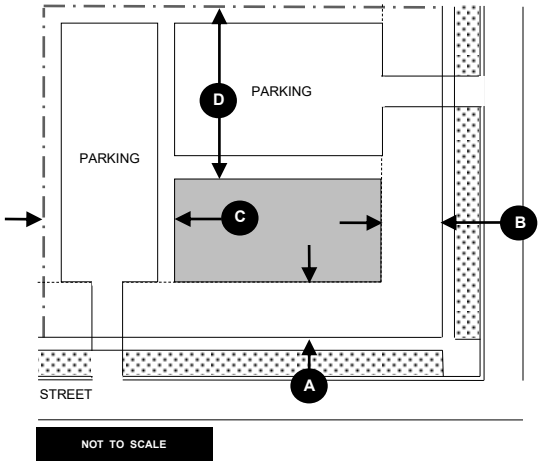
i. ILLUMINATION STANDARDS

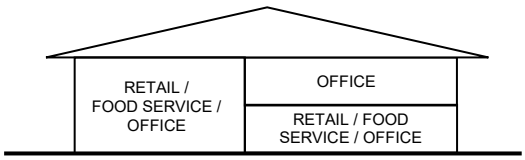
Outdoor illumination:	See Article 6.9

Notes:

- All dimensions are expressed as minimums, except where noted otherwise
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage

26. TYPE 26 BUILDING (GENERAL COMMERCIAL BUILDING)*(ORD. 2022-03)*





BUILDING USE

a. PERMITTED DEVELOPMENT DISTRICTS

GB T-6

b. LOT STANDARDS

Lot width:	NA
Lot width, corner lot:	NA
Lot depth:	NA
Lot coverage (max):	80%

c. BUILDING PLACEMENT STANDARDS

Front setback:*	20 feet	A
Corner side setback:*	20 feet	B
Side setback:	3 feet**	
Adjacent residential property:	20 feet	C
Adjacent industrial property:	10 feet	
Rear setback:	35 feet	D
Building coverage (max):	35%	
Permitted yard obstructions:	See Section 6.2.1	

**Front and Corner Side Setback shall be considered a Build-to Line*

***Zero side yard is permitted when a self-supporting common wall is constructed along the side lot line*

d. FRONTAGE TYPE

- Shopfront
- Lawn

e. VERTICAL STANDARDS

Height:	35 feet
Stories:	1
Fences and walls:	See Section 6.2.2.C.2

f. BUILDING USE STANDARDS

Upper floor(s):	Office
Ground floor:	Retail / Office / Food Service

g. PARKING STANDARDS

Number of off-street parking spaces required:	See Section 6.7.5
Location on lot	Front, rear or side yard
Alley:	Optional
Covered parking:	Optional

h. ACCESSORY DWELLING UNIT STANDARDS

Permitted?	NO

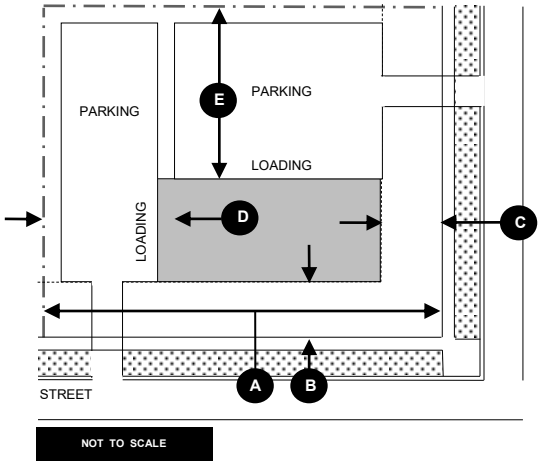
i. ILLUMINATION STANDARDS

Outdoor illumination:	See Article 6.9

Notes:

- All dimensions are expressed as minimums, except where noted otherwise
- Lot width and side yard setbacks may be increased to accommodate excessive side slope situations
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage

27. TYPE 27 BUILDING (INDUSTRIAL BUILDING)





BUILDING USE

a. PERMITTED DEVELOPMENT DISTRICTS

T-6

b. LOT STANDARDS

Lot Area:	20,000 square feet	
Lot width:	100 feet	A
Lot width, corner lot:	100 feet	B
Lot depth:	NA	
Lot coverage (max):	80%	

c. BUILDING PLACEMENT STANDARDS

Front setback:	25 feet	C
Parcels having frontage along Route 12:	150 feet from the centerline of State Route 12	C
Corner side setback:	25 feet	D
Parcels having frontage along Route 12:	150 feet from the centerline of State Route 12	D
Side setback:	25 feet	E
Rear setback:	35 feet	F
Adjacent residential property:	40 feet	
Building coverage (max):	50%	
Permitted yard obstructions:	See Section 6.2.1	

d. FRONTAGE TYPE

- Lawn

e. VERTICAL STANDARDS

Height:	35 feet
Stories:	2
Fences and walls:	See Section 6.2.2.C.2

f. BUILDING USE STANDARDS

Upper floor(s):	Office
Ground floor:	Warehouse/ Manufacturing/Office

g. PARKING STANDARDS

Number of off-street parking spaces required:	See Section 6.7.5
Location on lot:	Rear or side yard*
Alley:	Optional
Covered parking:	Optional

**Applies to new construction after the Effective Date*

h. ACCESSORY DWELLING UNIT STANDARDS

Permitted? NO

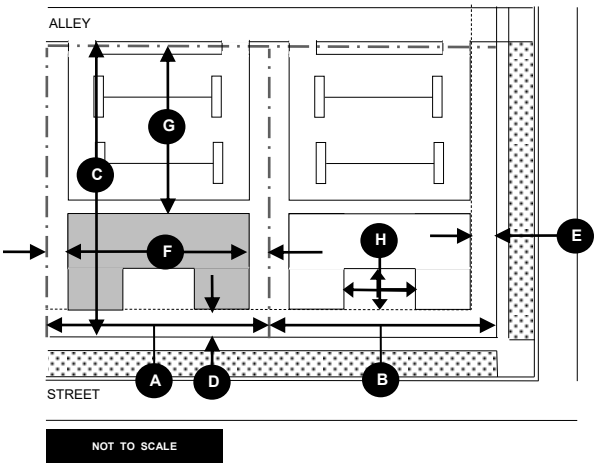
i. ILLUMINATION STANDARDS

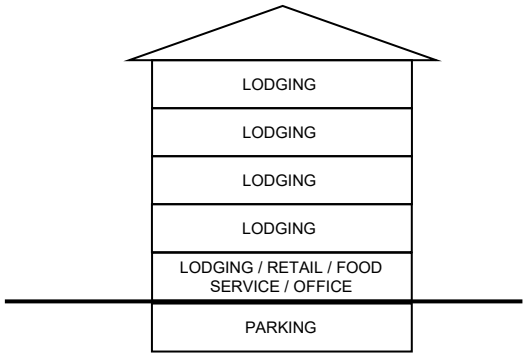
Outdoor illumination: See Article 6.9

Notes:

- All dimensions are expressed as minimums, except where noted otherwise
- Lot width and side yard setbacks may be increased to accommodate excessive side slope situations
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage
- Loading docks shall not face streets

28. TYPE 28 BUILDING (LODGING BUILDING) *(ORD. 2022-03)*





BUILDING USE

a. PERMITTED DEVELOPMENT DISTRICTS

T-5A T-5B GB

b. LOT STANDARDS

Lot width:	160 feet	A
Lot width, corner lot:	200 feet	B
Lot depth:	200 feet	C
Lot coverage (max):	85%	

c. BUILDING PLACEMENT STANDARDS

Front setback:*	20 feet	D
Corner side setback:	20 feet	E
Side setback:	10 feet	F
Rear setback:	50 feet	G
Building coverage (max):	50%	
Permitted yard obstructions:	See Section 6.2.1	

**Front Setback shall be considered a Build-to Line in the T-5A, T-5B and GB Districts*

d. FRONTAGE TYPE

- Forecourt *(Depth: minimum 40-feet; maximum 80-feet; Width: minimum 40-feet; maximum100-feet)* H
- Lawn
- Shopfront

e. VERTICAL STANDARDS

Height:	65 feet
Stories:	5
Fences and walls:	See Section 6.2.2.C.

f. BUILDING USE STANDARDS

Upper Floor(s):	Lodging
Ground Floor:	Lodging/Retail/Food Service/Office
Below Grade Floor(s):	Parking/Utilities

g. PARKING STANDARDS

Number of off-street parking spaces required:	See Section 6.7.5
Location on lot:	Front, rear or side yard
Alley:	Optional
Covered parking:	Optional

h. ACCESSORY DWELLING UNIT STANDARDS

Permitted? NO

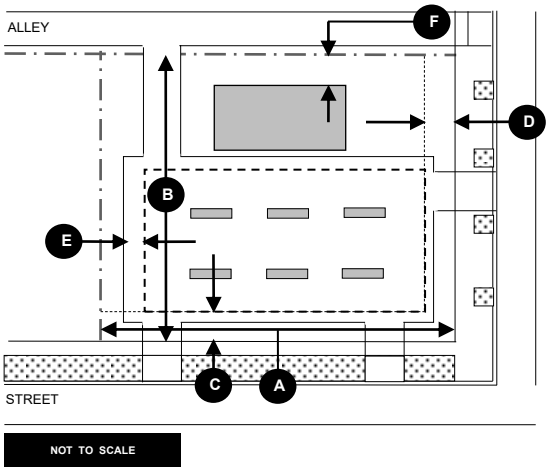
i. ILLUMINATION STANDARDS

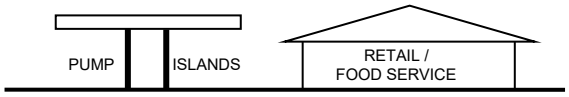
Outdoor illumination: See Article 6.9

Notes:

- All dimensions are expressed as minimums, except where noted otherwise
- Lot width and side yard setbacks may be increased to accommodate excessive side slope situations
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings shall extend architectural features and details on all sides of building
- Loading docks shall not face street

29. TYPE 29 BUILDING (FUEL STATION/MINI-MART BUILDING) *(ORD. 2022-03)*





BUILDING USE

a. PERMITTED DEVELOPMENT DISTRICTS

T-2 T-3 T-4 T-5A T-5B T-6 GB*

**Lot Standards and building placement standards for Type 26 Building shall be applied to Fuel Station/Mini-Marts in the GB District*

b. LOT STANDARDS

Lot Area:	20,000 square feet	
Lot width:	100 feet	A
Lot width, corner lot:	100 feet	B
Lot depth:	130 feet	C
Lot coverage (max):	85%	

c. BUILDING PLACEMENT STANDARDS

Front setback:	20 feet	D
Corner side setback:	20 feet	E
Side setback:	10 feet	F
Rear setback:	20 feet	G
Building coverage (max):	65%	
Permitted yard obstructions:	See Section 6.2.1	

d. FRONTAGE TYPE

- Lawn
- Shopfront

e. VERTICAL STANDARDS

Height:	28 feet
Stories:	1
Fences and walls:	See Section 6.2.2.C.2

f. BUILDING USE STANDARDS

Ground floor:	Retail / Food Service / Pump Island

B

g. PARKING STANDARDS

Number of off-street parking spaces required:	See Section 6.7.5
Location on lot:	Front, rear or side yard
Alley:	Optional
Covered parking:	Optional

h. ACCESSORY DWELLING UNIT STANDARDS

Permitted?	NO

i. ILLUMINATION STANDARDS

Outdoor illumination:	See Article 6.9

Notes:

- **All building placement standards apply to the building and to the pump island canopy**
- All dimensions are expressed as minimums, except where noted otherwise
- Lot width and side yard setbacks may be increased to accommodate excessive side slope situations
- Building entrance shall face front lot line
- Service entries are prohibited on street facades
- Building elevations facing a street shall have windows on each floor elevation
- Buildings on corner lots shall extend architectural features and details on each street frontage

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Article 6.6

LANDSCAPING AND TREE PRESERVATION

6.6.1. Purpose. This Article is established to create uniform landscape, screening and tree preservation standards for development of property in the Village and review of plans therefore, in order to ensure that the Village remains attractive, safe and comfortable. Landscaping required by this Article shall be a condition to the issuance of a Certificate of Occupancy for any improvements built on a lot in the Village. The landscape standards herein are established:

A. To promote, protect and preserve the general health and safety of the people of the community and, as part of the general welfare, insure aesthetic compatibility among land uses within the community;

B. To conserve soil and reduce soil erosion, reduce storm water run-off, to provide oxygen regeneration to enhance air quality, and to reduce the effects of urban heat islands;

C. To minimize the harmful or nuisance effects resulting from noise, dust, debris, motor exhaust, headlight glare, artificial light intrusions, objectionable sights or activities, or similar incompatible impacts conducted or created by adjoining or nearby land use;

D. To safeguard the environmental quality and aesthetic character of the community by limiting the removal and insuring replacement of trees upon private property within the Village;

E. To preserve, insofar as practical, existing vegetation and topographical features by limiting unnecessary clearing and modification of land, encouraging the retention of existing mature trees, requiring the replacement of indigenous trees with approved species; and,

F. To encourage the energy efficient operation of land uses in the public interest.

6.6.2. Tree Preservation and Removal Regulations. It shall be unlawful for any person to remove or cause the removal of any tree having a caliper of four (4) inches or greater in the Village of Richmond without having first obtained approval from the Village of a Tree Preservation and Removal Plan as described herein. Nothing in this Section 6.6.2 shall apply to tree removal by an owner of a lot having a single family, two-family or duplex dwelling located thereon.

A. TREE PRESERVATION AND REMOVAL PLAN REQUIRED. A Tree Preservation and Removal Plan shall be required for any parcel of land involving the construction of any new building(s) or structure(s) or other site improvements, or the removal of a tree having a caliper of four (4) inches or greater. All Tree Preservation and Removal Plans shall include or have attached thereto the following information:

1. A tree survey.

2. The location of those trees to be removed and preserved and the methods which are to be used to remove and preserve such trees during site development and/or tree removal procedures.

3. A written statement indicating the reason for removal of the tree(s). A report from a licensed Illinois arborist may be requested by the Development Administrator if deemed appropriate.

4. A general description of the tree(s) to be removed.

5. Details, specifications and/or technical information of materials or procedures to be used to preserve and protect trees.

B. GENERAL TREE PRESERVATION AND REMOVAL STANDARDS AND CRITERIA.

1. Every reasonable effort shall be made to retain existing trees on the aforementioned tree survey through the integration of those trees into the site plan and landscape plan for a proposed development.

2. Grading and construction equipment shall be forbidden from encroaching within the drip line of a tree.

3. Crushed limestone hydrocarbons and other material detrimental to trees shall not be stored or dumped within the drip line of any tree nor at any higher location where drainage toward the tree could conceivably effect the health of the tree.

4. Toxic chemicals, gasoline, oil and other injurious substances shall not be stored or allowed to seep, drain or empty within one hundred (100) feet of the drip line of protected trees.

5. Snow fencing shall be temporarily installed at the periphery of the tree's drip line.

6. Tree trunks and branches shall be protected when construction must occur within a tree drip line.

7. No grade changes shall be allowed under drip line of any trees designated for preservation.

8. No ropes, signs, wires, unprotected electrical installation or other device or material shall be secured or fastened around or through a protected tree.

9. To improve the survival rate of tree, root pruning and/or thinning should be performed in accordance with the Arboricultural Specifications Manual.

10. In the event that underground utility lines are proposed within five (5) feet of the trunk of a tree, then augering of the utility line should be considered and may be required by the Village.

11. TREE REPLACEMENT REQUIRED. Any tree intended to be removed or unintentionally removed or damaged during construction on the lot shall be replaced in the manner herein prescribed.

    a. In the event that a tree is designated for removal during the construction process, such tree shall be replaced with new trees in accordance with the following schedule:

CALIPER (INCHES) OF TREE TO BE REMOVED	NUMBER OF REPLACEMENT TREES
30 or greater	6
13-29	5
4-12	4

    Except that when a tree designated for removal is one of the following species each such tree shall be replaced with one replacement tree from the list of species provided in Section 6.6.2(B)11(d):

    Black Locust (*Robinea psuedoacacia*), Box Elder (*Acer negundo*), Buckthorn (*Rhamnus cathartica, Rhamnus frangula, Rhamnus argute, Rhamnus davurica, Rhamnus japonica and Rhamnus utilis*), Chokecherry *(Prunus virginiana),* Cottonwood *(Populus deltoides),* Chinese Elm *(Ulmus parviflora),* Goldenchain Tree *(Laburnum anagyroides),* Laurel Willow (Salix pentandra), Mulberry *(Morus sp.),* Osage Orange *(Maclura pomifera),* Russian Olive *(Elaeagnus angustifolia),* Siberian Elm *(Ulmus pumila)*, Tree of Heaven *(Ailanthus altissma),* and Weeping Willow *(Salix baylonica).*

    b. In the event that a tree designated for preservation is destroyed, damaged, or removed during the construction process, such tree shall be replaced with new trees in accordance with the following schedule:

CALIPER (INCHES) OF TREE TO BE REMOVED	NUMBER OF REPLACEMENT TREES
30 or greater	10
13-29	8
4-12	6

    c. All replacement trees shall have a minimum caliper of two and one-half (2.5) inches.

d. Replacement trees shall be limited to the following species:

American Beech, European Beech, Gingko, Hackberry, Horse Chestnut, Linden, Maidenhair Tree, Maple (excluding Silver Maple and other similar softwood species), Oak, Purple Leaf Beech, Thornless Honeylocust (cultivars), and Tulip Tree.

e. The landscape plan shall identify each replacement tree as a replacement tree and indicate its location, specie, and size. No replacement trees shall be used to satisfy the requirements for tree planting in public right-of-way or in parking lots.

f. Removal of trees designated for preservation shall be allowed only by amending the Landscape Plan.

g. Tree preservation and replacement required by this Article shall be a condition to the issuance of a Certificate of Occupancy for any improvements constructed on a zoning lot in the Village.

h. If it is impractical to plant the required number of replacement trees on the same zoning lot due to space limitations or the density of existing trees, the Village shall require the Owner to plant said tree(s) at its discretion on other public property, excluding right-of-ways.

C. GUIDELINES FOR REVIEWING TREE REMOVAL PLANS. The Village of Richmond shall approve removal of a tree if one (1) or more of the following conditions are present:

1. It is necessary to remove a tree that poses a safety hazard to pedestrian or vehicular traffic or threatens to cause disruption of public safety.

2. It is necessary to remove a tree which poses a safety hazard to structures.

3. It is necessary to remove a tree which is diseased or has been weakened by age, storm, fire or other injury.

4. It is necessary to observe good forestry practice, i.e., the number of healthy trees a given parcel of land will support.

D. TREE REMOVAL PERMIT. When tree removal is occasioned by any development or land use requiring the submission of a Landscape Plan, Tree Preservation and Removal Plan, Site Plan, or Subdivision Plan, said plan shall, upon approval by the Village, constitute a tree removal permit.

E. FAILURE TO COMPLY. If, in the opinion of the Development Administrator, the necessary precautions as specified in the tree preservation and removal plan were not undertaken before or maintained during construction, the land development permit for the parcel shall not be issued or, if previously issued, shall be revoked until such time as these precautions have been satisfied.

6.6.3. Landscaping and Screening Regulations. A landscape plan prepared in accordance with the standards set forth in this Article shall be required for any land development requiring a Major Site Plan Review or a non-residential use requiring a Minor Site Plan Review described in Article 4.2. Landscaping and screening required by this Article shall be a condition to the issuance of a Certificate of Occupancy for any improvements built on a zoning lot in the Village.

A. LANDSCAPE PLAN REQUIRED. A Landscape Plan shall be completed by an Illinois licensed landscape architect. Applicants may elect to prepare a landscape plan in two phases: a preliminary landscape plan, and a final plan. Requests for relief or revisions to these requirements of this Title may be submitted to the Development Administrator for his consideration.

B. CONTENT OF LANDSCAPE PLAN

1. PRELIMINARY LANDSCAPE PLAN. All preliminary landscape plans shall include or have attached thereto the following information:

a. The name, address and phone number of the Landscape Architect who prepared the plan; scale, north arrow, date of preparation, and identification of the plans

as a preliminary landscape plan.

b. The proposed location of all new plant materials shall be shown.

c. An indication of the character of suggested plant materials to be used, i.e. shade trees, ornamental trees, shrubbery, ground cover, etc.

d. A tree preservation and removal plan.

e. The location of existing natural site features, including, but not limited to, large boulders, rock outcroppings, wetlands and streams.

f. The location and dimension of all existing and proposed buildings, parking lots and driveways, roadways and right-of-way, sidewalks, bicycle paths, signs, fences, refuse disposal areas, free standing electrical equipment, setbacks, easements, and other free-standing structure or features as determined by the Development Administrator.

g. Existing and proposed contours, including proposed berms, at one foot contour intervals.

2. FINAL LANDSCAPE PLAN. All final landscape plans shall include or have attached thereto to the following information:

a. The name, address and phone number of the Landscape Architect or other person who prepared the plan; scale, north arrow, date of preparation, and identification of the plan as a final landscape plan.

b. The location of existing and proposed improvements; including, but not limited to, buildings, with entry and exit points identified; all utilities, lighting, walls, and fences, parking areas (spaces delineated, including handicapped spaces, curbs); spot elevations and contours; existing and proposed berms; existing (four (4) inch caliper and larger with drip line) and proposed plant material; paved surfaces; sign locations; public rights-of-way and easements, including street widths; refuse disposal areas; property lines; and, other exterior landscape amenities, such as bike paths, plazas, architectural paving, flag poles, foundations, benches, and bicycle racks.

c. The planting schedule listing botanical names, common names, caliper or height, and quantity;

d. The proposed treatment of all ground surfaces (pea gravel, ground covers, sod, seed and/or prairie).

e. Other drawings and information as required; such as irrigation plan, if appropriate, grading and drainage plan, showing spot elevations and/or cross section, or methods to be used to protect plants and planted areas, e.g. curbs, ties, walls.

f. Tree Preservation and Removal Plan.

g. Provide elevations, cross sections, samples and/or photographs to indicate; texture of exposed surfaces, landscape material, scale, color of exposed surfaces, planting in relation to buildings, if requested by the Development Administrator.

h. Provide technical information, samples, details, and/or photographs of materials to be used for light standards, benches, fences, walls, signage, safety lighting, and other site details.

C. GENERAL DESIGN CRITERIA

1. SCALE AND NATURE OF LANDSCAPE MATERIALS. The scale and nature of landscape material shall be appropriate to the site and the structures thereon.

2. SELECTION OF PLANT MATERIAL.

a. Planting materials used in conformance with the provisions of this Article shall be:

1. Of good quality and of a species normally grown in northeastern Illinois.

2. Capable of withstanding the extremes of individual site microclimates.

3. Selected for interest in its structure, texture, and color for its ultimate growth.

4. Harmonious to the design, and of good appearance.

5. In conformance with American Standard for nursery stock as approved by American National Standards Institute and issued as ANSI 2601.1986.

b. Evergreens shall be incorporated into the landscape treatment of a site, particularly in those areas screening parking lots from dedicated public rights-of-way or property zoned for residential use.

c. Minimum sizes for plant materials at time of installation for all landscape areas shall be as follows:

1. Deciduous trees shall be a minimum size of two and one-half (2 ½) inches caliper when installed. Evergreen trees shall be a minimum six (6) feet in size feet in height when installed.

2. Deciduous shrubs (other than dwarf varieties) shall be a minimum of three (3) feet in height at time of installation if used as a perimeter screen planting, and thirty (30) inches in height for all other installations. Dwarf varieties and plants normally measured by spread shall be a minimum of twenty-four (24) inches in height/spread.

3. Ground cover shall be so planted and spaced that complete coverage can be obtained within two (2) years after date of installation.

4. Ornamental trees shall be used, especially in smaller planting areas, and shall have a minimum trunk size of two (2) inches caliper, or be of a clump form at a minimum height of five (5) feet.

d. PROHIBITED TREES. The following trees shall not be used to satisfy the requirements of this Article: Silver Maple (except new hybrids); Box Elder; Red Mulberry; Osage Orange; Poplar (all species); Black Locust; Weeping Willow (except in large, wet areas); Catalpa; Tree of Heaven; White Birch; Elm (except new hybrids); Russian Olive; Mountain Ash; and, fruit trees.

3. INSTALLATION OF PLANT MATERIALS. Plant materials of all types and species shall be installed in accordance with the minimum technical specifications of the Illinois Landscape Contractors Association, including the provisions for guarantee and replacement.

4. MAINTENANCE OF PLANT MATERIAL. The Owner of the premises shall be responsible for the maintenance, repair and replacement of all landscaping materials and barriers, including refuse disposal areas, walls, fences, and other amenities, as may be required by the provisions of this Article. A means of irrigating plant material shall be provided. Installation of an automatic underground sprinkling system is recommended.

5. PLANTING BEDS. Planting beds shall be mulched in their entirety with shredded bark or other similar organic material. Lava rock or large diameter (1½" diameter or larger) bark chips ("chunk bark") are not acceptable. Gravel and stone mulches are not permitted, unless specifically approved in writing by the Village. Mulch beds at time of planting shall extend a minimum of two (2) feet beyond the center of a shrub.

6. WALLS AND FENCES. Plant materials shall be placed intermittently against long

expanses of building walls, fences and other barriers to create a softening effect. All wood fences proposed to be used to satisfy the requirements of this Article shall be of red cedar, redwood, cypress, or other approved decay resistant treated wood, at least six (6) feet high, and of solid construction. Wood fences shall be not less than seventy-five percent (75%) opaque, with all supporting posts exposed to the lot interior. Stockade type fences are not permitted.

7. DETENTION/RETENTION BASINS AND PONDS. Detention/retention basins and ponds areas shall be planted. Such plantings shall include shade and ornamental trees, evergreens, shrubbery, hedges and/or other live planting materials. Plants must be able to tolerate wet conditions if planted within the basin.

8. ENERGY CONSERVATION

   a. Deciduous trees, shrubs and vines should dominate the south and west sides of buildings and plaza areas to provide shade during the summer and limited shade during winter.

   b. Evergreens and other plant materials should be concentrated on the north side of buildings in a manner which dissipates the effect of winter winds.

9. WATER CONSERVATION. Wherever possible landscape designs and plant material which is indigenous and or drought tolerant should be used to reduce the need for irrigation.

10. BERMS. Earthen berms and existing topography shall, wherever practical, be incorporated into the landscape treatment of a site. Berms shall not exceed a maximum slope of four horizontal units to one vertical unit (4:1), except in parking islands, where the maximum slope shall not exceed two horizontal units to one vertical unit (2:1).

11. TOPOGRAPHY. Where natural, existing topographic patterns contribute to the beauty and utility of a development, they shall be preserved and developed. Modification of topography may be allowed where it contributes to the aesthetic quality of the site.

12. PROTECTION OF PLANT MATERIAL AND/OR PEOPLE. In locations where plant materials may be susceptible to injury or cause personal injury, appropriate curbs, tree guards, or other devices shall be provided.

13. AREAS WHERE PLANT MATERIAL WILL NOT PROSPER. In areas where general planting will not prosper, other materials such as fences, walls and paving of wood, brick, stone, and cobbles shall be used. Carefully selected plant material shall be combined with such materials where possible.

14. EXTERIOR LANDSCAPE LIGHTING. Lighting standards and fixtures when used to enhance the building design and the adjoining landscape shall be of a size and design compatible with the building and adjacent areas. Lighting shall be restrained in design, and excessive brightness and brilliant colors shall be avoided. Electrical service shall be underground.

15. AMENITIES. In business, office and industrial districts seating areas, paved areas, plant enclosures, benches, waste receptacles, lights, and other amenities shall be provided where appropriate.

16. SERVICE YARD SCREENING. Service yards, loading docks and other places that tend to be unsightly shall be screened from view. Screening shall be equally effective at all times of the year.

   a. Trash dumpsters and other waste receptacles or equipment shall be screened on three (3) sides with a solid wall at least six (6) feet in height, and a solid single or double access gate on the fourth side.

   b. All utility equipment (meters, transformers, etc.) shall be provided with appropriate planting screens.

   c. Except when located across a street from residential zoned property, all garage doors and loading areas on non-residential property shall be concealed from

view (at grade) from adjoining residential zoned property.

d. All outdoor storage facilities for raw materials and finished products within five (500) hundred feet of a residence district shall be effectively screened and enclosed by a solid wall or fence at least eight (8) feet in height. If materials to be stored outdoors are in excess of eight (8) feet in height, then landscape screening shall be provided in addition to the fence or wall installed along the outside perimeter of the fence or wall, equal or exceeding the height of the materials to be stored outdoors.

17. INNOVATIVE LANDSCAPING. Innovative landscaping treatments are encouraged and shall be considered as a positive attribute in connection with any request for a variation from the requirements of this Article.

18. INTERSECTION VISIBILITY. Landscaping must be designed and installed to minimize potential obstruction of critical sight lines. Landscape planting shall be so designed as to avoid obstruction of a motorist's vision at the intersection of parking aisles, driveways, or public or private streets and alleys. Unobstructed visibility between two and one-half (2.5) feet and eight (8) feet above the height of the pavement must be maintained at all intersections. To maintain this visibility, no berms, shrubs or other landscape material which will reach a mature height greater than two and one-half (2.5) feet shall be permitted within a sight triangle. Trees are allowed in sight triangles provided the lowest branching begins not less than eight (8) feet above the pavement.

19. EDGING. Edging is recommended to separate grass areas from shrubs, ground cover and mulch and shall be a good quality steel, plastic, or weather resistant (redwood, cedar) or treated wood secured with stakes.

20. ARTIFICIAL PLANTS. No artificial plants of any type shall be used to satisfy any requirements of this Article.

21. GROUND COVER. All drainage swales and slopes having a slope of three vertical units to one horizontal unit (3:1) or greater shall be sodded. All other ground areas not covered by buildings, parking, sidewalks or other impervious surfaces, or occupied by planting beds shall be graded smooth with a minimum of six (6) inches of black dirt after compacting and removing stumps, rocks and other debris, and shall be seeded or sodded to prevent soil erosion and sedimentation of public drainage systems, creeks, streams, rivers and wetlands.

22. FLOWER BEDS. Flower beds are encouraged and shall be planted in masses in acceptable areas to create color, texture and visual interest.

D. ADDITIONAL RIGHT-OF-WAY LANDSCAPING REQUIREMENTS. In addition to the general design criteria prescribed in Section 6.6.3.C, the following requirements shall also apply to landscaping in rights-of-way.

1. SCOPE. Where a zoning lot abuts a dedicated public right-of-way, trees shall be provided in accordance with the provisions of this Article.

2. STREET TREES. Street trees shall be planted in all parkways having a width of five (5) feet or more. The Village shall have the discretion to require trees be planted outside of the right-of-way if the parkway is less than five (5) feet wide or overhead or buried utilities may conflict with the growth of street trees. Street trees shall be planted not more than forty (40) feet apart whenever possible, and shall have a minimum trunk diameter of two and one-half (2½) inches measured six (6) inches above ground level.

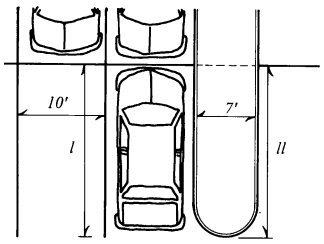
E. ADDITIONAL PARKING LOT LANDSCAPING REQUIREMENTS. In addition to the general design criteria prescribed in Section 6.6.3.C, the following requirements shall also apply to landscaping parking lots.

1. SCOPE. All parking lots designed for twenty (20) or more parking spaces shall be landscaped in accordance with the provisions of this Article.

2. INTERIOR PARKING LOT LANDSCAPING. To define circulation within a parking lot and to

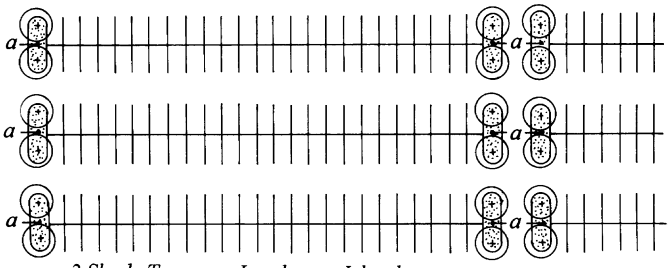
visually and physically break-up long rows of parking spaces, and to provide space and locations for bio-swales and other stormwater filtering devices, landscape islands are required to be provided within parking lot areas, as follows:

a. PARKING AISLE LANDSCAPE ISLANDS. A landscaped island shall be provided at the end of each parking row. The island shall be protected by a continuous concrete barrier curb and shall have a minimum width of seven (7) feet, measured back-of-curb to back-of-curb, and shall have a depth equal to the adjoining parking space. Each parking aisle landscape island shall contain two (2) shade trees.



Parking Space Landscape Island, Detail

Where l = ll



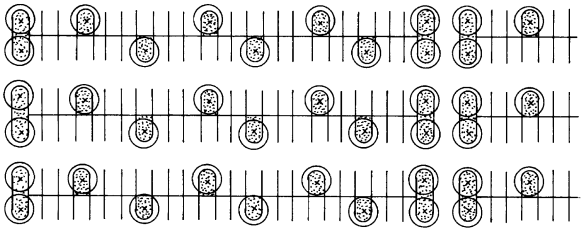
2 Shade Trees per Landscape Island

Landscape Island, Parking Aisle (a)

b. PARKING SPACE LANDSCAPE ISLANDS. In addition to parking aisle landscape islands, one or more of the following alternatives shall be used to divide each row of parking having twenty (20) spaces or more:

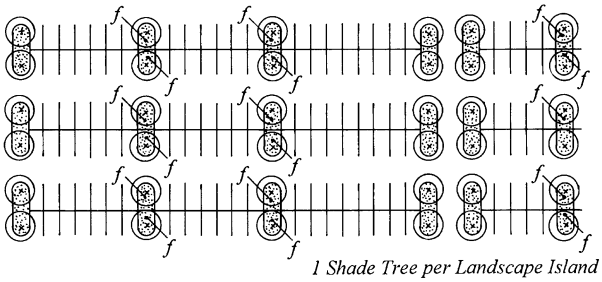
1. FULL PARKING SPACE LANDSCAPE ISLAND. One landscape island protected by a continuous concrete barrier curb and having a minimum width of seven (7) feet, measured back-of-curb to back-of-curb, and a depth equal to the adjoining parking space, may be provided for each twenty (20) parking spaces in the parking row. Said landscape islands shall be dispersed throughout the parking row. Each said landscape island shall contain one (1) shade tree; or,

EXAMPLE 1



1 Shade Tree per Landscape Island

EXAMPLE 2

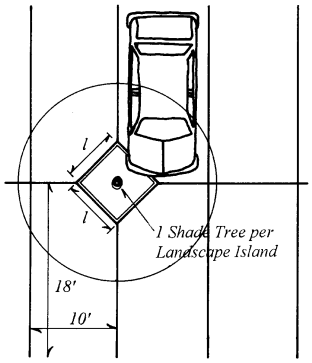


1 Shade Tree per Landscape Island

Landscape Island, Full Parking Space (f)

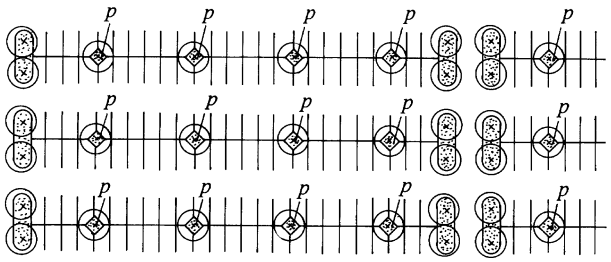
$$\text{Where Number of Islands} = \frac{\text{Number of Parking Spaces in Parking Row}}{20}$$

2. PARTIAL PARKING SPACE LANDSCAPE ISLAND. One landscape island positioned at the front corner of a parking space, protected by a continuous concrete barrier curb and having minimum dimensions of six and one-half (6.5) feet square, measured back-of-curb to back-of-curb, may be provided for each ten (10) parking spaces in the parking row. Said land-scape islands shall be dispersed throughout the parking row and shall not be used in parking rows along the perimeter of a parking lot. Each said landscape island shall contain one (1) shade tree; or,



Partial Parking Space Landscape Island, Detail

Where l = 6.5 feet (measured back-of-curb to back-of-curb)

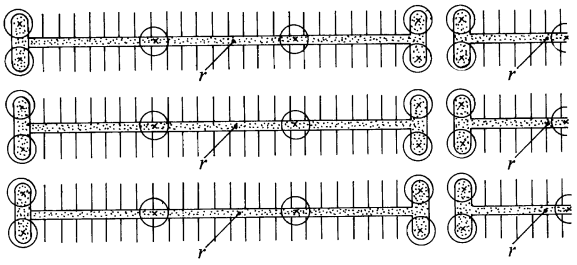


1 Shade Tree per Landscape Island

Landscape Island, Partial Parking Space (p)

$$\text{Where Number of Islands} = \frac{\text{Number of Parking Spaces in Parking Row}}{10}$$

3. CONTINUOUS PARKING ROW LANDSCAPE ISLAND. A continuous landscape island protected by a continuous concrete barrier curb and having a minimum depth of seven (7) feet, measured back-of-curb to back-of-curb, may be provided between parking rows. Said landscape island shall not be used in parking rows along the perimeter of a parking lot. Each said landscape island shall contain one (1) shade tree for each twenty (20) parking spaces in the parking row.



Landscape Island, Continuous Parking Row (r)

c. ADDITIONAL LANDSCAPING STANDARDS. In addition to the shade trees required in this Section, each landscape island required herein shall be landscape with an appropriate number and selection of shrubs, flowers, groundcovers, sod and mulch. Shrubs planted in a parking lot landscape island shall not exceed a mature height of thirty (30) inches above the adjoining pavement. No tree planted in a parking lot landscape island shall have branches maintained at a height less than six (6) feet above the adjoining pavement. Landscaping required under this Section may be substituted with bio-swales and bio-filter strips.

3. PARKING LOT PERIMETER LANDSCAPING

a. FRONT AND CORNER SIDE YARDS:

1. Where a parking lot is located in or adjacent a front or corner side yard in a residential district, continuous landscaping shall be provided across not less than one hundred-percent (100%) of the parking lot frontage to a minimum height of three (3) feet. Such landscaping shall consist of any combination of berms, shade and ornamental trees, evergreens, shrubbery, hedges, and/or other live planting material.

2. Where a parking lot is located in or adjacent a front or corner side yard not in a residential district, continuous landscaping shall be provided across not less than sixty-percent (60%) of the parking lot frontage to a minimum height of three (3) feet. Such landscaping shall consist of any combination of berms, shade and ornamental trees, evergreens, shrubbery, hedges, and/or other live planting material. Plantings may be placed in clusters, containing at minimum seven (7) evergreens and/or shrubs per cluster, spaced at intervals of approximately thirty-five (35) feet along the frontage of the parking lot. However, when a continuous row of shrubs or hedges is chosen, the entire parking lot frontage shall be screened.

b. REAR AND SIDE YARDS:

1. Where a parking lot is located in a yard adjacent a residential zoning district, landscaping shall be provided as follows:

i. Screening between the parking lot and the residential property line shall be a minimum of six (6) feet in height.

ii. Shade trees shall be provided at the equivalent of one for each fifty (50) lineal feet, or fraction thereof, of parking lot frontage and shall not be planted more than forty (40) feet apart.

iii. Other planting material, including ornamental trees, evergreens, shrubbery, hedges, and/or other live planting materials shall be provided in a continuous row covering one hundred-percent (100%) of the frontage of the parking lot adjacent the residential lot(s).

iv. Except where occupied by planting beds, all side and rear yard perimeter landscaping area shall be sodded or seeded.

2. Where a parking lot is located in a yard adjacent a non-residential property; landscaping shall be provided across not less than fifty-percent (50%) of that portion of the parking lot abutting the property line to a minimum height of three (3) feet. Such landscaping shall consist of any combination of berms, shade and ornamental trees, evergreens, shrubbery, hedges, and/or other live planting materials. Plantings may be placed in clusters, containing not less than seven (7) shrubs per cluster, spaced at intervals of approximately thirty-five (35) feet along the property line.

c. Landscaping required under this Section may be substituted with bio-swales and bio-filter strips.

F. ADDITIONAL FOUNDATION LANDSCAPING REQUIREMENTS. In addition to the general design criteria prescribed in Section 6.6.3.C, the following requirements shall also apply to foundation landscaping.

1. All non-residential and multiple family development shall provide perimeter landscaping as prescribed herein. Parking lots located on the perimeter of a lot shall comply with the requirements of Section 6.6.3.G.

2. SETBACK. A landscaping area not less than ten (10) feet in width shall be located around the perimeter of all buildings, except where impractical, i.e. loading dock areas, entryways, etc.

3. COVERAGE. Required foundation landscaping areas shall remain open and free of all paving except where walks to buildings and other similar paving is required.

4. LANDSCAPING MATERIALS. Foundation landscaping consist of shade and ornamental trees, evergreens, shrubbery, hedges, and/or other live planting materials. Particular attention shall be paid toward screening mechanical equipment, bicycle parking areas, and loading docks; softening large expanses of building walls; and accenting entrances and architectural features of the building(s).

G. ADDITIONAL PERIMETER LANDSCAPING REQUIREMENTS. In addition to the general design criteria prescribed in Section 6.6.3(C), the following requirements shall also apply to foundation landscaping.

1. All non-residential and multiple family development shall provide perimeter landscaping as prescribed.

2. NON-RESIDENTIAL PROPERTY ABUTTING NON-RESIDENTIAL PROPERTY. Where non-residential property abuts property in a business, office or industrial district, landscaping shall be provided as follows:

a. Shade trees shall be provided at the equivalent of one for each seventy-five (75) feet, or fraction thereof, of frontage along the abutting property line. Such trees shall be planted no more than forty (40) feet apart and may be clustered or spaced linearly as determined appropriate.

b. Other landscaping materials, including berms, ornamental trees, evergreens, shrubbery, hedges, and/or other live planting materials shall be provided at appropriate locations along the abutting property line.

3. NON-RESIDENTIAL PROPERTY ABUTTING RESIDENTIAL PROPERTY. Where non-residential property abuts property in a residential district, landscaping shall be provided as follows:

a. A solid screen six (6) feet in height shall be provided along the entire length of the abutting property line. Such screen shall consist of a solid wood fence, berms, trees, evergreens, shrubbery, and/or other live planting materials, necessary to provide one hundred-percent (100%) coverage.

b. Shade trees shall be provided at the equivalent of one for each seventy-five (75) feet, or fraction thereof, of frontage along the abutting property line. Such trees shall not be planted more than forty (40) feet apart and may be clustered or spaced linearly as determined appropriate.

4. MULTIPLE FAMILY RESIDENTIAL PROPERTY. Where multiple family residential used abuts property in any zoning district, landscaping shall be provided as follows:

a. Shade trees shall be provided at the equivalent of not less than one for each seventy-five (75) feet, or fraction thereof, of frontage along the abutting property line. Such trees shall not be planted more than forty (40) feet apart and may be clustered or spaced linearly as appropriate.

b. Other landscaping materials, including berms, if possible, ornamental trees,

evergreens, shrubbery, hedges, and/or other live planting materials shall be provided at intermittent locations across fifty-percent (50%) of the abutting property line. Shrubs shall be placed in clusters containing at least seven (7) per cluster, spaced at intervals of approximately thirty-five (35) feet along the abutting property line.

H. ADMINISTRATION OF LANDSCAPING AND TREE PRESERVATION REGULATIONS.

1. VARIATIONS FROM REQUIREMENTS OF THIS ARTICLE. The Village recognizes that, because of the wide variety of types of developments and the relationships between them, some flexibility in applying standards set forth in Sections 6.6.2 and 6.6.3are appropriate as long as the intent of specified requirements are met. The Development Administrator may authorize deviations not more than twenty-percent (20%) from the requirements of any specific requirement set forth in Sections 6.6.2 and 6.6.3. Whenever the Village allows or requires deviation from the requirements set forth in this Article, it shall enter on the face of the landscape plan the reasons for allowing or requiring deviation from the requirements of this Section.

2. CERTIFICATE OF OCCUPANCY. All required landscaping shall be installed prior to the issuance of a certificate of occupancy. If weather conditions or other circumstances beyond the developer's control prevent installation of all or portions of the landscape materials and all other requirements for the issuance of a certificate of occupancy have been met, a letter of credit or a performance guarantee approved by the Village Attorney to insure completion of approved landscaping shall be filed with the Development Administrator. The amount of the performance guarantee and the required completion data shall be recommended by the Development Administrator based on current costs and set by the Village. If such a letter of credit or performance guarantee has already been submitted for the proposed landscape improvements, the Village may permit the developer to extend the performance guarantee for an additional specified period of time.

I. GUIDELINES FOR REVIEWING LANDSCAPE PLANS. A landscape plan shall be approved if the following conditions are satisfied:

1. The use of shrubs, flowers, berms and ground cover are used appropriately to enhance the overall appearance and function of the site or open spaces on the site;

2. The planting of shade and ornamental and evergreen trees is used to define and enhance spaces on the site;

3. The use of planting material to effectively screen adjacent dwelling units, service areas, and parking areas;

4. The use of planting material to contribute to water conservation and energy efficiency;

5. The use of planting material seasonal color, texture, size and form to create seasonal and visual interest and appeal in the community.

6. The composition, number, location, species of landscape material, berms, fences and other features, and supporting documentation are provided as required by this Article.

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Article 6.7

OFF-STREET PARKING AND LOADING

6.7.1. Purpose. The purpose of this Article is to alleviate or prevent the congestion of the public streets and to promote the safety and welfare of the public by establishing minimum requirements for the off-street parking and loading and unloading of motor vehicles in accordance with the use to which property is put.

6.7.2. Scope. The off-street parking and loading provisions of this Title shall apply as follows:

A.. For all building and structures erected and all uses of land established after the effective date of this Title, accessory parking and loading facilities shall be provided as required by the regulations of the district in which building or uses are located. However, where a permit has been issued prior to the effective date of this Title, and provided that constructions is begun within one year of such effective date, and diligently prosecuted to completion, parking and loading facilities as required herein-after need not be provided.

B. When the intensity of use of any building, structure or premises shall be increased through the addition of dwelling units, gross floor area, seating capacity or other units of measurements specified herein for required parking or loading facilities, parking and loading facilities as required herein shall be provided for such increase in intensity of use.

C. However, no building or structure lawfully erected or use lawfully established prior to the effective date of this Title shall be required to provide such additional parking or loading facilities unless and until the aggregate increase in units of measurement shall equal not less than fifteen percent (15%) of the units of measurement existing upon the effective date of this Title, in which event parking or loading facilities as required herein shall be provided for the total increase.

D. Whenever the existing use of a building or structure shall be changed hereafter to a new use, parking and loading facilities shall be provided as required for such new use. However, if the said building or structures was erected prior to the effective date of this Title, additional parking or loading facilities shall be required only in the amount by which the requirements for the new use would exceed those for the existing use if the latter were subject to the parking and loading provisions of this Title.

6.7.3. General Off-Street Parking and Loading Standards.

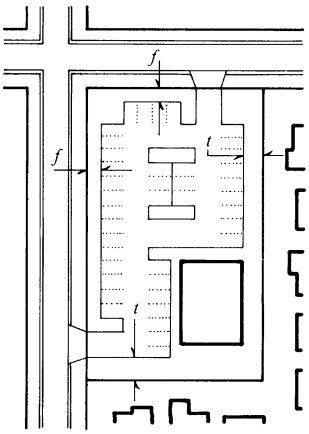
A. EXISTING PARKING AND LOADING FACILITIES. Accessory off-street parking or loading facilities which are located on the same lot as the building or use served and which were in existence on the effective date of this Title or were provided voluntarily after such effective date shall not hereafter be reduced below, or if already less than, shall not further be reduced below, the requirements of this Title for a similar new building or use.

B. PERMISSIVE PARKING AND LOADING FACILITIES. Nothing in this Article shall be deemed to prevent the voluntary establishment of off-street parking or loading facilities to serve any existing use of land or buildings provided that all regulations herein governing the location, design, improvement and operation of such facilities are adhered to.

C. DAMAGE OR DESTRUCTION. For any conforming or legally non-conforming building for use which is in existence on the effective date of this Title, which subsequent thereto is damaged or destroyed by fire, collapse, explosion or other cause, and which is reconstructed, re-established or repaired, off-street parking or loading facilities equivalent to any maintained at the time of such damage or destruction shall be restored or continued in operation, except that when such damage or destruction exceeds more than fifty-percent (50%) of the value of the building or use, sufficient off-street parking or loading facilities shall be provided as required by this Title for equivalent new use on construction. However, in no case shall it be necessary to restore or maintain parking or loading facilities in excess of those required by this Title for equivalent new uses or construction.

D. COMPUTATION OF REQUIRED OFF-STREET PARKING SPACES AND LOADING BERTHS. When determination of the number of off-street parking spaces and loading berths required by this Article results in a requirement of a fractional space, any fraction of one-half or less may be disregarded, while a fraction in excess of one-half shall be counted as one parking space or loading berth.

E. YARDS. Off-street parking spaces and loading berths and access thereto in Industrial or Commercial Districts, or for non-residential uses in Residential Districts may be located in required rear, side or transition yards, except no parking spaces or loading berths may be located within twenty (20) feet of adjacent Residential Districts. Off-street parking spaces in any zoning district shall not be located within ten (10) feet of a front or corner side lot line.



Off-Street Parking and Loading Setbacks
Where, front and corner side yards (f) ≥ 10 feet, and transition yards (t) ≥ 20 feet

F. DESIGN AND MAINTENANCE.

1. OPEN AND ENCLOSED PARKING SPACES AND LOADING BERTHS. Accessory parking spaces and loading berths may be open to the sky or enclosed in a building.

2. SCREENING AND LANDSCAPING. All open loading areas and all parking areas providing space for five (5) or more vehicles shall be effectively screened in accordance with the landscaping requirements in Section 6.6 herein.

3. ILLUMINATION. Lighting used to illuminate off-street parking and loading areas shall be directed away from all adjacent property and roadways.

4. SIGNS. Signs for the purpose of assigning parking spaces and loading areas or giving directions thereto may be placed in parking and loading areas.

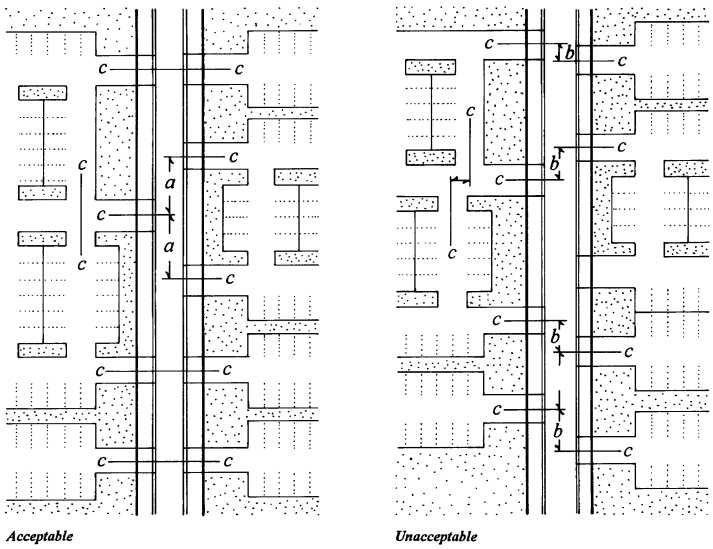
5. REPAIR AND SERVICE. No motor vehicle repair work of any kind shall be permitted in conjunction with accessory open off-street parking or loading facilities in any district.

6. GASOLINE AND OIL SALES. The sale of gasoline and motor oil in conjunction with accessory off-street parking or loading facilities shall not be permitted in any district.

7. CURBING. The perimeter of all loading areas and parking areas providing loading berths for one or more vehicles or parking space for five (5) or more vehicles shall provide vehicular barriers around the perimeter of the loading area and parking area. The vehicular barriers of such loading and parking areas shall be continuous concrete barrier curbing, minimum six (6) inches by eighteen (18) inches.

8. STRIPING. The pavement surface of off-street parking and loading areas shall be striped to define each loading berth and parking space. Striping shall be a minimum of four (4) inches in width for the length of each space and shall be painted white or yellow. All areas designated as fire lanes and/or no parking area shall be painted yellow.

9. CIRCULATION AND ACCESS. Parking lot driveways on opposite sides of an arterial or collector street shall be either aligned or off-set by no less than one hundred-fifty (150) feet between the centerlines of each opposing driveway. Parking aisles throughout the parking lot shall align as closely as practical in order to create four-way intersections. Shared driveways and access easements between ad-joining lots shall be encouraged to reduce the number of parking lot driveways along public streets.



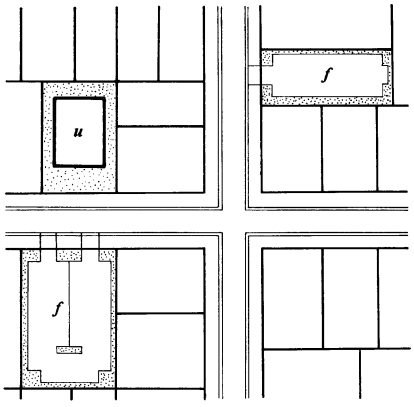
Parking Lot and Parking Aisle Alignment

Where c = driveway centerline,
a ≥ 150 feet and,
b ≤ 150 feet

G. SUBMISSION OF LAND PLAN. Any application for an improvement location permit, or certificate of occupancy where no permit is required, shall include therewith a land plan drawn to scale and fully dimensioned showing any parking or loading facilities, lighting, landscaping, signs and other improvements accessory thereto provided in compliance with this Title.

6.7.4. Additional Off-Street Parking Standards and Requirements. In addition to the Standards and Requirements in Section 6.7.3, herein, accessory off-street parking facilities shall conform with the following:

A. CONTROL OF OFF-SITE OFF-STREET PARKING FACILITIES. When required parking facilities are provided off-site, that is on land other than the zoning lot on which the building or use served by such off-site facilities is located, they shall be and remain in the same possession or ownership as the zoning lot occupied by the building or use to which the off-street parking facilities serve until and unless the Plan Commission has reviewed the plans and heard the applicant and made findings that the common ownership or possession of the zoning lot and the site of the parking facilities are reasonably certain to continue and that the off-site parking facilities will be maintained at all times during the life of the proposed use of building.



Off-Site Parking (f)

where f is required parking for use (u)

B. USE OF PARKING FACILITIES. Off-street parking facilities accessory to residential uses and developed in any residential district in accordance with the require-

ments of this Section shall be used solely for the parking of passenger automobiles owned by occupants of the dwellings to which such facilities are accessory or by guests of said occupants. Required parking facilities accessory to residential structures shall not be used for the storage of commercial vehicles or the parking of automobiles belonging to employees, owners, tenants, visitors, or customers of business, office or manufacturing establishments. For the purpose of this paragraph, storage shall mean a vehicle parked on the zoning lot for more than forty-eight (48) hours in any seventy-two (72) hour period.

C. DESIGN AND MAINTENANCE

1. CONSTRUCTION AND SURFACING. Except as provided otherwise herein, the construction and design of off-street parking facilities shall be reviewed by the Village Engineer to determine:

   a. That every parking space, including access thereto, shall have an all-weather dust-free surface and shall be so graded and drained as to dispose of surface water accumulation by means of a positive storm water drainage system connected to a public drainage way.

   b. That parking areas shall be constructed in accordance with a minimum structural number of 2.5 and a minimum surface slope of one-percent (1%), provided that no parking area shall have less than two and one-half (2.5) inches of bituminous surface course.

   c. That every driveway approach complies with the following standards. For the purpose of this section a driveway approach shall mean that portion of the driveway located in the right-of-way of a thoroughfare.

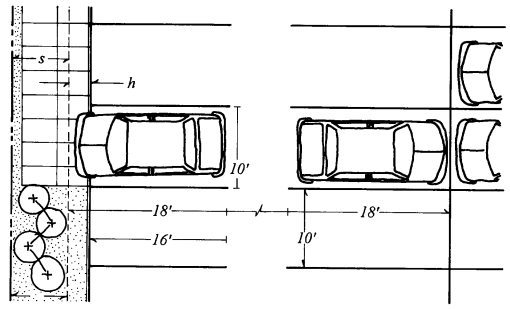
      1. For residential uses; six (6) inches of concrete with mesh on six (6) inches of compacted crushed gravel or crushed stone.

      2. For non-residential uses; six (6) inches of concrete with mesh on eight (8) inches of compacted crushed gravel or crushed stone.

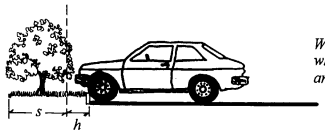
      3. For sidewalks at driveway crossings; six (6) inches of concrete with mesh on six (6) inches of compacted crushed gravel or crushed stone.

   d. Parking spaces and the access thereto for individual single family, duplex, two-family, and townhome dwellings shall not require review by the Village Engineer but shall be constructed of two and one-half (2.5) inches of bituminous surface over eight (8) inches of gravel or crushed stone or four (4) inches of concrete with a mesh grid over six (6) inches of gravel or crushed stone and be graded so as to dispose of surface water accumulation by means of positive storm water drainage.

2. SIZE. Except for parallel parking spaces and handicap parking spaces, required off-street parking space shall be one hundred eighty (180) square feet in area and shall be no less than eighteen (18) feet long with a vertical clearance of seven (7) feet, all exclusive of access drives, aisles, ramps, columns, office or work space, provided however that in measuring the length of a parking space the area safely occupied by a vehicle beyond a curb stop, whether paved or unpaved, shall be included. Each off-street parking space parallel to the parking aisle or driveway shall be no less than



Wheelstop Overhang Plan View



Wheelstop Overhang Side View

Parking Space Dimensions

Where wheelstop overhang (h) ≤ 2 feet, and s = parking setback

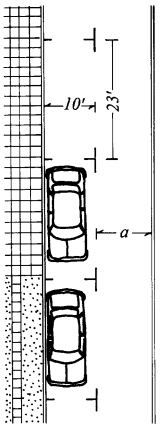
nine (9) feet wide and twenty-three (23) feet in length.

3. ACCESS AND ON-SITE CIRCULATION. Off-street parking areas shall be designed so as to require egress from the zoning lot to the street or alley by forward motion of the vehicle.

a. AISLES. Each required off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space. Aisle widths shall not be less than the following: Twenty-four (24) feet for any aisle designed for two-way traffic; Twenty-four (24) feet for each perpendicular parking space; eighteen (18) feet for each parking space on a sixty degree (60º) angle to the aisle; thirteen (13) feet for each parallel parking space or parking space on a forty-five degree (45º) or thirty degree (30º) angle to the aisle; and twelve (12) feet for each parallel parking space.

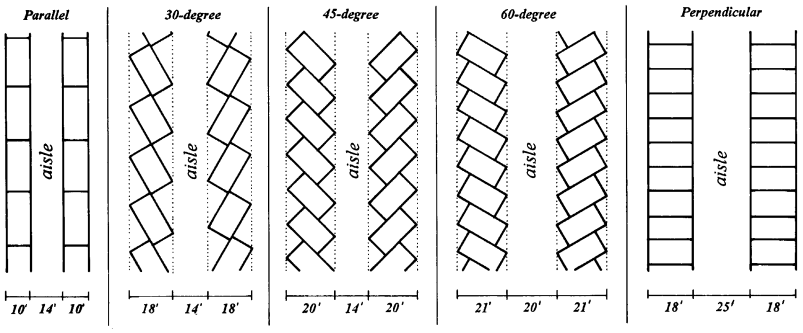
b. PARKING MODULES. A parking module shall mean a row of parking spaces, a parking aisle, and another row of parking spaces. Parking module widths shall not be less than the following:

Sixty-one (61) feet for perpendicular parking spaces; sixty (60) feet for parking spaces on a 60-degree angle to the aisle; fifty-three (53) feet for parking spaces on a forty-five-degree angle from the aisle; forty-nine (49) feet for parking spaces on a thirty-degree angle from the aisle; and, thirty (30) feet for parallel parking modules.



Parallel Parking Space Dimensions
Aisle (a) ≥ 12 feet

Minimum Parking Module Dimensions



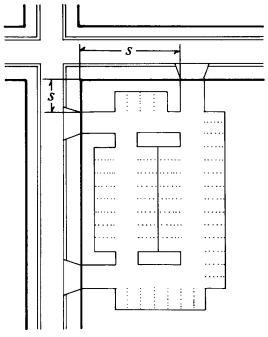
c. DRIVEWAYS. All off-street parking facilities shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movements on the public streets:

1. INTERSECTION SETBACKS.

a. Driveways located along an arterial road right-of-way shall not be located less than sixty (60) feet from an intersecting right-of-way.

b. Driveways located along a collector road right-of-way shall not be located less than fifty (50) feet from an intersecting right-of-way.

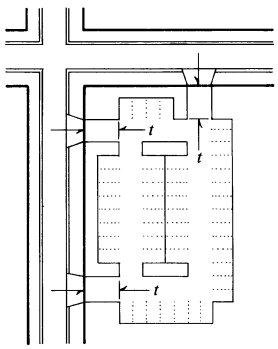
c. Driveways located along local street or cul-de-sac right-of-way



Driveway Intersection Setback (s)

shall not be located less than thirty (30) feet from an intersecting right-of-way.

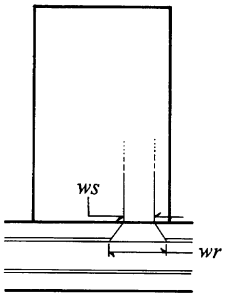
2. STREET TRANSITION. All parking facility driveways which lead to or from a public right-of-way shall provide a transition space of not less than thirty (30) feet in length from the public right of way to the nearest parking space, an intersecting driveway or parking aisle along said driveway to ensure traffic safety and circulation efficiency.



Parking Facility Driveway/Street Transition (t)

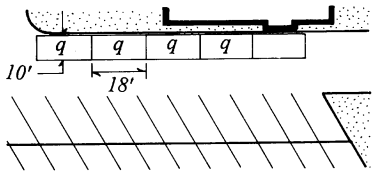
Where t ≥ 30 feet

3. WIDTH. All driveways installed, altered, changed, replaced, or extended after the effective date of this Title shall meet the following requirements: no driveway for vehicular ingress and egress shall exceed twenty-eight (28) feet in width at the right-of-way and thirty-four (34) feet in width at the roadway in residential districts; no driveway for vehicular ingress and egress shall exceed thirty-four feet (34) in width at the right-of-way and forty-four (44) feet in width at the roadway in industrial districts;



Driveway Width:
(ws) width at street line
(wr) width at roadway

D. QUEUING SPACES. Queuing spaces shall be provided accessory to drive-up service facilities in the number prescribed in the Table of Parking Requirements. Queuing spaces shall be located so as to not interfere with parking or pedestrian and vehicular circulation on the zoning lot, or circulation on adjacent public streets. Queuing spaces shall measure ten (10) feet in width and eighteen (18) feet in length. Queuing space shall not occupy the same spaces as parking or aisles thereto.



Queuing Space (q) for drive-up window facility

E. LOCATION. The location of off-street parking spaces accessory to the use served shall be prescribed hereinafter:

1. FOR USES IN RESIDENTIAL DISTRICTS. Parking spaces accessory to dwellings shall be located on the same zoning lot as the use served. Parking spaces accessory to uses other than dwellings in a residential district may be located on an adjacent lot or directly across a street or alley from the lot occupied by the use served, but in no case more than three hundred (300) feet from such use.

2. FOR USES IN COMMERCIAL AND INDUSTRIAL DISTRICTS. All required parking spaces shall be not more than five hundred (500) feet from the use served, except for spaces accessory to dwelling units which shall be not more than three hundred (300) feet from the uses served. However, no parking spaces accessory to a use in a commercial or industrial district shall be located in a residential district, except that private, free, off-street parking accessory to and located not more than two hundred (200) feet from such uses and municipal parking lots may be allowed by Special Use Permit in accordance with the standards and procedures provided in Article 4.3 of this Title.

F. HANDICAPPED PARKING. Any parking area for use by the general public shall provide parking spaces designated and located to accommodate the handicapped. Parking spaces reserved for the handicapped shall be located, designed, identified, and otherwise provided in accordance with the most restrictive requirements of the Illinois Accessibility Code, 71 Illinois Administrative Code, Part 400, and the Americans with Disabilities Act of 1990 (ADA) Guidelines, 28 C.F.R. Part 36, Appendix A as the same are from time to time amended.

1. SIZE. Each parking space reserved for handicapped use shall be at least sixteen (16) feet in width by eighteen (18) feet in length.

2. ENFORCEMENT. The designation of handicapped parking stalls shall constitute consent by the property owner to the enforcement by the Village of the restriction of use of such spaces to handicapped motorists.

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6.7.5. Schedule of Required Parking. For the following uses, accessory off-street parking spaces shall be provided as required hereinafter.

A. OTHER USES. For uses not listed heretofore in Section 6.7.5.G, the Table of Parking Requirements, parking spaces shall be provided on the same basis as required for the most similar listed use, or as determined by the Development Administrator.

B. PARKING BASIS. Parking spaces required for floor area shall be based on the maximum net floor area, herein defined, devoted to such use. Parking spaces required for employees shall be based on the maximum number of employees on duty, or residing, or both, on the premises at any one time.

C. FLOOR AREA EXEMPTIONS.

1. When two (2) or more non-residential uses are located on the same zoning lot, only one (1) exemption in terms of floor area, as set forth in Section 6.7.5.G, Table of Parking Requirements, may be permitted.

2. If on-street parking is provided adjacent to the proposed use, an exemption of one thousand (1,000) square feet shall be applied toward the calculation of required off-street parking spaces.

D. ON-STREET PARKING CREDITS. On-street parking directly fronting a lot shall count toward fulfilling the parking requirement of that lot. One parking space credit shall be given for every partial on-street parking space in front of the lot that is over fifty-percent (50%) of the length of the on-street parking space.

E. SHARED PARKING. When two (2) or more non-residential uses are located on the same zoning lot and their respective hours of operation do not overlap, the Development Administrator may authorize a reduction in the total number of required parking spaces subject to the following conditions:

1. Not more than fifty-percent (50%) of the parking spaces required for a building or use may be supplied by the parking facilities required for any other building or use on the same zoning lot.

2. The number of shared parking spaces for two (2) or more distinguishable land uses shall be determined by the following procedure:

a. Multiply the minimum parking required for each individual use, as set forth in Section 6.7.5.G, Table of Parking Requirements, by the appropriate percentage indicated in Section 6.7.5.E.2.d, Schedule of Shared Parking, for each of the six (6) designated time periods therein.

b. Sum the required parking for each of the six (6) columns.

c. The minimum parking requirement shall be the largest sum among the six (6) columns resulting from the above calculations.

d. SCHEDULE OF SHARED PARKING

	WEEKDAYS			WEEKENDS		
LAND USE	Midnight to 7 a.m	7 a.m. to 6 p.m.	6 p.m. to Midnight	Midnight to 7 a.m	7 a.m to 6 p.m.	.6 p.m. to Midnight
Office	5%	100%	5%	0	100%	10%
Industrial	5%	100%	5%	0	100%	10%
Retail	0	100%	80%	0	100%	60%
Restaurant	50%	70%	100%	70%	45%	100%
Hotel	100%	65%	100%	100%	65%	100%
Residential						

3. If one or all of the land uses for which shared parking facilities is proposed do(es) not conform to one of the general land use classifications in the shared parking schedule as

determined by the Development Administrator, then the applicant, owner or developer shall submit sufficient data to indicate that there is not substantial conflict in the principal hours of operation of the uses. The property owner(s) involved in the shared use of off-street parking facilities shall submit a legal agreement, approved by the Village Attorney, guaranteeing that the parking spaces shall be maintained so long as the uses requiring parking are in existence or unless the required parking spaces are provided elsewhere in accordance with this Article. Such instrument shall be recorded by the property owner with the County Recorder of Deeds, and a copy filed with the Development Administrator.

F. CB DISTRICT EXCEPTIONS. For all non-residential uses in the CB commercial district the number of required parking spaces shall be fifty percent (50%) of the number otherwise required in Section 6.7.5.G Table of Parking Requirements. For example, if a use required twelve (12) parking spaces, the same use would be required to provide only six (6) spaces if it were located in the CB District.

G. TABLE OF PARKING REQUIREMENTS.

1. **AGRICULTURE USES**, as follows:

Agriculture Implement Sales, Rental, Service	1 space per 800 square feet of showroom area
Animal Shelter	3 spaces, plus 1 space for each employee
Aquaculture	Exempt
Breeding, Raising Cattle, Horses, Pigs or Poultry	Exempt
Commercial Greenhouse	Exempt
Dairy Farming	Exempt
Dog Grooming	3 spaces, plus 1 space for each employee
Equestrian School	3 spaces, plus 1 space for each 3 animals stabled
Farms	Exempt
Farm Supply Store	1 space per 200 square feet NFA
Fish Hatchery	Exempt
Floriculture	Exempt
Fruit & Vegetable Store	1 space per 200 square feet NFA
Garden Center	1 space per 200 square feet NFA
Grain Storage, accessory to farming operations	Exempt
Greenhouses, Retail	4 space per employee, but no less than 25 spaces
Greenhouses, Wholesale	3 spaces, plus 1 space for each employee
Guard Dog Service	3 spaces, plus 1 space for each employee
Horticulture	Exempt
Kennel, Cattery for five or more animals	3 spaces, plus 1 space for each employee
Lawn and Garden Services	3 spaces, plus 1 space for each employee
Nursery, Sod, Tree	Exempt
Research or Experimental Farms	Exempt
Sale of Agricultural Products Produced on the Premises	Exempt
Stable, Private	3 spaces, plus 1 space for each 3 animals stabled
Veterinary Clinic	1 space per employee, but no less than 3
Viticulture	3 spaces, plus 1 space for each employee

2. **CONSTRUCTION USES**, shall provide 1 parking space per 800 square feet NFA

3. **FINANCE, INSURANCE, REAL ESTATE USES** shall provide 1 parking space for each 300 square feet NFA

4. **FOOD SERVICE USES** shall provide 1 parking space per 200 square feet of NFA, unless indicated otherwise, as follows:

Banquet Halls	12 spaces, plus 1 space per 125 square feet NFA
Bar, Pub	1 space per 50 square feet NFA
Cocktail Lounge	1 space per 75 square feet NFA
Food Locker-Rental	1 space per 450 square feet NFA
Outdoor Dining Areas, accessory to a restaurant on the premises	1 space per 100 square feet of outdoor dining area
Restaurant, On-Site Brewery ("Brew-Pub")	1 space per 75 square feet NFA
Restaurants (100% Consumption On Premises)	1 space per 100 square feet NFA
Restaurants (100% Carry-out)	1 space per 85 square feet NFA
Restaurants (100% Carry-out, with Drive-Up)	1 space per 150 square feet NFA
Restaurants (Combination)	1 space per 90 square feet NFA
Restaurants (Combination, with Drive-Up)	1 space per 150 square feet NFA
Tavern	1 space per 50 square feet NFA

5. **MANUFACTURING & PROCESSING USES** shall provide 1 parking space per 800 square feet NFA unless indicated otherwise, as follows:

Laboratory, Commercial	1 space per 1,000 square feet NFA
Laboratory, Research	1 space per 1,000 square feet NFA
Lumber Yard	1 space per 2,000 square feet gross area of yard area
Non-Commercial Research Facilities	1 space per 1,000 square feet NFA
Self-Service Storage Facility	3 spaces , plus .2 spaces per storage unit
Warehouse	1 space per 5,000 square feet NFA

6. **MOTOR VEHICLE USES** shall provide 1 space per 200 square feet NFA, unless indicated otherwise as follows:

Automobile Body Shop	2 spaces, plus 4 spaces per service bay
Automobile Rental/ Leasing Office	1 space per 350 square feet NFA
Automobile Repair Shop	2 spaces, plus 4 spaces per service bay
Automobile Sales and Rental, New and/or Used	1 space per 600 square feet of showroom area
Automobile Service Station	2 spaces, plus 4 spaces per service bay
Boat Sales, Rental	1 space per 600 square feet of showroom area
Boat Service, Repair	2 spaces, plus 1 space per service bay
Car Wash, Automatic/Mechanical	2 spaces, plus 1 space for each employee, plus 10 queuing spaces per wash bay or conveyor line
Car Wash, Manual	1 space, plus 2 queuing spaces per wash bay
Gas Station	2 spaces
Motorcycle Sales, Rental	1 space per 600 square feet of showroom area
Motorcycle Sales, Service, Repair, Rental	2 spaces, plus 1 space per service bay
Recreational Vehicle/Camper Sales, Rental	1 space per 600 square feet of showroom area
Recreational Vehicle/Camper Service, Repair	2 spaces, plus 1 space per service bay
Tire, Battery & Accessory Store	1 space per 200 square feet NFA
Truck Sales, Rental	1 space per 600 square feet of showroom area
Truck Service, Repair	2 spaces, plus 2 spaces per service bay
Truck and Trailer Rental	1 space per 400 square feet NFA

7. **MUNICIPAL USES,** as follows:

Athletic Fields	1 space per 4,000 square feet of athletic field area
Day Care Center	10 spaces, plus one space for each instructor/staff member
Fire Station	1.25 spaces per bed
Government Offices	1 space per 300 square feet NFA
Helipad, Helistop	Exempt
Library	1 space per 300 square feet NFA
Parks, playgrounds	Exempt
Police Station, Substation	1 space per 300 square feet NFA
Post Office	1 space per 300 square feet NFA
Public Works garages, maintenance shops, yards	15 spaces
Pumping stations, water storage tanks	Exempt
School, Commercial	1 space per 200 square feet NFA, plus 1 space per faculty/staff member
School, Elementary (Public or Private)	1 space per classroom, plus 1 space per faculty and staff member
School, Middle (Public or Private)	1.5 spaces per classroom, plus 1 space per faculty and staff member
School, Secondary (Public or Private)	4 spaces per classroom, plus 1 space per faculty and staff member
School, Vocational	1 space per 200 square feet NFA, plus 1 space per faculty/staff member
Sewerage Treatment Facilities	Exempt
Utility Substations	Exempt
Water Filtration Treatment Facilities	Exempt

8. **PERSONAL AND BUSINESS SERVICE USES** shall provide 1 parking space per 300 square feet NFA, unless otherwise indicated, below:

Offices:	
Less than 50,000 square feet NFA	1 space per 300 square feet NFA
50,000-99,999 square feet NFA	1 space per 325 square feet NFA
100,000 square feet or more NFA	1 space per 350 square feet NFA
Automated Teller Machines	Exempt
Banquet Halls	12 spaces, plus 1 space per 125 square feet NFA
Barber Shops	1 per 100 square feet NFA
Beauty Parlor	1 per 100 square feet NFA
Chiropodist's Office	1 space per 175 square feet NFA
Clinic, Medical, Dental	1 space per 175 square feet NFA
Dentist's Office/Clinic	1 space per 175 square feet NFA
Detective Agency, Guard Services	1 per 300 square feet NFA
Doctor's, Surgeon's, Physician's Office/Clinic	1 space per 175 square feet NFA
Fraternal Organization	1 space per 140 square feet NFA
Funeral Home	20 spaces per chapel, plus 1 for the caretaker
Labor Organization Offices, Meeting Halls	1 space per 140 square feet NFA
Optician's Office/Clinic	1 space per 175 square feet NFA
Osteopath's Office/Clinic	1 space per 175 square feet NFA
Private Clinic	1 space per 175 square feet NFA
Private Clinic, Second Flood or Higher	1 space per 175 square feet NFA
Professional Office	1 space per 175 square feet NFA
Professional Office, Second Floor or Higher	1 space per 175 square feet NFA
Tailor Shop	1 space per 100 square feet NFA
Tattoo Parlor	1 space per 100 square feet NFA

9. **RECREATION AND ENTERTAINMENT USES**, as follows:

Amusement Center	1 space per 200 square feet NFA
Amusement Park	1 space per each 1% of gross leasable area
Ballroom/Dance Hall	1 space per 100 square feet NFA
Billiard/Pool Hall	2.5 spaces per table
Bowling Alley	4 spaces per alley
Commercial Recreation/Indoor Amusements	1 space per 200 square feet NFA
Dance Hall	1 space per 75 square feet NFA
Golf Course, Public/Private	60 spaces for each 9 holes
Health Club, Public/Private	1 space per 200 square feet NFA
Membership Sport and Recreation Clubs	1 space per each 3 members
Movie Theater (sole use on zoning lot)	1 space per 2.5 seats
Movie Theater (use in a shopping center)	1 space per 4 seats
Natatorium/Swimming Pool	1 space per 5 persons of capacity
Performance Theater	1 space per 3 seats
Physical Fitness Facilities	1 space per 200 square feet NFA
Recreation Equipment Sales, Service, Rental	1 space per 200 square feet NFA
Restaurants with Entertainment	1 space per 100 square feet
Rinks, Ice, Roller Skating	1 space per 200 square feet NFA

10. **RESIDENTIAL USES,** as follows:	
Accessory Apartment/Dwelling Unit	1 space per dwelling unit
Bed & Breakfast Lodge, Inn	1 space per guestroom, plus 3 spaces for the innkeeper's residence
Convalescent, Nursing Home, Rest Home	1 space per 3 residents, plus 1 space per employee
Convents, Rectories, Parish Houses	4 spaces per unit
Day Care Home, Licensed by IL DCFS	Exempt
Development Sales Office	1 space per 300 square feet NFA, or 4 spaces per model home, whichever is greater
Duplex Dwellings	3 spaces per dwelling unit
Dwelling Units for Watchmen & Caretakers located on the premises	1 space per dwelling
Dwelling Units when business uses occupy the ground floor	2 spaces per dwelling
Home Occupations	Exempt
Hotel	6 spaces, plus 1 space per guestroom
Motel	6 spaces, plus 1 space per guestroom
Multiple Family Dwelling Units	2 spaces per dwelling unit
Rooming House	1 space per guestroom
Single Family Attached Dwelling Units	4 spaces per dwelling unit
Single Family Detached Dwelling Units	4 spaces per dwelling unit
Two Family Dwelling Units	4 spaces per dwelling unit

11. **RETAIL TRADE USES** shall provide 1 parking space per 200 square feet NFA, unless indicated otherwise, below:

Equipment Rental Store	1 space per 400 square feet NFA
Hardware Store	1 space per 200 square feet NFA, excluding outdoor display areas
Home Improvement Center	1 space per 200 square feet NFA, excluding outdoor display areas
Shopping Centers:	
Less than 100,000 square feet GFA	1 space per 200 square feet NFA
100,000 - 300,000 square feet GFA	1 space per 225 square feet NFA
More than 300,000 square feet GFA	1 space per 300 square feet NFA
Swimming Pool Sales and Service	1 space per 800 square feet NFA

12. **TRANSPORTATION, COMMUNICATION & UTILITY USES,** as follows:

Bus Charter Services	3 spaces, plus 1 space per employee
Cartage Services	1 space per 300 square feet NFA
Commercial, Radio, Microwave Antenna Towers	Exempt
Freight Forwarding Service	1 space per 300 square feet NFA
Livery Service Operator's Office/Dispatch	1 space per 300 square feet NFA
Livery Service Garage	3 spaces, plus 1 space per employee
Radio & TV Broadcasting Studio	1 space per 300 square feet NFA
Recording Studios	1 space per 300 square feet NFA
Taxicab Operator Office w/garage	3 spaces, plus 1 space per employee
Taxicab Operator Offices	1 space per 300 square feet NFA
Taxicab Stand	Exempt
Telegraph Office	1 space per 300 square feet NFA
Telephone Exchange, Answering Service	1 space per 300 square feet NFA
Ticket Office	1 space per 300 square feet NFA
Towing Service, with on-site vehicle impoundment	3 spaces, plus .5 spaces for each impounded vehicle
Towing Service, without on-site vehicle impoundment	3 spaces, plus 1 space per employee
Travel Agency	1 space per 300 square feet NFA
Truck Terminal	1.1 spaces per vehicle based at terminal

13. **WHOLESALE TRADE USES** shall provide 1 parking space per 5,000 square feet NFA.

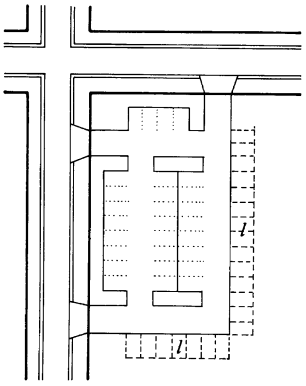
14, **MISCELLANEOUS USES**, as follows:

Auditorium, Arena	1 space per 4 seats
Boat Launch	Exempt
Burial Buildings	Exempt
Cemetery, Mausoleum, Crematorium, Columbarium	20 spaces
Church	1 space per 3 seats
Drive-up Facilities	6 queuing spaces for the first drive-up window, plus 2 additional queuing spaces for each additional drive-up service window
Hospital	1 space per bed, plus 1 space per employee
Museum	1 space per 600 square feet NFA
Parking Garage/Lot, Commercial	Exempt
Temporary Uses, Structures	Exempt
Train Station	Exempt

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6.7.6. Land Banked Parking Facilities

A. LAND BANKING AUTHORIZED. Notwithstanding any other provision of this Article, the Village Board may authorize not more than fifty-percent 50% of the off-street parking spaces required by this Article in a commercial or industrial zoning district, or for a non-residential use in a residential district to be left as open space which can be readily converted to parking facilities ("Land Bank"). The parking facilities to be constructed and the Land Bank, if converted to parking spaces, must comply with the off-street parking facility requirements of this Article at the time the parking Land Bank Plan is approved.



Land Banking (l)

B. LAND BANK PLANS REQUIRED. The Owner of the property making a land bank request shall submit a detailed Parking Land Bank Plan for review and approval by the Village Board and an application fee of fifty dollars ($50.00) for each parking space to be land banked. The Parking Land Bank Plan shall show both the full compliance with the parking regulations of this Article and the land bank area showing the reduced number of parking spaces and interim use of the land banked area.

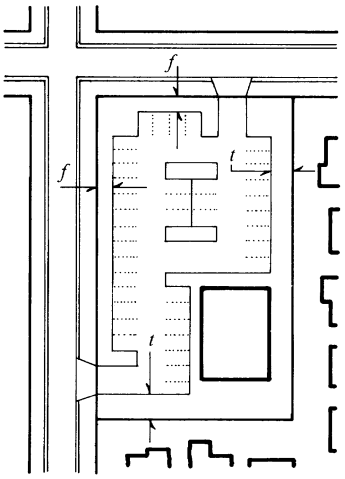
C. TERMINATION OF THE LAND BANK. The Village Board shall have the right in its sole and absolute discretion to require the property owner or successor, at any time to construct all or a portion of the land banked parking facilities, with the Development Administrator providing notice to the Owner that the land banked parking facilities must be constructed and completed within two-hundred forty (240) days from the date of said notice.

D. LAND BANKED PARKING COVENANT. As a condition of approving a Land Bank request, the property owner shall file with the Development Administrator his unconditional agreement and covenant in a form and sub-stance satisfactory to the Village Attorney. The agreement and covenant after approval by the Village Board shall be recorded with the McHenry County Recorder of Deeds.

6.7.7. Additional Off- Street Loading Regulations.

A. LOCATION. All required off-street loading berth shall be located on the same zoning lot as the use served. No loading berth for vehicles over two (2) tons capacity shall be closer than twenty (20) feet to any property in a residence district unless completely enclosed by building walls, or a uniformly solid fence or wall, or any combination thereof, not less than six (6) feet in height. No permitted or required portion of a loading berth shall be located within twenty-five (25) feet of the nearest point of intersection of any two (2) streets.

B. SIZE. Unless otherwise specified, a required loading berth shall be at least twelve (12) feet in width, at least sixty-five (65) feet in length, exclusive of aisles and maneuvering space, and shall have a vertical clearance of at least fourteen (14) feet.



Off-Street Parking and Loading Setbacks
Where, front and corner side yards (f) ≥ 10 feet, and transition yards (t) ≥ 20 feet

C. DESIGN AND MAINTENANCE.

1. CONSTRUCTION AND SURFACING. The construction design of all off-street loading berths, and access thereto, shall be reviewed by the Village Engineer to deter-mine that such are constructed in accordance with a minimum structural number of 3.25. A concrete surface shall be required for each loading berth which serves a dock, ramp or elevator.

2. CIRCULATION AND ACCESS. Off-street loading areas shall be so designed as to not require the use of any arterial or collector street for maneuvering space into or out of the loading berth. Adequate space to accommodate the turning radii of trucks and trailers, exclusive of any parking spaces and landscaping shall be provided.

D. USE OF OFF-STREET LOADING FACILITIES. Space allocated to any off-street loading berth shall not also be used to satisfy the space requirements for any off-street parking facilities or portions thereof.

E. CENTRAL LOADING. Off-street loading berths for separate uses, different buildings, structures or uses, or for mixed uses, may be provided collectively in any zoning district in which separate loading berths for each constituent use would be required, provided that the total number of loading berth so located together shall not be less than the sum of the separate requirements for each use.

F. COMPUTATION. When determination of the number of off-street loading berths required by this Title results in a requirement of a fractional berth, any fraction of one-half or less may be disregarded, while a fraction in excess of one-half shall be counted as one loading berth.

G. YARDS. Off-street loading berths in industrial, business or office Districts may be located in required rear, side or transition yards, except no loading berth may be located within twenty (20) feet of adjacent residence districts. No off-street loading berth in any zoning district may be located within a required front or corner side yard.

6.7.8. Schedule of Loading Requirements. Off-street loading berths shall be provided on the basis of gross floor area of buildings or portions thereof devoted to such uses in the amounts shown herein.

A. For special exceptions other than prescribed for hereinafter, loading berth adequate in number and size to serve such uses shall be provided as determined by the Development Administrator.

B. Uses for which off-street loading berth are required herein, but which are located in buildings of less floor area than the minimum prescribed for such required berth, shall be provided with adequate off-street receiving facilities, accessible by motor vehicle off any abutting street, driveway, or service drive on the same zoning lot.

C. EXEMPTIONS. No off-street loading is required for free-standing buildings that have less than five thousand (5,000) square feet in gross floor area and are located in a business, office or industrial zoning district.

D. SCHEDULE. Unless otherwise indicated, in the business, office and industrial zoning districts, the loading requirements shall be based on the floor area of the building(s) as shown herein:

5,000- 15,000 square feet	1 loading berth
15,001- 50,000 square feet	2 loading berths
50,001-100,000 square feet	3 loading berths

Each additional one hundred thousand (100,000) square feet or fraction thereof in excess of the first one hundred thousand (100,000) square feet shall require one additional loading berth.

E. LOADING BERTH BASIS. Loading berths required for floor areas shall be based upon the maximum net floor area, herein defined, devoted to such use.

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Article 6.8

SIGNS

6.8.1. Title. This Article shall be known as the Sign Regulations.

6.8.2. Purpose. Outdoor signage places certain demands upon the attention of passer-by, demands which cannot easily be ignored, by-passed, or turned off at will, as may be done with other media. The objectives of the Sign Regulations are to:

- provide for pedestrian and traffic safety,
- reduce sign clutter by controlling number, size, location and illumination of signage and to avoid the competition among and between signs,
- preserve the character of this community,
- provide signage which is compatible with its surroundings as well as the general character of the respective area and/or district in which that signage is located.

6.8.3. Sign Control Districts. For the purpose of the Sign Regulations, the Village is divided into the following Sign Control Districts:

A. HISTORIC OVERLAY CONTROL DISTRICT. The Historic Overlay District is comprised of the area defined on Zoning Map, adopted March 18, 1997 as may be amended. The Historic Overlay District has a unique and historic character that is considered to be one of the most important assets of the Historic District and it is the intent of these Sign Regulations to preserve this character. In order to accomplish this objective, all permanent signage within, and adjacent to, this District unless otherwise stated shall be approved by the Community Development Committee. The Community Development Committee has the responsibility to insure that all signage within the Historic Overlay District is compatible with the historical and architectural features which prevail in this area and that it complies with other stated objectives and applicable requirements of these regulations.

B. SITE PLAN CONTROL DISTRICT. The Site Plan Control District is comprised of the entire area within the corporate limits of the Village which lies outside the boundaries of the Historic Overlay District. All permanent signage located within this district, unless otherwise stated, must be reviewed and approved by the Community Development Committee prior to placement of a sign. The Community Development Committee shall have the responsibility to insure that all signage within the Site Plan Control District is compatible with the premises and area within which it is located and that it complies with all other stated objectives and applicable requirements of these regulations.

6.8.4. Exempt Signs. The following signs may be erected without Community Development Committee approval, provided however, that they shall comply with the requirements established herein and that they shall meet the general intent and purpose of these regulations. However, under no circumstances shall the use of wheeled or trailered signs be permitted. The following type of signs may be erected without Community Development Committee approval, provided however, that they shall comply with the requirements established and that they shall meet the general intent and purpose of these regulations. However, under no circumstances shall the use of portable signs be permitted. Upon approval of any temporary sign, the Building Inspector shall provide notice to the Community Development Committee.

A. CONSTRUCTION SIGNS. In any district, one (1) sign may be located on each side of the lot/parcel or on each face of the building which has frontage on a public street in accordance with the following:

1. Illumination: None.
2. Maximum Area: 16 Square Feet - Residential Zoning Classifications 32 square feet – Business-Manufacturing Zoning Classifications
3. Allowable Text: Name of the professional firms associated with the project; financing arrangements for the project; and/or, the purpose of the project.

4. Duration: Must be removed within fourteen (14) days following an approved final inspection.

B. REAL ESTATE DEVELOPMENT SIGNS. In any district, one (1) sign of this type shall be allowed for a development consisting of five (5) or more lots or units or a parcel of land having an area of two (2) or more acres in accordance with the following:

1. Illumination: None
2. Maximum Area: Thirty-two (32) square feet
3. Allowable Text: The name of representative or real estate agency; representative logo and telephone number; brief description of the zoning; and/or, number of lots or units available.
4. Duration: Not to exceed six (6) months

C. PROMOTIONAL SIGNS. Promotional signs are temporary signs or displays such as banners, balloons and posters, and which announce a special promotion activity of an establishment located in a business zoning district. Such signs shall be permitted only for a period not to exceed fourteen (14) consecutive days and be permitted a maximum of three (3) such displays per establishment per year, except that extraordinary promotions which are sponsored by a non-profit organization, as described in the corporate charter of the organization, consisting of a minimum of twenty (20) businesses may hold four (4) such promotions per year. Promotional signs shall not in any way, affect the public safety.

D. LAND USE REGULATORY SIGNS. A land use regulatory sign is a sign used to regulate the use of property, such as "No Trespassing", "No Fishing", "No Hunting", etc. Such a sign shall not exceed one and one-half (1½) square feet in area.

E. ON PREMISES DIRECTIONAL WALL AND WINDOW SIGNS. On premises directional wall or window sign is a sign which is visible only from the exterior of a building and which directs pedestrian traffic. Such a sign shall have a total area not greater than one hundred forty-four (144) square inches. Examples of this type of signage include, but are not limited to, "Enter", "Exit", "Employees Only", and "Open 9:00 AM to 5:00 PM".

F. RESIDENTIAL GARAGE SALE SIGNS. A garage sale sign is an on-premises sign which announces the undertaking of a permitted residential garage sale. Such a sign shall not be installed prior to twenty-four (24) hours in advance of the sale, must be removed immediately following the completion of the sale, shall not exceed six (6) square feet in area, shall be displayed for no more than four (4) consecutive days and not more than four (4) days in any ninety (90) day period.

G. TEMPORARY WINDOW SIGNS. A temporary window sign is a sign installed inside or painted onto a window. Such a sign may be constructed of cloth-like materials, paper, temporary paint or other similar material. A temporary window sign shall not be constructed of, nor supported by neon tubes, wood, metal, plastic or other solid materials normally used for permanent signage and at no time shall a temporary window sign be internally illuminated. Such sign may be displayed no more than ninety (90) days in a twelve (12) month period.

H. REAL ESTATE SIGNS. A real estate sign is a temporary sign which identifies the premises as being for sale, lease or rent. Such a sign shall not extend beyond the boundary of the property on which it is located and shall not exceed six (6) square feet in area in a residential district and sixteen (16) square feet in area in a business or industrial district. Not more than one (1) real estate sign is permitted on a lot except for a corner lot upon which it has frontage. A real estate sign shall be removed within seven (7) days after the sale, rental or lease of the premises.

I. POLITICAL CAMPAIGN SIGNS. Window, wall or ground political campaign signs are allowed in all zoning districts. Political campaign signs shall be confined to privately owned property, and may be displayed any time of the year, and for any length of time. The regulation of these signs are a power and function of the State. (Ord 2010-07; Adopted, Nov. 4, 2010)

J. ON-PREMISES TEMPORARY AND PUBLIC DECORATIONS. Exterior or interior temporary decorations which are visible from the exterior of the premises and displayed in connection with a national holiday or a local event. Decorations shall be displayed for a period not to exceed

sixty (60) days. On-premises temporary decorations shall not be located within a public right-of-way.

K. FLAGS AND EMBLEMS. The display of a flag or emblem of a government or of a political, civic, educational, religious or corporate organization shall be exempt, provided that only one of the above is displayed by an individual establishment or proprietor or on any single building or parcel of land. The display of the flag of the United States, which is flown in accordance with the U.S. Flag Code, shall be exempt from these regulations.

L. HISTORICAL REFERENCES. An historical reference shall include a memorial plaque, marker or tablet displayed on private or public property for the purpose of identifying the name of the building, date of erection and other commemorative information. An historical reference shall be exempt provided that it is attached to or made a permanent and integral part of the structure and does not exceed four (4) square feet.

6.8.5. Non-Exempt Temporary Signs. The following signs are temporary in nature whether on or off the premises. A permit may be issued only after review and approval of the Community Development Committee. When considering the application, the Community Development Committee shall take into account the location, surrounding area, unique business circumstances and appropriate duration for the placement.

A. TEMPORARY PROMOTIONAL SIGNS. An on- or off-premises promotional sign announcing a new business, special event, or directional.

1. Illumination: No flashing lights
2. Maximum area: Sixteen (16) square feet on all sides
3. Maximum period: Ninety (90) days per year
4. Mobility: May be movable, without wheels or trailers attached

B. TEMPORARY IDENTIFICATION SIGNS. One (1) wall sign or banner announcing the name of the establishment located in a business or industrial zoning district shall be allowed for a period of not more than sixty (60) days or until the installation of a permanent sign which has been approved by the Community Development Committee, whichever is sooner.

C. FUNDRAISING/COMMUNITY EVENT SIGNS. One (1) sign may be located on each side of the lot/parcel or on each face of the building which has frontage on a public street.

1. Illumination: External allowed
2. Maximum area: Thirty-two (32) square feet
3. Allowable text: Organization name; name of the event; and, the dates and time of the event

D. OPEN-FOR-BUSINESS WALL SIGNS. Open for business promotional signs are temporary signs and/or displays which are otherwise not permitted by this Ordinance and which announce the opening of an establishment located within a business zoning district. Such signs shall be permitted for a period not to exceed sixty (60) consecutive days.

6.8.6. Prohibited Signs and Practices. The use of the following signs within the limits of the Village, unless otherwise specified within Article 6.8, is hereby prohibited: *(Ord. #2017-15; Ord.#2020-09)*

A. Signs which revolve, rotate, move or give the appearance of movement.

B. Signs which are attached to any tree, fence, fire escape, bush or utility pole or located within a public right-of-way.

C. Signs painted on a building.

D. Flashing signs.

E. Portable or movable signs, except as permitted in 6.8.4.A.

F. Changeable copy signs in the Historic Overlay District, except by variation. Permanent attention getting devices including but not limited to search lights, propellers, spinners, streamers or pennants, balloons or flags.

G. Lettering of a sign message which is extended beyond the exterior border of the sign area.

H. Signs which purport to be, are an imitation of, or otherwise resemble an official traffic sign or signal, or which bear the words "Stop", "Slow Down", "Caution", "Warning", or similar words and are displayed in the color or manner normally associated with traffic control signs.

I. Vehicle and trailer signs when a vehicle is parked on public or private property for the purpose of displaying a sign offering items for sale or advertising a business.

J. Roof signs.

K. Vending machine signs in the Historic Overlay District.

L. Any sign in the Historic Overlay District or an adjoining district not compatible with the historic nature of the area.

M. Signs offering vehicles, boats, or merchandise for sale on residential property.

6.8.7. Sign Types and Design Factors.

A. PERMANENT WALL SIGNS. One (1) wall sign may be displayed by each establishment on each side of the building which is located in a business or manufacturing zoning district and which contains a public entrance to that establishment or it if fronts upon a public street.

1. SIGNABLE AREA: The size as well as the design of the sign shall be compatible with scale and architectural character of the building. The signable area is subject to the following height limitations:

   a. On a one (1) story building, the sign area shall not extend above the parapet, coping, top of a mansard, or a height of sixteen (16) feet, whichever is lower.

   b. On a two or more story building, the sign area shall not extend above the lower sill of any second story window, top of a mansard, or other limiting architectural feature, or a height of sixteen (16) feet, whichever is lower.

   c. The sign area for the side of a building not having a public entrance shall be calculated as described above except that the sign area shall not extend above the height of sixteen (16) feet.

2. SIZES OF SIGNS PERMITTED: The maximum area of a wall sign is determined by the square footage of the signable area and the setback of the building from the property line as set forth in Section 6.8.16. For the calculation of the size of the sign as set forth in Section 6.8.16, the maximum sign area shall be limited to one hundred (100) square feet.

3. LOCATION: A permanent wall sign shall be located within the signable area, as established above, except that its maximum height may extend above the signable area if the minimum setback of the building on which the sign is located is at least twenty-five (25) feet. In those cases where the minimum setback of the building on which the sign is located is at least twenty-five (25) feet, the maximum height of a permanent wall sign shall comply with the regulations established in Section 6.8.16

Within the Historic Overlay District, a permanent wall sign may not be located on an architectural mansard.

The height of a permanent wall sign shall be measured from the grade at the building on which the sign is located, at a point directly below the center of each signable area. In no case shall a permanent wall sign extend above the eaves, parapet, top of a mansard, coping or other limiting architectural feature of a building.

B. PERMANENT GROUND SIGNS. One (1) permanent ground sign shall be permitted per multiple family zoned parcel and for each business or manufacturing zoning lot or parcel provided that the zoning lot or parcel has a minimum frontage of at least fifty (50) feet on a public street or highway. No more than (4) message center signs are permitted in the Village. *(Ord.#2017-15)*

1. AREA AND HEIGHT REQUIREMENTS: The maximum area and height requirements for a permanent ground sign are referenced in Section 6.8.17. The maximum area and the height of a permanent ground sign shall be determined by the zoning status, the sign setback and the property frontage.

2. LOCATION: The height of a ground sign is measured from the grade at the centerline of the street at the point nearest the center of the sign to the highest point of the sign. The setback of the sign is measured from the property line at the point which reflects that portion of the sign closest to the property line. A ground sign shall be set back a minimum of two (2) feet from the property line.

   a. A ground sign consisting of less than twelve (12) square feet in area must have a minimum distance from the building of one (1) foot. A ground sign having are area greater than twelve (12) square feet in area must have a minimum distance from the building equivalent to one and one-half (1 ½) times the height of the sign.

   b. There shall be a minimum distance of forty (40) feet between ground signs.

   c. A ground sign shall be located no less than five (5) feet from the side lot line and not less than forty (40) feet from the midpoint of any adjoining property frontage.

C. PERMANENT PROJECTING SIGNS. One (1) permanent projecting sign may be displayed at each public entrance to an establishment in a business or manufacturing zoning district which fronts on the public street. One (1) projecting sign may be displayed on each wall of a building that does not have a public entrance but fronts upon a public street. Each business tenant in a multi-tenant building may display one sign within the building directory sign.

1. Maximum area: Nine (9) square feet.

2. Location restrictions:

   a. The sign must extend from the wall at a ninety degree (90^{o}) angle

   b. The sign must be pinned away from the wall at least six (6) inches

   c. The sign must extend at its outermost point not more than sixty (60) inches from the face of the wall to which it is attached

   d. The highest point on the sign must not extend above the windowsill of the second story window or height of sixteen (16) feet, whichever is lower

3. A projecting sign may be extended over a public sidewalk located in the public right-of-way provided there is a separation of not less than eight (8) feet between the sidewalk and the bottom of the sign.

D. PERMANENT CANOPY, AWNING AND MARQUEE SIGNS

1. General regulations for canopy, awning and marquee signs:

   a. Permitted in a business, manufacturing or multiply-family zoning district.

   b. Must be painted on or directly attached to the slope or valance.

   c. Must not extend above or below that portion of the canopy or awning to which it is attached.

   d. Lettering located on the valance of a canopy or awning shall not exceed a height of two-thirds (2/3) of the vertical dimension of said valance or awning.

2. Specific regulations (in addition to the general regulations) for canopy signs:

   a. Signage which extends below a permanent canopy at a ninety (90) degree angle to the building is permitted subject to the minimum height requirements of eight (8) feet over a public sidewalk.

b. Must not exceed fifty-percent (50%) of the total signage area of that side of the canopy which is available for signage.

3. Specific regulations (in addition to the general regulations) for awning signs:

a. The total area of an awning sign shall not exceed fifty percent (50%) of the total area of the awning.

b. If internally illuminated, the awning background shall be a subdued color. (Internal illumination of awnings is not permitted in the Historic District).

4. The use of a marquee sign is limited to a movie theater and may be used to identify the name of the theater and the names and ratings of the movies currently being shown.

E. PERMANENT WINDOW SIGNS.

1. PERMANENT WINDOW SIGNS. A permanent window sign within the Business District is any sign painted on, affixed to or suspended behind a window or glass surface of a door, is visible from a public street, and is permanent.

2. BUSINESS IDENTIFICATION WINDOW SIGNS. A business identification window sign identifies the formal name of the establishment and/or its logo and is painted on, affixed to or suspended behind a window or glass surface of a door and is visible from a public street.

a. The sign must be located in a business or manufacturing zoning district.

b. One (1) sign per window or glass surface.

c. Maximum of two signs per building façade.

d. May occupy up to twenty-five (25) percent of the total area of a window or glass surface but may not utilize an opaque background.

F. PERMANENT DIRECTORY SIGNS. A directory sign shall be used only to identify the official name and provide a directory of the occupants of a shopping center, building or manufacturing subdivision.

1. AREA: The maximum area of a directory sign, including both the official name and the listing of the occupants, shall be the same that which is permitted for the corresponding sign type plus an additional ten percent (10%) for each establishment located on the site. In no case shall the area of a directory sign exceed one hundred fifty percent (150%) of the area permitted for the corresponding sign type, or one hundred (100) square feet, whichever is less.

2. DIRECTORY GROUND SIGNS: A directory ground sign is permitted along a street or highway subject to the following:

a. There is a ground sign along with road frontage of the site which identifies only the name and address of the center.

b. The directory sign is located within the site.

c. The sign is oriented to the motorist or pedestrian once they are within the site.

d. The directory ground sign will be permitted as an additional ground sign on the zoning lot or parcel for the purpose of this section.

e. The directory ground sign is permitted per street frontage at which an entrance is located.

3. LOCATION: In the case of a shopping center, one (1) directory sign shall be permitted at one (1) main entrance to the area. In the case of a business or manufacturing subdivision, one (1) directory sign shall be permitted at each point of entrance to that subdivision, provided that not more than one (1) directory sign shall be permitted for any one subdivision on the same street or highway.

G. PERMANENT CHURCH AND SCHOOL OR PUBLIC DIRECTORY SIGNS

1. CHURCH: One (1) directional sign shall be permitted for each entrance of any church or other place of worship. Such a sign may be used for the purpose of identifying the name of the denomination, the dates and times when services are offered and other messages relating to that church or place of worship.

2. SCHOOL: One (1) directory sign per each entrance shall be permitted for the purpose of identifying the school name, announcing coming events at that school, special activities, and special announcements of a general interest to the public.

3. PUBLIC DIRECTORY SIGN: One (1) directory sign shall be permitted for the purpose of announcing community events, special activities and special announcements of a general interest to the public.

Permanent church, school or public directory signs may be any one of the following sign types and shall comply with all regulations pertaining to that sign type, except as provided herein: Window; Wall; Projecting; Ground.

H. PERMANENT DIRECTIONAL SIGNS. Signs which identify essential service areas on the premises, e.g. "Receiving", "Office", "Parking", etc., shall be permitted. Such signs shall be compatible to the signage in terms of style, color, graphics, etc. The message on directional signs is limited to the minimum information to facilitate vehicular and pedestrian movement within the area. A permanent directional sign shall be a ground or wall sign and shall not exceed four (4) square feet in area. A ground directional sign shall not exceed four (4) feet in height and a wall or projecting directional sign shall not exceed ten (10) feet in height.

I. PERMANENT TIME AND TEMPERATURE DEVICES. A time and temperature device may be displayed as a wall, ground or projecting sign in a business zoning district, provided that such signage complies with the regulations pertaining to the corresponding sign type. A time and temperature device may utilize intermittent lighting provided that the frequency of change is not greater than once per three (3) seconds. The use of this type of device for advertising or for conveying information other than time and temperature is prohibited.

J. EMPLOYMENT OPPORTUNITY SIGNS. Establishments located in a manufacturing district shall be allowed to display one (1) Employment Opportunity sign. Such a sign shall be used to identify the name of the firm, whether it is presently hiring, the types of positions available and the address and telephone number of the employment office. An Employment Opportunity sign may be a ground, wall or window sign and shall comply with the regulations established for each of these types of signs except that manually changeable copy shall be permitted.

K. OFF-PREMISES SIGNS. The total number of off-premises signs (each sign face on each post or foundation support to be counted) shall be limited to eight (8) within the Village. *(Ord. #2020-09)*

1. AREA:

   a. Illinois Route 12 and Illinois Route 31: The maximum area of any off-premises sign shall be three hundred fifty (350) square feet if located on parcels of land at the intersection of Illinois Route 12 and Illinois Route 31.

   b. Other: Except as set forth in subsection (a) above, the maximum area of any off-premises sign shall be seventy-five (75) square feet.

2. HEIGHT:

   a. Illinois Route 12 and Illinois Route 31: The maximum height of any off-premises sign shall be thirty-five (35) feet if located on parcels of land at the intersection of Illinois Route 12 and Illinois Route 31.

b. Other: Except as set forth in subsection (a) above, the maximum height of any off-premises sign shall be eight (8) feet.

3. LOCATION:

a. Zoning Districts: Off-premises signs are allowed in the General Business District use district. The use of off-premises signs in the Historic Overlay Control District sign control district is hereby prohibited, except by variation.

b. Separation: No off-premises sign shall be located within seven hundred fifty (750) feet of another off-premises sign. No off-premises sign shall be located within seven hundred fifty (750) feet of any residential zoning district unless the off-premises sign is not visible from the residential zoning district. The distance shall be measured in a straight line from the nearest point of the proposed off-premises sign to the nearest boundary line of the residential zoning district.

4. AGREEMENT: The Village and the property owner shall enter into a sign permit agreement for any off-premises signs located within the Village.

a. Provisions: The sign permit agreement shall contain such provisions as may deemed necessary by the Village Board including, but not limited to lighting, changes to the off-premises sign, maintenance, liability, and reimbursement for enforcement.

b. Term: The sign permit agreement shall terminate on the first to occur of the following events, unless earlier terminated by the Village Board for violation of the terms of the agreement: i) upon the expiration of five (5) years; or ii) the closing or changing of the name of the permittee.

c. Fee: A Sign Permit Application and Agreement Fee of $100 for each sign shall be paid to the Village with all sign applications to cover the Village related expenses.

6.8.8. Fuel Station Regulations. A fuel station is declared to be an activity which requires the following special considerations regarding signage:

A. In addition to other signs permitted in the sign section, an fuel station may display two (2) signs, not more than eight (8) square feet in area, on each pump island, stating whether the island is "Self-service" or "Full-service", the current price per gallon of gasoline sold at that island, and all other information required by law.

B. A fuel station which includes interior facilities for a secondary use may be treated as consisting of two (2) separate establishments, each with its own signable area. If such treatment is chosen, one of the establishments shall be that part of the structure in which the principle entrance to the fuel station office is located, and the other shall be that part of the structure in which the secondary use facilities are located.

C. Only one (1) ground sign shall be permitted on a zoning lot where a fuel station is located.

6.8.9. General Regulations.

A. ILLUMINATION. Signs must be visible at night and therefore signs may be illuminated, except as otherwise provided. Such illumination shall be of an intensity, location and distribution of light sources that will be sufficient to render the message readable without generating spill-over light which may be discomforting or distracting or which may detract from the appearance of the neighboring premises or the visibility of neighboring signage. The purpose of sign illumination is to make the message readable at night and not to provide area or security lighting for the premises. When a sign is illuminated from the exterior, the direct or indirect rays of light shall not spill over onto or into any adjoining property or establishment or onto any public thoroughfare so as to be hazardous or annoying to others. The light source must therefore, be positioned in such a manner as to not glare or shine into the eyes of motorists or pedestrians or onto adjoining property.

B. TYPES OF ILLUMINATION NOT PERMITTED. The following types of illumination are not permitted within any zoning district in the Village:

1. Exposed bard bulbs which hinder or impair the vision of a passerby
2. Flashing lights
3. Open flame
4. Neon illumination in residential districts

6.8.10. Maintenance, Construction and Safety Requirements.

A. Maintenance. A sign shall be maintained in a safe, presentable and good structural condition at all times. Maintenance of a sign shall include such activities as the replacement of defective parts, painting and cleaning.

B. Non-compliance. The Development Administrator shall, upon finding that a sign is not in compliance with the regulations, provide written notification of such non-compliance to the owner of the sign and advise such owner that changes to the sign must be completed within sixty (60) days following receipt of the notice.

C. Safety, construction and maintenance: The following shall apply to all signs:

1. All signs which are internally illuminated, or which have internal electrical components, shall be on non-combustible material.
2. Wooden signs shall be illuminated only from an exterior source.
3. The minimum sign clearance over a public sidewalk shall be eight (8) feet.
4. All signs shall be constructed and anchored to withstand a minimum wind pressure of thirty (30) pounds per square foot.
5. When a ground sign is supported by wood timbers or poles the wood shall be treated to resist decay and insect destruction.
6. No sign shall be attached to a fire escape, fence, bush, tree or utility pole or be located within a public right-of-way.
7. No sign shall be located in such a manner as to interfere with the clear vision of vehicular or pedestrian traffic safety.
8. No sign shall be located in such a manner as to interfere with snow removal or other municipal or public utility maintenance activities.
9. No sign shall be located nearer than ten (10) feet to any telephone or electrical line.
10. No sign shall be erected, constructed or maintained so as to obstruct any fire escape, required exit, window or other opening, which may be used as a means of egress.
11. No off-premises sign shall be physically attached to the roof of any structure.

12. All electrical signs shall be approved and labeled as conforming with the standards of the United States Bureau of Standards, the Underwriters Laboratory, Inc., the Canadian Standards Association or other similar institutions of recognized standing.

13. All off-premises signs shall be consistent and comply with all provisions of the Illinois Outdoor Advertising Act, 225 ILCS 440/1, *et.seq.,* as applicable.

14. All signs shall be properly maintained in appearance, safety and construction and shall be subject to inspection for compliance by and in the discretion of the Village Public Works Superintendent.

6.8.11. Administration.

A. PERMITS. Prior to the erection, alteration, relocation (or painting of a sign) the issuance of a permit by the Village of Richmond shall be required, except as provided in Section 6.8.4. The Village shall issue a permit for the erection, alteration, relocation, or painting of a sign within the Village only when a proper application has been filed and the sign complies with the Sign Regulations and all other applicable laws and regulations of the Village and the sign has been approved by the appropriate Board or Committee. A sign in which any electrical wiring connections are required shall comply with all applicable provisions of the Village's electric code. Once a sign permit is approved and issued by the Village, the sign shall be installed within one hundred eighty (180) days of the issuance of the permit or the permit shall be revoked.

1. Application for a permit shall be made upon a form provided by the Village and, dependent upon the type of signage involved, shall include at least the following information:

a. Name, address and telephone number of the applicant

b. Address and zoning of the building, structure or parcel of property to which, or upon which, the sign is to be attached or erected.

c. Name of person, firm, corporation or association erecting the sign.

d. Name, address and telephone number of the individual who will be representing the owner at the Community Development Committee meeting.

e. Photograph or diagram illustrating the following information, depending upon the sign type:

1. For a wall sign, the setback of the building; the signable area; the exact location and outer dimensions of the sign; the proposed height to the top of the sign; and an exact representation of the face of the building to which the sign is to be attached shall be illustrated.

2. For a ground sign, the setback of the building; the location of the sign on the property, including front and side yard setbacks and the distance from the sign to the building; the height of the sign; the property frontage; the zoning district; and the distance from the sign to adjacent ground signs shall be illustrated.

3. For a projecting sign, the proposed location of the sign on the building, including the distance that the sign is pinned away from the building, the distance from the face of the building wall to the outer-most point on the sign and the distance between the sidewalk grade and the top and bottom of the sign, and an exact representation of the face of the building to which the sign is to be attached shall be illustrated.

4. For a canopy or awning sign, the complete dimensions of the canopy or awning to which the sign is to be attached; the location and outer dimensions of the sign or lettering; and the distance from sidewalk grade to the top and bottom of the sign shall be illustrated.

5. For a window sign, the dimensions of the window or glass surface on which the sign is to be applied; the location and outer dimensions of the sign; location of any other window signs on the face of the building on which the sign is to be attached shall be illustrated.

f. A photograph or diagram, drawn to scale, illustrating the exact location of all existing and proposed signage on the property.

g. Colored sketch, drawn to scale, which accurately represents all features of the sign including, but not limited to, size, message, letter style, border, surface texture and all exposed structural elements. Six (6) machine reproduced black and white copies of this information shall be submitted with the application.

h. One (1) color sample for each color which is proposed to be used on the sign, if required approval by the Community Development Committee. The color sample shall consist of either the manufacturer's color chart or, in cases of custom colors, an actual sample of the paint to be used, applied to an appropriate material.

i. Two (2) copies of the plans and specifications showing the method of construction and the types of materials to be used as well as the method of illumination and support.

j. Receipt of payment of application permit fee.

k. A written description of the business to be operated on the premises. The application will be processed after the description of the operation has been reviewed for compliance with zoning regulations and any other ordinances that may apply.

2. INSURANCE. Each applicant for a permit to construct a sign which will extend over a public right-of-way shall file and keep in force, prior to the issuance of the permit, a certificate of insurance naming the Village of Richmond as an additional insured covering all damages which the Village may be legally obligated to pay on account of personal injury or property damage, including loss of income, which may be caused by the erection or maintenance of the sign. The insurance policy shall be issued by an insurance company authorized to do business in the State of Illinois and shall have applicable amounts of not less than $50,000.00 per occurrence for property damage and $300,000.00 per person and $500,000.00 per occurrence for personal injuries.

3. PERMIT FEES. Each Applicant shall, prior to the issuance of a permit, pay to the Village a sum of money in accordance with the schedule on file with the Building Department.

6.8.12. Removal and Disposition of Signs. A sign which is located upon property or premises which becomes vacant for a period of thirty (30) days or more, a sign which pertains to a time, event or purpose which no longer applies, or a sign located upon a property in which normal day to day business has not been conducted for a period of thirty (30) days or more, shall deemed to have been abandoned.

An abandoned sign is prohibited and shall be removed by the owner of the sign within thirty (30) days from receipt of notice from the Building Inspector, unless an extension is applied for and granted by the Community Development Committee. In order to qualify for an extension, an abandoned sign must be sufficiently maintained. If the sign is in conformance to all other requirements of the Sign Regulations and has been previously approved by the Community Development Committee, compliance can be accomplished by providing a blank sign face. This may be accomplished by painting the sign face with the color of the approved sign background or providing a blank sign face of the same material as the abandoned sign face with the same color as the approved sign background. If this cannot be accomplished, the sign shall be removed.

A. NON-CONFORMING SIGNS. A sign which has been lawfully constructed and installed as of the effective date of the sign section and which does not comply with the regulations shall be deemed to be a legal non-conforming sign and may be retained. A legal non-conforming sign shall

become non-conforming and shall be removed or brought into compliance with this section if any one or more of the following occurs;

1. The sign is removed
2. The reference on the sign is changed due to a change of use and/or ownership.
3. The sign is damaged or destroyed by any means to the extent of fifty-percent (50%) or more of its replacement value based upon prevailing costs at the time of such damage or destruction.

Normal maintenance of a legally non-conforming sign is permitted as long as such repairs do not extend or intensify the non-conformity of the sign. An unlawful sign, constructed or installed prior to the effective date of Sign Regulations, regardless of whether or not it complies with the requirements established in Sign Regulations, shall be removed or brought into compliance with this section within thirty (30) days from receipt of notice from the Village.

B. REMOVAL OF SIGNS. The Building Inspector shall cause to be removed any sign which endangers the public safety. The Building Inspector shall prepare a notice to be sent, via certified mail or hand delivery, to the owner which shall include the following;

> "To (*Owner of sign*) located at (*street address*) and generally described as (*insert sufficient information to identify particular sign*.) You are hereby notified that the above mentioned sign is declared to be unsafe by the Building Inspector of the Village of Richmond. The reason(s) for this decision are (*insert the facts relative to the unsafe condition*.)
>
> You must remedy this condition or remove the sign within thirty (30) days from the receipt of this notice or the village will proceed to do so at your expense. You should contact this office if you desire more information."

If the person receiving the notice has not complied or taken appeal from the determination of the Building Inspector's findings that an unsafe condition exists thirty (30) days from the date that notice is served upon such person, the Building Inspector may cause any sign or advertising structure which is an immediate peril to persons or property to be removed without notice.

C. DISPOSITION OF SIGNS. Any sign removed by the Building Inspector may be disposed of in any manner deemed appropriate by the Village. The cost incurred by the Village in removing this sign shall be considered a debt owed to the Village by the owner of the sign or property on which the sign is located.

6.8.13. Variations. Variations requests from the Sign Regulations shall be in writing on an application form provided by the Village Clerk and submitted for consideration to the Community Development Committee ("CDC"). The CDC shall submit its recommendation to the Village Board. The decision of the Village Board shall be based upon difficulties or hardships of the applicant in following the letter of the sign regulations relating to the construction, alteration, maintenance, repair or remodeling of any sign. Hardships shall be proven by evidence demonstrating that (1) the plight of the owner is due to unique circumstances, and (2) the variation, if granted, shall not alter the essential character of the locality in which the proposed variation is granted. *(Ord.#2016-01; Ord.#2020-15)*

6.8.14. Penalties. In addition to the penalties and remedies for violations set forth in Section 2.7.4 of this Title, any person who installs, permits to be installed or begins to install, any sign without first securing a permit as required by the Sign Regulations, the fee for such sign permit shall be one hundred-percent (100%) more.

6.8.15. Definitions. The following words and terms when used in the interpretation and administration of the Sign Regulations shall have the meaning set forth herein, except where otherwise specifically indicated. Words and terms not defined here shall be defined as specified in the latest edition of Webster's New Collegiate Dictionary.

Abandoned sign: Shall mean a sign which no longer correctly directs or identifies a business, lessor, owner or activity conducted on the premises where the sign is displayed.

Advertising: Shall mean information which identifies, describes or promotes a product or service, except the name of an activity and a generic description of the activity.

Awning: Shall mean a roof-like covering of canvas, or the like, often adjustable, located over a window, door, etc. to provide protection against the sun, rain and wind.

Banner: Shall mean a type of sign which is made of cloth or similar material and which conveys a message.

Canopy: Shall mean a structure, other than an awning, made of metal or other similar material with frames attached to a building and carried by a frame supported by the ground or resting upon a sidewalk.

Canopy sign: Shall mean a type of sign which is painted on attached directly to a canopy.

Changeable copy sign: Shall mean a sign whereupon provision is made for letters or characters to be placed upon the surface area, either manually or electronically, to provide a changeable message or picture.

Construction sign: Shall mean a sign which identifies the parties involved in construction activities.

Control districts: Shall mean the designation of areas in the Village which may differ with regard to specific requirements and review procedures.

Decorations: Shall mean ornaments or trimmings displayed in connection with a nationally recognized holiday or local festivity or event.

Dimensional sign: Shall mean a type of wall sign which consists of three dimensional letter forms which are applied directly to a building.

Directional sign: Shall mean a type of wall, ground or window sign which exists for the sole purpose of identifying and directing vehicular and/or pedestrian traffic to essential service areas, e.g. loading docks, service entrances, offices, etc.

Directory sign: Shall mean a wall, projecting or ground sign which is used to identify the name and occupants of a shopping center or of a building or subdivision in a business or manufacturing zoning district.

Establishment: Shall mean any structure with substantial walls and a roof affixed to the land entirely separated on all sides from any other structure by space or a wall in which there are no communicating doors or window openings.

Eaves: Shall mean the lower edge of a sloped roof which often projects beyond or overhangs the wall.

Event sign: Shall mean a sign used to announce a fund-raising drive or other fund-raising event of a civic, philanthropic, educational or religious organization.

Exposed bare bulbs: Shall mean a type of lighting where the bulb and base portions of an incandescent or other lamp are visible.

Festoon lighting: Shall mean lighting which consists of strings of incandescent lamps connected by flexible electric wire.

Flashing lighting: Shall mean lighting which alternately is illuminated and not illuminated or which otherwise varies in intensity in such a way as to not provide a constant source of light.

Flashing sign: Shall mean a sign which contains an intermittent or flashing light source, or which gives an illusion of intermittent or flashing light by means of animation, or an externally-mounted flashing light source.

Frontage: Shall mean the length of a lot line or a building site along a street or other public way.

Garage sale sign: Shall mean a sign which announces the undertaking of a permitted garage sale.

Governmental traffic control or direction sign: Shall mean a sign which is used by a governmental agency for the purpose of public instruction, street or highway designation, traffic control or similar uses necessary for the public safety.

Ground sign: Shall mean a sign which is erected on one or more free-standing frames, masts or poles and which is not attached to any building.

Height of sign: Shall mean the vertical distance from grade to the highest point of a sign.

Identification sign: Shall mean a sign which identifies the occupant and address of a single or two-family residential dwelling unit.

Illegal non-conforming: Shall mean an unlawful sign which had been constructed or installed prior to the effective day of the Unified Development Ordinance.

Indirect illumination: Shall mean a light source which is not directly seen.

Intermittent lighting: Shall mean a type of flashing lighting in which the period of change in the illumination is of sufficient duration to permit a distinct message to be conveyed during each cycle.

Internal illumination: Shall mean illumination of a sign which is affected by a source of light which is contained within the sign itself.

Items of information: Shall mean any of the following: a word; an abbreviation; a number; a symbol or a geometric shape.

Land use regulatory sign: Shall mean a sign used to regulate the use of property.

Legal non-conforming sign: Shall mean a sign which does not comply with some or all of the regulations contained in the Sign Regulations, but which had been lawfully installed prior to the effective date of the Unified Development Ordinance.

Limiting architectural feature: Shall mean a significant architectural element of a building or structure which, by its existence, reduces the area of the building or structure face which is suitable for signage.

Logo: Shall mean a symbol or configuration used to identify and establishment. A slogan, phrase, motto, or other combination or words shall not be considered to be a logo.

Mansard: Shall mean a roof-like sloping surface which is applied to or above the face of the building.

Marquee: Shall mean any hood or similar structure of a building which projects from the wall of a building and is not supported by the ground or sidewalk.

Marquee sign: Shall mean a sign which is painted on or directly attached to a marquee.

Message center sign: Shall mean a type of changeable copy sign which conveys periodically changing information of either a private or public nature.

Moveable sign: Shall mean a ground sign which is not permanently installed.

Neon tube sign: Shall mean a sign which is illuminated by a light source which consists of neon or other gas-filled tube which is bent to form letters, symbols, or other shapes.

New business: Shall mean a legally established business conforming to all Village regulations that has been in operation less than twenty-eight (28) months.

Non-conforming sign: Shall mean a sign which does not comply with one (1) or more of the regulations established in the Sign Ordinance.

Not-for-profit: Shall mean a corporation organized under the Not-For-Profit Corporation Act of the State of Illinois.

Number identification sign: Shall mean a sign which identifies the street address of a multiple family, business, manufacturing or institutional building.

Off-premises sign: Shall mean a sign which identifies goods, services or facilities which are not available on the premises where the sign is located, including billboards.

Open-for-business sign: Shall mean a sign which announces the opening of an establishment.

Parapet: Shall mean that part of a wall which is entirely above the roof.

Pennants: Shall mean small triangular or otherwise-shaped flags which are connected by flexible wire or string.

Political campaign sign: Shall mean a sign which announces a candidate as seeking public political office and/or which conveys political issues and other data pertinent thereto.

Portable sign: Shall mean a sign or display which is not permanently attached to a building or anchored to the ground; a sign or display which is designed to be moved from place to place or carried by means of a trailer.

Premises: Shall mean a lot or parcel and the buildings, structures and/or establishments which are located on that lot or parcel.

Public entrance: Shall mean an entrance to an establishment which is provided primarily for use by the patrons or customers of the establishment and not for delivery purposes.

Projecting sign: Shall mean a sign, normally double-faced, which is attached to and projects from a structure or building.

Public utility directional sign: Shall mean a sign utilized by a public utility for the purpose of warning or directing pedestrians or vehicular traffic.

Real estate development sign: Shall mean a sign used to identify sale, lease or rental of lots or units within a residential, commercial or industrial development.

Roof line: Shall mean either the ridge of the roof or the top of the parapet, whichever forms the top line of a building silhouette. Where a building has several roof levels, the roof line or parapet wall be the one belonging to the portion of the building on which wall the sign is located.

Roof sign: Shall mean a sign which is displayed above the roof line of a building or structure.

Set back: Shall mean the minimum distance between the property line and any portion of a building or sign.

Sign: Shall mean any object, device, or structure, or part thereof, located inside or outside an establishment, which is used to advertise, identify, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means including works, letters, designs, symbol fixtures, colors, motion, illumination or projected images. The term sign includes, but is not limited to, projecting, ground, wall, window, awning, canopy, marquee and changeable copy sings, illuminated signs, flashing and animated signs, temporary signs, portable signs, pennants, banners, streamers, search lights or any other attention-getting device or display either affixed to separate from a building or structure.

Sign message: Shall mean the information on a sign composed of words, symbols, geometric shapes, pictures or logos which communicates information to the general public.

Signable area: Shall mean the area of a face of a building available for signage.

Streamers: Shall mean long strips of paper or other material.

Surface area: Shall mean the entire area within a single continuous parameter which encloses the extreme limits of the lettering, representations, emblems, or other figures, together with any material, color, which form an integral part of a display or are used to differentiate a sign from the background against which it is placed. Only one side of a free-standing or projecting double-faced sign shall be included in calculating surface area, provided that the two display surfaces are adjoined at an angle not greater than sixty (60) degrees. All sides of a sign having more than two (2) faces which are visible from any one street shall be included in the calculation of surface area.

Temporary signs: Shall mean a sign, banner or advertising display, constructed with or without frames or braces, for use during a specified period of time.

Time and temperature device: Shall mean a sign whereon the time and/or temperature is indicated.

Towable signs: Shall mean movable signs mounted on wheels or a trailer and having the ability to be towed by a vehicle.

Tube illumination: Shall mean a neon or other gas filled tube of glass or similar material which is formed into a message, and itself, is the source of its illumination.

Unlawful sign: Shall mean a sign which was installed in violation of the Village's regulations in effect at the time of its installation.

Vehicle sign: Shall mean any advertising or business sign attached to a vehicle which is parked or placed in position for the displaying of same.

Wall sign: Shall mean a sign which is attached to, erected against or painted on a wall of a building or structure with the exposed face of the sign approximately parallel to the wall of the building.

Window sign: Shall mean a sign installed inside or painted directly onto a window or glass surface of a door for the purpose of conveying information to the public outside the premises.

6.8.16. Table of Wall Sign Regulations.

WALL SIGN				
Minimum Building Width	**Minimum Setback From Lot Line**	**Maximum Area (sq. ft.)**	**Maximum Height Above Ground**	**Maximum Letter Height**
20	-2	6	10	6”
50	-2	10	10	6”
50	10	12	12	6”
75	-2	20	12	6”
75	20	48	16	8”
75	50	60	16	12”
100	-2	20	12	6”
100	20	48	12	8”
100	50	60	16	12”
200	10	48	12	8”
200	20	48	16	12”
200	50	100	16	16”
300+	10	48	12	8”
300+	20	72	16	12”
300+	50	100	16	16”

(All dimensions in linear feet unless noted)

6.8.17. Table of Ground Sign Regulations *(Ord. 2015-03)*

GROUND SIGN				
Minimum Frontage	**Minimum Setback From Lot Line**	**Maximum Area (sq. ft.)**	**Maximum Height**	**Maximum Letter Height (inches)**
50	2	10	8	8
50	10	15	8	8
50	20	15	8	8
75	10	15	8	8
75	20	20	8	8
75	30	28	12	12
100	10	30	12	12
100	20	50	12	12
100	30	50	16	12
200	10	50	12	12
200	20	50	16	12
200	30	60	16	12
300+	10	50	12	12
300+	20	60	16	12
300+	30	75	16	12
300+	50	100	16	16

(All dimensions in linear feet unless noted)

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Article 6.9

EXTERIOR ILLUMINATION REGULATIONS

6.9.1. Purpose and Intent. The Village Exterior Illumination Regulations are adopted to achieve the following purposes:

A. To avoid unsafe and unpleasant conditions as the result of poorly designed or installed exterior lighting.

B. To reduce glare and to establish consistent well-defined levels of illumination for the safety and welfare of pedestrians, cyclists, and motorists.

C. To minimize energy wasted on unnecessary and indiscriminate illumination.

D. To recognize the night sky as a natural resource.

E. To preserve the rural character, aesthetic value, and unique quality of life in Richmond by preserving and enhancing the ability to view the night sky.

F. To eliminate the need for commercial establishments to compete for visual attention by escalating outdoor illumination levels.

G. To reduce or eliminate the detrimental effect of excessive illumination can have on wildlife that depend on the natural cycle of day and night for survival.

H. To create a safe environment during hours of darkness.

I. To avoid excessive illumination in order to promote the Village's dark sky policies.

6.9.2. Applicability. All zoning lots in all zoning districts shall comply with the provisions of this Article as of its effective date of this Title, unless otherwise exempted herein. Unless specifically exempted within this ordinance, zoning lots within all future residential, commercial, and industrial zoning districts created after the effective date of this Ordinance shall comply with the provisions of this Ordinance.

6.9.3. Definitions. The definitions contained in this Article shall be observed and applied, except when the context clearly indicates otherwise:

Abandonment: Shall mean discontinuance in the usage of a lighting installation, or portion thereof, with no intention to resume the usage of such lighting. A lighting installation or portion thereof, that has not been operated for a period of twenty-four (24) months or longer, shall be considered to be abandoned.

Architectural lighting: Shall mean outdoor lighting directed at buildings, facades, structures, monuments, and other architectural features, and works of art.

Commercial Illumination Zone: Shall mean any zoning lot in any zoning district that is not in a Residential Illumination Zone, as defined in this Title.

Directionally shielded: Shall mean a luminaire which uses shielding, lenses, or other means to provide a distinct focused beam of emitted light.

Foot-candle: Shall mean a unit of measure of luminous flux.

Full cut-off luminaire: Shall mean a luminaire having a light distribution (excluding incidental reflection from poles, mounting brackets, and other supporting structures), as determined by photometric test and certified by the manufacturer, such that no light is emitted at or above an angle or 90˚ above nadir in any direction and the luminous flux emitted in the band between 80˚ and 90˚ above nadir in all directions is no more than ten-percent (10%) of the total luminous flux for the luminaire. A luminaire that meets the Illumination Engineering Society of North America (IESNA) full-cutoff definition shall be considered full cutoff for the purposes of this ordinance.

Glare: Shall mean a visual disturbance produced by a distinct light source within the visual field that is sufficiently brighter than the level to which the eyes are adapted.

HID lighting: Shall mean a high-intensity discharge family of lighting that includes high-pressure sodium, fluorescent, mercury vapor, and metal halide type bulbs.

IESNA: Shall mean the Illumination Engineering Society of North America.

Illuminance: Shall mean the amount of luminous flux falling onto a unit of surface area, correlating to the perception of brightness by the human eye, and is typically measured in lumens per square foot (foot-candles) or lumens per square meter (lux).

Installed height: Shall mean the height above grade of the lowest point on an installed luminaire.

Internally illuminated sign: Shall mean a sign illuminated by a light source internal to the sign enclosure which is not directly visible externally. For the purposes of this Article, a neon light sign is considered an internally illuminated sign.

Lamp: Shall mean the source of light being emitted from a luminaire, such as a bulb.

Landscape lighting: Shall mean outdoor lighting directed at trees, shrubs, plants, flower beds, fountains, gardens, and other natural or landscaped features.

Light: Shall mean electromagnetic radiation within a range of wavelengths sufficient for visual perception by the normal unaided human eye.

Light level: Shall mean the illuminance as measured in accordance with the practices contained in the IESNA Lighting Handbook, Eighth Edition.

Light output: See "Luminous Flux"

Lighting installation: Shall mean an arrangement of one or more luminaires including any mounting hardware, brackets, and supporting structures.

Lumen: Shall mean a unit of measure of luminous flux; for the purposes of this Article it shall denote initial lumens for HID lighting applications.

Luminaire: Shall mean an individual lighting assembly including the lamp and any housings, reflectors, globes, lenses, shields or other components designed to block or distribute light. For the purposes of this ordinance, an internally illuminated sign is not considered a luminaire.

Luminous flux: Shall mean the power emitted from a source of electromagnetic radiation, such as a light bulb, in the form of visible light and is measured in lumens (or lux) and is typically specified by the manufacturer for a given lamp or luminaire. Typical luminous flux values for incandescent bulbs are 100W: 1550 lumens; 75W: 1080 lumens; 60W: 780 lumens; and, 40W: 450 lumens.

Motion-activated sensor: Shall mean a sensor which causes a luminaire to become illuminated automatically upon the presence of motion or infrared radiation or a combination thereof within its field of view.

Nadir: Shall mean the direction pointing directly downward from the light source of the luminaire that originates from a horizontal plane at the lowest point on the luminaire.

Neon light: Shall mean a brightly colored light generated by using electric current to excite a gas or gas mixture (including neon, argon, helium, or other gases) typically contained in a tube which can be bent into various forms for use as decoration or signs. For the purposes of this ordinance, fluorescent tubes are not considered neon light.

Outdoor display lot: Shall mean an outdoor area whose primary function is the sale of displayed merchandise, often requiring accurate color perception by customers.

Organized sporting event: Shall mean a prearranged sports or recreational event involving at least one group or team with a published roster and schedule.

Outdoor illumination: Shall mean light generated from an indoor or outdoor source that provides illumination to a surface, building, sign, structure, devise, or other outdoor feature which is visible to an observer located outdoors. Except that the light source inside an internally illuminated sign is not considered outdoor illumination.

Playing field: Shall mean an open outdoor field or court used for playing sports such as baseball, soccer, football, tennis, volleyball, and basketball.

Public parking area: Shall mean a drivable surface on a public or private lot intended for use by the general public for parking of motorized vehicles.

Residential Illumination Zone: Shall mean any zoning lot in any zoning district that has as its primary use a Type 1 through Type 13, inclusive, building typology or land used for agriculture, as defined in this Title.

Searchlight: Shall mean a lighting installation designed to project a high-intensity beam of approximately parallel rays of light that is typically used to sweep the sky for promotional purposes.

Security lighting: Shall mean lighting designed and used to discourage crime and undesirable activity.

Street lighting: Shall mean one or more luminaires or light installations designed to illuminate a public or private roadway or intersection.

Uplighting: Shall mean lighting applications which direct light above a horizontal plane.

Visible light: See "Light"

6.9.4. Non-conforming Outdoor Illumination. Any existing luminaire or lighting installation used for outdoor illumination in any zoning district on the Effective Date of this Title that does not comply with the requirements of this Article shall be considered a non-conforming use. Except as otherwise stated herein, such uses shall be made to comply with the requirements of this Title or be removed within such time period as established in Section 3-3-3 of this Title.

A. Any non-conforming luminaire or light installation existing on any zoning lot in any zoning district as of the Effective Date of this Title shall be made to comply with the requirements of this Article or be removed within thirty (30) days if any of the following criteria are met:

1. The luminaire is producing glare that is deemed by the Village to create a hazard or nuisance; or
2. The height or location of the luminaire is changed; or
3. The luminaire is changed or replaced (excluding routine maintenance and bulb replacement of equal light output) except if it is part of a parking lot lighting installation consisting of an array of three (3) or more identical luminaires and poles or supporting structures; or
4. The supporting structure of the luminaire is changed or replaced except if it is part of a parking-lot lighting installation consisting of an array of three (3) or more identical luminaires and poles or supporting structures; or
5. The use of the luminaire is resumed after a period of abandonment.

B. All non-conforming luminaires existing on any zoning lot in any zoning district as of the Effective Date of this Title shall be made to comply with the requirements of this Article or be removed within thirty (30) days if any of the following criteria are met:

1. A cumulative total of twenty-five-percent (25%) or more of the non-conforming luminaires of their supporting structures are changed, replaced (excluding routing maintenance and bulb replacement of equal light output), or relocated: or
2. A principal structure on said zoning lot is expanded by an amount equal to or greater than twenty-five-percent (25%) of the total square footage of the structure immediately prior to such expansion; or
3. There is a change in zoning of said zoning lot.

6.9.5. Prohibited Outdoor Illumination. The following outdoor illumination applications are prohibited in all zoning districts:

A. The use of laser light source;

B. The use of flickering, flashing, blinking, scrolling, or rotating lights and any illumination that changes intensity;

C. The use of upward directed lighting, except as otherwise permitted herein;

D. Architectural lighting of any portion of a building or structure with a polished or glass exterior surface that uses uplighting;

E. The use of searchlights;

F. The use of neon light to accent buildings or architectural features;

G. The use of mercury vapor light source except for existing uses in T-1 zoning district used for agriculture;

H. The use of metal halide light source for new parking lot lighting installations; and

I. Any luminaire creating glare that is deemed by the Village to create a hazard or nuisance.

6.9.6. Exempt Outdoor Illumination. The following outdoor illumination applications are exempt from all requirements of this ordinance:

A. Underwater lighting used for the illumination of swimming pools and fountains;

B. Lighting required by county, state, or federal law;

C. Temporary lighting used for holiday decoration;

D. Decorative yard lighting characterized by a flame source;

E. Portable lighting temporarily used for maintenance or repair that is not deemed by the Village to create a hazard or nuisance;

F. Emergency lighting used by police, firefighting, emergency management, or medical personnel at their discretion as long as the emergency exists;

G. Lighting approved by the Village for temporary events such as carnivals, circuses, festivals, picnics, fairs, civic events, and exhibitions; and

H. Temporary lighting required for road construction or other public improvements.

6.9.7. Outdoor Illumination Plan Required. A permit for the installation of outdoor illumination shall be required for the following:

- New construction taking place on any non-residential zoned real estate;
- When an exterior lighting installation is part of a new development proposal requiring Site Plan review, Subdivision Plat review, Planned Development review, or a Special Use Permit;
- Projects undergoing redevelopment, remodeling, or expansion when said work increases either the gross floor area of any structure or the fair market assessed value of the property affected by the project.
- Common areas in residential zoned districts, which are defined as including but are not limited to pathways, clubhouses, shared driveways, parking lots and play areas.

A. ILLUMINATION PLAN REQUIREMENTS. When an application for any of the above development or property improvement activities is required, an illumination plan shall be prepared and submitted to the Village for review and approval and shall include:

1. A site plan complete with all structures, parking spaces, building entrances, traffic areas (both vehicular and pedestrian), vegetation that might interfere with lighting, and all adjacent uses. The site plan shall show, by location, and identify each existing and proposed luminaire and shall specify its installed height, pole foundation details, and mounting methods.

2. Iso-foot-candle plots for individual lighting installations, or 10-foot x 10-foot illuminance-grid plots for multi-fixture lighting installations, which demonstrate compliance with all applicable requirements, set forth within this Article. The plots shall indicate the location for each existing and proposed luminaire, the installed height of said luminaires, and the overall light levels in foot candles on the entire zoning lot and at the property lines.

3. A summary table identifying the maximum and minimum light levels for all parking areas, entryways, signs, and walkways.

4. A description of each luminaire identified in the site plan including the manufacturer, model number, a photograph or catalog cut-sheet, photometric data verifying any

compliance requirements specified within this ordinance, light output in initial lumens, shielding or glare reduction devices, lamp type, and on/off control devices.

5. If building elevations are proposed for illumination, drawings shall be provided for all relevant building elevations showing the fixtures, the portions of the elevations to be illuminated, the illuminance levels of the elevations, and the aiming point for any remote light fixture.

6. The Development Administrator may request one or more of the following additional information to determine compliance with this Article:

   a. A brief written narrative, with accompanying plan or sketch, which demonstrates the objectives of the lighting.

   b. Photometric data, Color Rendering Index (CRI) of all lamps (bulbs), and other descriptive information on the fixtures, and if applicable or required, designation as IESNA cut-off fixtures.

   c. Landscaping information that indicates mature tree size, shrubbery and other vegetation in order to evaluate the long-term and seasonal effectiveness of lighting or screening of lighting.

B. POST-APPROVAL ALTERATIONS. Post-approval alterations to illumination plans or intended substitutions for approved illumination equipment shall be submitted to the Village for review and approval, in accordance with all plan submission requirements set forth within this Article, prior to installation.

C. RIGHT OF INSPECTION. The Village shall have the right to conduct a post-installation inspection to verify compliance with the requirements of this Article and, if necessary, to require remedial action at the expense of the applicant.

6.9.8. Outdoor Illumination Standards.

A. GENERAL DESIGN STANDARDS.

1. Site lighting trespass onto adjacent residential zones shall be minimized.

2. Site lighting shall minimize light spill into the night sky.

3. Where practical, exterior lighting installations shall include timers, dimmers, sensors, or photocell controllers that turn the lights off during daylight hours or hours when lighting is not needed, to reduce overall energy consumption and eliminate unneeded lighting.

4. Exterior lighting installations shall be designed to avoid harsh contrasts in lighting levels.

5. Fixtures and lighting systems used for safety and security shall be in good working order and shall be maintained in a manner that serves the original design intent of the system.

6. Vegetation and landscaping shall be maintained in a manner that does not obstruct security lighting and minimizes possible entrapment spaces.

B. GROSS EMISSION OF LIGHT. The total light output from all luminaires used for outdoor illumination on any zoning lot in a Commercial Illumination Zone, except for street lighting, outdoor display lots, and outdoor lighting of playing fields on public property, shall not exceed one hundred thousand (100,000) lumens per net acre.

C. LIGHT TRESPASS. Except for street lighting, light emitted from outdoor illumination on any zoning lot shall not cause the light level along any property line, as measured at a height of sixty (60) inches above grade in a plane at any angle of inclination, to exceed the following limits:

Emitted Zoning Lot	Impacted Zoning Lot	Maximum Light Level
Residential Illumination Zone	Residential Illumination Zone	0.1 foot-candles
Residential Illumination Zone	Commercial Illumination Zone	0.5 foot-candles
Commercial Illumination Zone	Residential Illumination Zone	0.1 foot-candles
Commercial Illumination Zone	Commercial Illumination Zone	0.5 foot-candles

D. LIGHT INTENSITY AND UNIFORMITY. During permitted hours of operation as defined within this Article, outdoor illumination on any zoning lot in a Commercial Illumination Zone shall meet the following requirements for light level as measured in the plane of the illuminated surface:

Illuminated Surface	Minimum Light Level	Maximum Light Level
Non-internally-illuminated signs, Buildings & Ground (light color)	---	5.0 foot-candles
Non-internally-illuminated signs, Buildings & Ground (medium color)	---	10.0 foot-candles
Non-internally-illuminated signs, Buildings & Ground (dark color)	---	15.0 foot-candles
Motor vehicle dealerships:		
Front row & feature displays	---	20 foot-candles
Other merchandise areas	---	10 foot-candles
Parking areas[1]	0.25 foot-candles	4.0 foot-candles
Vehicular entrances from right-of-way[1]	1.0 foot-candles	4.0 foot-candles
Playing fields	---	IESNA[2]
Fuel station pumping areas	10 foot-candles	30 foot-candles
Drive-through canopies	---	15 foot-candles
Building entrances and exits, pedestrian pathways[1]	1.0 foot-candles	5.0 foot-candles
Stairways and steps[1]	1.0 foot-candles	5.0 foot-candles

[1] Maximum-to-minimum light level ratio shall not exceed 15:1.
[2] Illuminance level specified in Table 7 of IESNA document RP-6-01.

E. PERMITTED HOURS FOR OUTDOOR LIGHTING

1. Commercial Illumination Zones. Except for street lighting, outdoor lighting on any zoning lot in a Commercial Lighting Zone is permitted to be lighted between one-half hour before sunset and 10:00 p.m. or one (1) hour after the close of business based on normal hours of operation of the business, whichever is later. Thereafter, for safety and security purposes, security lighting is permissible at a total light output not greater than twenty-five-percent (25%) of the total light output from all outdoor lighting located on the zoning lot during permitted outdoor lighting hours. During security lighting hours, no luminaire may exceed its light output exhibited during permitted outdoor lighting hours.

2. Property Used for Governmental & Public Purposes. Any zoning lot in any zoning district used for governmental or public purposes, except for street lighting, shall comply with the permitted hours and security lighting limitations for Commercial Illumination Zones. In addition, outdoor lighting of the playing field of an organized sporting event on public property that is in progress at the close of permitted outdoor lighting hours shall be allowed to remain illuminated until thirty (30) minutes after the conclusion of the event but no later than 11:00 p.m. No outdoor lighting of the playing field for any sport or recreational purposes shall be initiated after 10:00 p.m.

F. LIGHT DIRECTION & CONTROL. Any luminaires which are used for uplighting on any zoning lot in a Residential or Commercial Lighting Zone shall have the necessary shielding and/or beam-angle control and/or shall be aimed to substantially confine the directed light to the object intending to be illuminated. Uplighting shall only be permitted for landscape lighting,

architectural lighting, flag lighting, and ground-mounted signs that are not internally illuminated. Uplighting applications shall meet the following requirements:

Uplighting Application	Maximum Inclination	Maximum Light Output
Landscape lighting	60°	1100 lumens[3] (up to 45°) 800 lumens[4] (up to 60°)
Architectural lighting	45°	1100 lumens[3]
Flag lighting[1]	60°	1100 lumens[3] (up to 45°) 800 lumens[4] (up to 60°)
Sign lighting[2]	45°	1100 lumens[3]

[1] The tradition of lowering flags at sunset is encouraged to avoid the need for lighting
[2] Ground-mounted, non-internally-illuminated signs only
[3] Typical 75W incandescent bulb or 50W low-voltage halogen landscape bulb
[4] Typical 60W incandescent bulb or 35W low-voltage halogen landscape bulb

1. Additional Requirements for Residential Illumination Zones. Any luminaire with a light output exceeding one thousand one hundred (1,100) lumens which is used for outdoor lighting on any zoning lot in a residential lighting zone shall have the necessary shielding and/or beam angle control and/or shall be aimed so that the direction of all directly emitted light is at or below horizontal. If a motion-activated sensor that illuminates the luminaire for no more than five (5) minutes upon activation is used, however, said luminaire may have a light output of up to two thousand two hundred (2,200) lumens.

   Any luminaire with a light output exceeding two thousand two hundred (2,200) lumens which is used for outdoor illumination on any zoning lot in a Residential Illumination Zone shall have the necessary shielding and/or beam-angle control and/or shall be aimed so that the light source is not visible along any property line, as viewed at a height of sixty (60) inches above grade.

2. Additional Requirements for Commercial Illumination Zones. Except as otherwise stated herein, any luminaire on any zoning lot in a Commercial Illumination Zone which emits light directed at a building, sign, billboard, or other outdoor feature shall be located at or above the top of said object and aimed and controlled so that the direction of all emitted light is at or below horizontal and the directed light is substantially confined to the object intending to be illuminated.

G. LUMINAIRE STANDARDS.

1. Full Cut-Off Required.

   a. *Commercial Illumination Zones.* Except for uplighting applications permitted within this Article, any luminaire used for outdoor illumination in a Commercial Lighting Zone shall be a full cut-off luminaire and shall be installed in the proper orientation to achieve full cut-off performance with respect to a horizontal plane.

   b. *Street Lighting.* Any luminaire used for street lighting shall be a full cut-off luminaire and shall be installed in the proper orientation to achieve full cut-off performance with respect to a horizontal plane. Said luminaire, as well as any poles, brackets, supports, and mounting hardware shall comply with current Village design standards.

2. Installed Height. The installed height of any luminaire used for outdoor lighting on any zoning lot, except for street lighting, shall not exceed the following limits:

Zoning Lot	Maximum Installed Height*
Residential Illumination Zone	15 feet
Within Fifty Feet of a Residential Illumination Zone	15 feet
Commercial Illumination Zone	25 feet

* A maximum installed height of fifty (50) feet shall be permitted for lighting of playing fields on public property.

H. ADDITIONAL ILLUMINATION STANDARDS FOR SPECIFIC APPLICATIONS. In addition to the illumination standards and requirements herein, the following illumination applications shall comply with the following:

1. Open-Air Parking Lot Illumination.

a. For multi-level parking facilities, the roof level shall be considered an open-air parking lot and comply with lighting standards for open-air parking lots. The maximum mounting height for open-air parking lot lighting fixtures, on top levels of structures, shall be fifteen (15) feet.

b. Open-air parking lot lighting shall be designed to provide adequate vision, comfort and safety.

c. Open-air parking lot lighting shall be designed to provide for uniform lighting throughout the facility with no dark patches or pockets.

d. Open-air parking lot lighting shall be designed to provide a minimum value of lighting necessary for the safety and identification of features.

e. Open-air parking lot lighting shall not cause direct illumination on adjacent and nearby properties or streets. Fixtures should be of a type or adequately shielded so as to prevent glare from normal viewing angles.

f. In order to direct light downward and minimize the amount of light spilled into the night sky, all lighting fixtures serving open-air parking lots, except as allowed in subsection (g) below, shall be full cut-off fixtures as defined by the Illuminating Engineering Society of North America (IESNA).

g. If the design of an area suggests the use of parking lot lighting fixtures of a particular "period" or architectural style, the Development Administrator may permit alternatives or supplements to the lighting described above. In order to minimize the amount of light spilled into the night sky the following shall apply:

1. Mounting heights of such alternative fixtures shall not exceed fifteen (15) feet above grade or pavement.

2. The Development Administrator shall require reasonable measures to minimize light trespass and light spill into the night sky.

h. The Development Administrator may allow increases from Basic to Enhanced Security illumination levels (see table below), when personal security is an issue, such as where the parking facility is used during all hours of the day and night, where special security needs exist, or where vandalism or crime are possible. The Development Administrator may consider specific site characteristics, level of vehicle and pedestrian conflict, special security needs, and history or likelihood of crimes in making his determination.

i. *Table of Open-Air Parking Lot Illumination Standards*.

	BASIC[1]	ENHANCED SECURITY[2]
Minimum foot-candles on pavement[3]	0.25 foot-candles	0.5 foot-candles
Maximum foot-candles on pavement	4.0 foot-candles	7.5 foot-candles
Uniformity Ratio Maximum:Minimum[4]	20:1	15:1
Minimum foot-candles at 5-feet above pavement[5]	0.1 foot-candles	0.25 foot-candles

[1]For typical conditions. During periods of non-use, the illuminance of certain parking facilities should be turned off or reduced to conserve energy. If reduced lighting is to be used only for the purpose of property security, it is desirable that the minimum (low point) value not be less than 0.1 foot-candle. Reductions should not be applied to facilities subject to intermittent night use, such as at apartments, hospitals and transportation terminals.

[2]The Building Inspector may allow increases from Basic to Enhanced Security lighting levels, when personal security is an issue, such as where the parking facility is used during all hours of the day and night, where special security needs exist, or where vandalism or crime are possible. The Development Administrator may consider specific site characteristics, level of vehicle and pedestrian conflict, special security needs, and history or likelihood of crimes in making its determination.

[3]Measured on the parking surface, without any shadowing effect from parked vehicles or trees at points of measurement.

[4]The highest horizontal illuminance point at grade, divided by the lowest horizontal illuminance point or area should not be greater than the values shown.

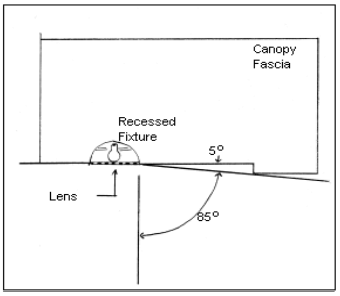
[5]Measured at 1.5 meters (5.0 feet) above parking surface at the point of the lowest horizontal illuminance, excluding facing outward along boundaries.

2. Fuel Station and Other Canopy Illumination.

a. Illumination of such areas shall not be used to attract attention to the business. Signs allowed under the appropriate section of these regulations shall be used for that purpose.

b. Illumination levels shall be adequate to facilitate the activities taking place in such locations.

c. In order to minimize the extent of direct glare, light fixtures mounted on canopies shall be recessed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy or shielded by the fixture or the edge of the canopy so that light is restrained to 85-degrees or less from vertical.



Recessed Canopy Light Fixture

d. As an alternative (or supplement) to recessed ceiling lights, indirect lighting may be used where light is beamed upward and then reflected down from the underside of the canopy. When this method is used, light fixtures must be shielded so that direct illumination is focused exclusively on the underside of the canopy.

e. Lights shall not be mounted on the top or sides (fascias) of the canopy. The sides (fascias) of the canopy shall not be illuminated in a manner other than that proscribed under the section of these regulations regulating signs.

f. Areas around service station pump islands shall be illuminated so that the minimum horizontal illuminance at grade level is at least 1.0 foot-candle and no more than 5.0 foot-candles. The uniformity ratio (average illumination to minimum illumination) shall be no greater than 4:1. At the discretion of the Development Administrator, increased lighting levels may be permitted for enhanced security purposes only.

3. Security Lighting.

a. Security lighting should use the lowest possible illumination to effectively allow surveillance.

b. The use of sensor technologies, timers or other means to activate lighting during times when it will be needed may be required by the Development Administrator to conserve energy, provide safety, and promote compatibility between different land uses.

c. In order to direct light downward and minimize the amount of light spill into the night sky, all security lighting fixtures shall be full cut-off fixtures as defined by the Illuminating Engineering Society of North America (IESNA).

d. Security lighting shall be shielded and aimed so that illumination is directed to the designated areas.

e. Where security lighting is proposed, the table below shall govern the range of permissible illumination levels for the listed applications. Where a proposed security lighting application is not identified in the table below, the table shall be used as a guide for establishing the range of permissible light levels.

SECURITY LIGHTING APPLICATION	AVERAGE HORIZONTAL ILLUMINATION LEVEL ON THE GROUND
Large open space	0.5 – 2.0 foot-candles[1]
Buildings	0.5 – 2.0 foot-candles[1]
Perimeter fence	0.5 foot-candles[2]
Entrances	10.0 foot-candles[3]
Gatehouses	30.0 foot-candles[4]
Pedestrian paths and access routes	4.0 – 6.0 foot-candles

[1]The greater the brightness of the surrounding area, the higher the illuminance required to balance the brightness.
[2]Illuminance on the ground.
[3]Illuminance on the ground in the inspection area.
[4]Illuminance on the work-plane in the gatehouse. This lighting must be dimmable to low levels at night so the guard can see outside the gatehouse.

4. Architectural Illumination.

a. Fixtures used to accent architectural features, materials, colors, style of buildings, or works of art shall be located, aimed and shielded so that light is directed only on those features. Such fixtures shall be aimed or shielded so as to minimize light spill into the night sky. The Development Administrator may allow exceptions to this provision if minimal light escapes into the night sky or onto adjacent properties.

b. Lighting fixtures shall not generate excessive light levels, cause glare, or direct light beyond the façade onto neighboring property, streets or the night sky.

c. The maximum illumination of any vertical surface or angular roof surface in dark surroundings shall not exceed three (3) foot-candles.

d. The maximum illumination of any vertical surface or angular roof surface in light surroundings shall not exceed five (5) foot-candles.

e. National and State flags may be illuminated from below provided such lighting is focused primarily on the individual flag or flags so as to limit light trespass and spill into the night sky.

5. Landscape Illumination. Illumination of landscaping shall utilize diffused or muted lighting, avoid glare, and minimize light trespass and escape beyond landscaping onto neighboring property, streets, or the night sky.

6. Outdoor Performance, Playfields, and Other Sport and Recreation Facilities Illumination.

a. Lighting levels for outdoor performance areas, sport and recreation facilities, and playfields shall not exceed by more than five-percent (5%) the Illuminating Engineering Society of North America (IESNA) published standards for the proposed activity.

b. Where playing fields or other special activity areas are to be illuminated, lighting fixtures shall be mounted, aimed and shielded so that their beams fall within the primary playing area and immediate surroundings, and so that no direct illumination is directed off the site.

c. The main lighting shall be turned off as soon as possible following the end of the event. The main lighting shall not remain on longer than thirty (30) minutes following the end of the event. Where feasible, a low-level lighting system shall be used to facilitate patrons leaving the facility, cleanup, nighttime maintenance and other closing activities. The low-level lighting system shall provide an average horizontal illumination level at grade of no more than 3.0 foot-candles, with a uniformity ratio (average illumination to minimum illumination) not exceeding 4:1.

7. Temporary Illumination. The Development Administrator may impose specific conditions for the illumination of temporary uses or the temporary use of illumination in the Village consistent with the purposes of this Article.

6.9.9. Appeals and Variations. Request for variations from the requirements of this Article may be initiated by written application which seeks to vary specific provisions of this Article. The application requesting a variation shall be accompanied by a fee equal to the fee charged for a zoning variation and shall be submitted to the Zoning Hearing Officer for initial consideration. The Application shall indicate the specific provisions of this Article which the applicant seeks to vary. The Village Clerk will schedule a public hearing concerning the application. The public hearing will be conducted in accordance with the notice and hearing requirements of this Title as they pertain to and concern public hearings for zoning variations. The Zoning Hearing Officer may also establish appropriate procedures and filing requirements for such applications. After the Zoning Hearing Officer conducts the public hearing he shall make a written recommendation to the Village Board concerning the requested variation. Without further public hearing, the Village Board may grant, deny or amend the recommendation for variation.

6.9.10. Enforcement. The Chief Building Official and other such persons who are duly appointed as Code Enforcement Officers are hereby authorized to inspect luminaires and lighting installations in the zoning districts subject to this Article to determine compliance with the applicable provisions and, if necessary, to issue notices of violation to the owner, operation or other person or entity responsible for maintenance of the luminaire or lighting installation, if the luminaire or lighting installation fails to comply with the provisions of this Article. In the event of a violation, proceedings to enforce compliance with the provisions of Article may be initiated and conducted in accordance with and pursuant to the provisions of Article 2.7 of this Title.

6.9.11. Violation and Penalty. Any person, firm, corporation or business entity that violates any provision of this Ordinance shall be subject to a fine pursuant to the provisions of Article 2.7 of this Title.

Chapter 7

STANDARDS AND REQUIREMENTS FOR REQUIRED PUBLIC IMPROVEMENTS

Article 7.1

PARKS, SCHOOLS AND PUBLIC AREA CONTRIBUTIONS

7.1.1. Title. This Section shall be cited and referred to as the "Richmond Developer Donation Ordinance."

7.1.2. Purpose. Dedication of land for park and school facilities or money in lieu of land or a combination of both land and money, proportionate to the need generated by the new development.

7.1.3. School Contribution. A dedication of land for school facilities or money in lieu of land or a combination of both land and money, proportionate to the need generated by the new development based on the maximum number of dwelling units and square footage as platted on the plan presented shall be made to the school districts. All sites shall be dedicated in a fully improved condition ready for full service of electric, gas, water, sewer, sidewalks, streets and storm drainage, as applicable to the location of the site. Such land shall be conveyed; free and clear of all liens and encumbrances and any easements, conditions, covenants and restrictions of record shall be acceptable to the School Districts. *(Ord.2002-3, 02.06.02)*

A. In the event a land dedication is deemed impractical by the School Districts, a cash contribution, in an amount equal to the full market value of improved land, as hereinabove described, shall be made. Said amounts shall be as follows: $658 per residential dwelling unit plus $1.65 per square foot of living space with increases annually as follows. The lesser of (i) the amount of the general increase; or (ii) the amount of the percentage increase of the Consumer Price Index (hereinafter defined) for the previous calendar year; provided such fees are increased uniformly for all property and development in the Village. Consumer Price Index ("CPI") means the U.S. City Averages for all Urban Consumers, All Items, (1982-1984=100) of the United States Bureau of Labor Statistics. The CPI for any calendar year shall be determined by averaging the monthly indices for that year. If the Bureau of Labor Statistics substantially revises the manner in which the CPI is determined, an adjustment shall be made in the revised index which would produce results equivalent, as nearly as possible, to those which would be obtained if the CPI had not been so revised. If the 1982-1984 average shall no longer be used as an index of 100, such change shall constitute a substantial revision. If the CPI becomes unavailable to the public because publication is discontinued or otherwise, the Village shall substitute therefore a comparable index based upon changes in the cost of living or purchasing power of the consumer dollar published by any other governmental agency or, if no such index is available, then a comparable index published by a major bank, other financial institution, university or recognized financial publication. *(Ord. 2002-3, 02.06.02)*

B. As a condition of approval of any final plat of subdivision, any Planned Unit Development (PUD) or similar final approval of any development in the Village or within the 1-1/2 mile planning jurisdiction of the Village, a dedication of land for school purposes shall be required or a cash contribution in lieu of land shall be made in the amounts hereinabove indicated. The Village Board may, by specific resolution, defer the payment of cash contributions in lieu of land for parcels within the corporate limits of the Village, to the time of issuance of building permits.

C. EXISTING LOTS OR PARCELS. As to any existing multifamily zoned lots or parcels upon which no school donation has been made, the cash contribution shall be made at time of issuance of building permit.

D. PAYMENT. Subject to the execution of indemnification agreements entered into by the Village and the school districts, the donation of land or cash contribution in lieu of land shall be made as

follows: payment of the full amount shall be made to School District 2 (Nippersink School District), which shall distribute one-third of said contributions to School District 157 (Richmond-Burton Community High School District). The Village Clerk shall be provided with documentation from said school districts of the donation of land or cash contribution prior to the Village's approval of any final subdivision or the issuance of a building permit as described in Section 7.1.3.B. *(Ord. 2000-27, 07.05.00)*

E. USE OF FUNDS. Contributions in lieu of land and accrued interest thereon shall be held in a special fund by the school district and used only for the acquisition of land or the construction of a school or an addition to an existing school facility so long as said land, building, and/or additions are constructed in areas that may be attended by children of the subdivision making the contribution.

F. In the event the school district receives a land contribution that is not used for school facilities and said land is subsequently sold, the proceeds of said sale shall be used for acquisition of land or to build school facilities as specified in this Ordinance.

7.1.4. Park Lands Contribution.

A. As a condition of approval of any final plat of subdivision, final approval of a Planned Unit Development (PUD) or final approval of any similar development within the jurisdiction of the Village of Richmond, the dedication of land for park purposes shall be required or a cash contribution in lieu of land shall be made.

B. Computation of the amount of land to be donated shall be based upon one acre per 100 total population estimated to be generated by the development, or a monetary contribution in lieu of land in the amount of $1,818.00 per dwelling unit. (*Ord. 2007-5)*

C. The Village may defer all or portions of said payment to time of issuance of building permits and in the event of multiple dwelling parcels, the amount due shall be the maximum density allowed pursuant to the Village Ordinance at time of final approval of subdivision and/or Planned Unit Development.

D. Land set aside by developers for parks and recreational purposes shall not be what has been left over after residential, commercial and industrial development. The slope, topography and geology of the dedicated site as well as its surroundings must be suitable for active recreation. Wetlands, flood plains, detention areas, retention areas and areas of steep slope shall not be accepted as park sites and shall not serve as a credit toward the required cash contribution in lieu of land dedication. *(Ord. 2007-5)*

E. Due cognizance shall be given by the Village where the development plan encompasses parks and/or municipal facilities which may decrease the uses of other public parks and/or facilities.

7.1.5. Fire Prevention and Life Safety Donations.

A. PURPOSE. The purpose of this Section is to ensure that the needs of the Richmond Township Fire Protection District ("District") or any other fire protection district within the corporate or planning jurisdiction of the Village is maintained, given the expansion of the community in conjunction with the limitations of the Property Tax Cap Act.

B. FINDINGS. The Village recognizes that residential, commercial and industrial growth impacts the Richmond Township Fire Protection District. Unlike other governmental services, such as education and recreational activities, new construction impacts the service of fire protection and life safety prior to the issuance of certificates of occupancy. Fire district personnel are often called to construction sites to provide District services including, but not limited to, paramedic services, construction fires and utility problems. As with other governmental services, fire protection is received after the issuance of occupancy permits.

C. FIRE PROTECTION CONTRIBUTION. Regardless of whether the donation is land or cash in lieu of land, the Village encourages the District and property owner to execute an independent contract for a fire protection and life safety donation. The Village recognizes that individual developments, whether commercial, residential or industrial, present unique problems relative to fire protection

and life safety needs. The Village, therefore, encourages the property owner and the District to address those needs via separate contractual arrangements.

In the event a donation fee is in the form of land, said land shall be dedicated in a fully improved condition ready for full service of electric, gas, water, sewer, sidewalks, streets and storm drainage, as applicable to the location of the site. Such land shall be conveyed free and clear of all liens and encumbrances and any easements, conditions, covenants and restrictions of record shall be acceptable to the District.

Should a land dedication be deemed impracticable or otherwise unfeasible by the District, and the aforementioned agreement has not been reached, the following donation shall be made:

1. For each residential dwelling unit (including, but not limited to, townhouse, apartment, single-family house) the donation shall be five hundred dollars ($500.00).
2. For commercial and industrial uses, the donation shall be .20 cents per square foot of construction, both above and below grade, not to exceed two thousand five hundred dollars ($2,500.00).

The donation shall be a condition of approval of any final plat of subdivision or final plat of a planned development located within the planning jurisdiction of the Village. The Village Board may, on its own initiative or pursuant to the request of the property owner, by special resolution, defer the donation of land or cash in lieu thereof to the time a building permit is issued.

In the event an agreement is not reached between the property owner and the District, the donation required herein shall be collected by the Village, who shall remit same to the District.

The owner of any lot, parcel or tract of land which has been subdivided, but not yet developed, shall pay to the Village a cash contribution of $500.00 per residential dwelling unit and .20 cents per square foot of commercial or industrial building size, both above and below grade, not to exceed $2,500.00, for fire protection and life safety purposes upon the issuance of a building permit. Said fee shall be paid to the Village, who shall then remit the fee to the District. *(Ord.2025-10, 11.20.25)*

D. INDEMNIFICATION AGREEMENT. In the event an Agreement Regarding the Receipt of Developer Subdivision Contributions, (Ordinance 1998-13), is not entered into by the District, the Village shall be not obligated to collect any donation required in this Section 7.1.5.

7.1.6. Library Donation.

A. As a condition of approval of any final plat of subdivision, final approval of a Planned Unit Development (PUD), or final approval of any similar residential development within the Village of Richmond or its planning jurisdiction, a cash contribution of two hundred eighty-seven dollars and .25 cents ($287.25) per dwelling unit shall be paid to the Nippersink Public Library District to serve the immediate and future needs of the residents of said development. *(Ord. 2025-10, 11.20.25)*

B. Developer or contractor shall show proof of such donation prior to issuance of a building permit.

C. The Library Donation is further conditioned upon the Nippersink Public Library District entering into an Indemnification and Hold Harmless Intergovernmental Agreement with the Village of Richmond. *(Ord. 2007-5)*

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Article 7.2

Improvement of Certain Thoroughfares and Appurtenances.

7.2.1 Purpose. In order to provide a coordinated well-planned thoroughfare network and utility system in the Village, it may be necessary for certain subdividers/developers to provide certain public improvements along one of more frontages of their property. This Article provides the methodology for determining the manner in which subdividers/developers and the Village may be reimbursed for certain expenses in connection with such improvements.

7.2.2. Required Improvement. Where any parcel of land fronts upon or abuts any existing or proposed major or collector thoroughfare as shown on the Official Map of the Village, and where any subdivision or improvement of such parcel will be served by any such thoroughfares, and where any of such thoroughfares have not been opened and improved in accordance with its designation on the Official Map, or if existing, is not improved in accordance with the standards and specifications contained and prescribed in this Ordinance for such designation, then the subdivider or developer shall be required to improve such thoroughfare for the entire length adjacent to such parcel in accordance with the standards specifications of this Ordinance pertaining to such thoroughfare as it is designated on the Official Map. Such required improvement shall include the base course and surface course of the roadway, curbs, gutters, street trees, sidewalks, water main, sanitary sewer, storm water sewer, street lighting and appurtenant facilities constructed in accordance with the terms of these regulations.

7.2.3. Payment in-lieu-of Improvements. Any subdivider or developer required to improve a thoroughfare pursuant to Subsection 7.2.2 hereof, may, at the Village's option, agree to pay to the Village, for the cost of such improvement as part of a coordinated program, an amount determined by the following formula:

$$\frac{\text{TOTAL COST OF VILLAGE PROGRAM TO IMPROVE ROADWAY}}{\text{TOTAL NUMBER OF FEET OF ROADWAY IMPROVED}} \times \text{NUMBER OF FEET OF ROADWAY ADJACENT TO PARCEL}$$

7.2.4. Right to Reimbursement from Later, Adjacent Developer or Subdivider. A subdivider or developer required to improve a thoroughfare pursuant to Subsection 7.2.2 hereof shall be entitled to reimbursement for a portion of his expenses for such improvement, or payments pursuant to Subsection 7.2.3 attributable thereto, from any subdivider or developer who shall subsequently seek to subdivide or improve any parcel of land adjacent said thoroughfare and fronting upon any part of said thoroughfare which has been previously improved either by the former subdivider or developer pursuant to Subsection 7.2.2 or with funds paid by him pursuant to Subsection 7.2.3.

A. AMOUNT OF REIMBURSEMENT. Any reimbursement due pursuant to Subsection 7.2.4 shall be computed on the basis of the following formula together with interest on such amount at the rate of six-percent (6%) per annum, compounded annually, from the date of the completion of the improvement by the prior subdivider/developer or his payment to the Village pursuant to Subsection 7.2.3 to the date of payment hereunder by the subsequent subdivider/developer; provided, however, that such interest shall in no event exceed thirty-three-percent (33%) of the original principal amount:

$$\frac{\text{TOTAL COST OF IMPROVEMENT TO FIRST SUBDIVIDER / DEVELOPER}}{\text{NUMBER OF FEET OF ROADWAY IMPROVED BY FIRST SUBDIVIDER / DEVELOPER}} \times \text{NUMBER OF FEET OF ROADWAY IMPROVED BY FIRST SUBDIVIDER / DEVELOPER WHICH ARE ADJACENT TO PARCEL OF SUBSEQUENT SUBDIVIDER / DEVELOPER}$$

B. DUTY TO REIMBURSE PRIOR DEVELOPER OR SUBDIVIDER. When any subdivider/developer should be required to improve any thoroughfare pursuant to Subsection 7.2.2 hereof, but for the fact that such thoroughfare has been previously improved by a prior subdivider/developer

pursuant to Subsection 7.2.2 hereof, such subsequent subdivider/developer shall pay to the Village, solely for the purpose of reimbursing such prior subdivider/developer, an amount as determined by the formula set out in Subsection 7.2.4.A.

C. DUTY OF THE VILLAGE TO PAY OVER. Whenever the Village shall receive any funds pursuant to Subsection 7.2.4.A, it shall receive them solely for the benefit of the subdivider/developer entitled thereto and shall promptly pay them over to such subdivider/developer or his designated agent.

D. DUTY TO REIMBURSE THE VILLAGE. When any subdivider/developer would be required to improve any thoroughfare pursuant to Subsection 7.2.2 hereof except for the fact that such thoroughfare has previously been improved by the Village, solely as reimbursement for such improvement, said subdivider/developer shall be required to pay an amount as determined by the following formula together with interest on such amount at the rate of six-percent (6%) per annum, compounded annually, from the date of the completion of the improvement by the prior subdivider/developer or his payment to the Village pursuant to Subsection 7.2.3 to the date of payment hereunder by the subsequent subdivider/developer; provided, however, that such interest shall in no event exceed thirty-three-percent (33%) of the original principal amount:

$$\text{TOTAL COST TO VILLAGE OF IMPROVING THOROUGHFARE FOR LENGTH OF SUBDIVIDER / DEVELOPER'S PARCEL FRONTING ON AND ABUTTING SAID THOROUGHFARE} \times \frac{1}{2}$$

E. SUBDIVIDER/DEVELOPER'S PRIOR RIGHT TO REIMBURSEMENT. When any thoroughfare subject to this Section has been improved s part of a coordinated program through the use of Village funds and funds paid by one of more subdividers/developers pursuant to Subsection 7.2.2 any funds received by the Village as reimbursement from any subsequent subdivider/developer pursuant to Subsection 7.2.4.D shall be paid over to any former subdivider/developer contributing to the coordinated program up to one-half of their payments pursuant to Subsection 7.2.2. Such payments to any such subdivider/ developer shall be computed in accordance with the following formula:

$$\frac{\text{AMOUNT CONTRIBUTED BY SPECIFIED SUBDIVIDER / DEVELOPER}}{\text{AMOUNT CONTRIBUTED BY ALL SUBDIVIDERS / DEVELOPERS}} \times \text{AMOUNT AVAILABLE FOR PAYMENT}$$

Any such payment to a subdivider/developer shall reduce, dollar for dollar, the reimbursement to which it might otherwise be entitled under the terms of this Section and by such payment the Village shall be subrogated, dollar for dollar, to the right of such subdivider/developer for reimbursement. In interpreting this Subsection, it shall be assumed to be the intent of the Village Board that each subdivider/developer which is, or might become, entitled to a reimbursement pursuant to this Section 7.2.1 shall receive such reimbursement in full before the Village shall receive any reimbursement to which it is, or might become, entitled in connection with the improvement of any thoroughfare subject to this Section.

7.2.5. Other Provisions. Nothing in this Article 7.2 shall be taken nor construed in any manner to vest in any person, firm or corporation any proprietary rights to any roadway presently owned by the Village, nor to relieve or excuse any subdivider/developer, owner from the provisions of these regulations pertaining to the dedication of any thoroughfare, whether or not such thoroughfare is subject to the provisions of this Article 7.2.

7.2.6. Sewer Connection Permit Required. In addition to any other requirements or prohibitions of these regulations, no subdivider/developer, no owner, nor any contractor, agent or other representative thereof, shall connect to any storm drain or sewer constructed in whole or in part by the Village or any subdivider/developer pursuant to the provisions and requirements of this Article 7.2 without first securing a permit for such connection from the Village. The application for such permit shall be

proof of compliance with all applicable terms of this Article 7.2, including payment of any monies due hereunder or provision for such payment satisfactory to the Village. Any connection made without such permit shall be subject to disconnection by the Village at the expense of the subdivider/developer responsible for compliance with the terms of this Article 7.2. Nothing herein shall be taken to relieve the subdivider/developer, any owner of liability for violations of this Article 7.2.

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Article 7.3

Standards and Specifications for Required Public Improvements

7.3.1. STORM WATER MANAGEMENT FACILITIES REQUIRED. Any person subdividing or developing property shall provide storm water management facilities on property. Storm water management facilities, which may consist of storm water sewers, open ditches, and storm water storage, and other appurtenances, shall be provided on any lot or parcel being developed or subdivided in the Village or within the Village's extraterritorial jurisdiction in accordance with the following standards, specifications and requirements.

A. Storm water drainage systems shall be designed in accordance with the McHenry County Stomwater Management Ordinance, Chapter 17.04 of the McHenry County, Illinois Code of Ordinances, as amended from time to time, and any additional requirements set forth in the Village Municipal Code Chapter 30 "Stormwater Management." *(Ord. 2020-04)*

B. Storm sewer connections shall be provided for each commercial or industrial building site.

C. Illinois Department of transportation Standard Specifications for Road and Bridge Construction shall govern the work.

D. Storm sewers shall have a minimum diameter of twelve (12) inches and shall meet the requirements for "Class B" of Article 550.03 of the IDOT Standard Specifications.

E. Manholes, catch basins and inlets shall be pre-cast concrete, see Design Manual, Appendix C-3.

7.3.2. SANITARY SEWER COLLECTION SYSTEM REQUIRED. Any person subdividing or developing property shall provide sanitary sewer collection system improvements to serve the property. The sanitary sewer collection system shall be provided in accordance with the following standards, specifications and requirements.

A. SANITARY SEWER COLLECTION SYSTEM STANDARDS. All sanitary sewers shall comply with the following minimum specifications:

1. SYSTEM DESIGN. All sanitary sewage flows shall be based on the currently adopted land use plan for the area to be developed. Design of the sanitary sewer collection system shall conform to the Illinois Recommended Standards for Sewage Works, 1996 edition, effective May 1996. Sanitary sewer shall be extended to all upstream property lines.

a. TYPES OF FLOW PERMITTED. Sanitary sewers and storm sewers shall be kept completely separate; no combined sewers shall be designed or constructed. Footing drains, downspouts, untreated air-conditioning water outfall, etc. shall not discharge to the sanitary sewer system.

b. PROTECTION OF WATER SUPPLIES. The provisions in SSWSMCI regarding the separation of water and sewer facilities shall be strictly adhered to.

c. Minimum slope of the terminal end of a sewer shall be 0.80 feet per one hundred (100) feet.

2. MATERIAL STANDARDS AND SPECIFICATIONS.

a. SANITARY SEWERS. Sewer pipe eight (8) inches through twelve (12) inches internal diameter shall be limited to PVC SDR 26 except in specific locations where the Village Engineer may recommend the use of other materials. Sewer pipe fifteen (15) inches and larger shall be of ductile iron or such material as recommended by Village Engineer. Sanitary sewer pipe bedding shall be provided as shown in Design Manual Appendix C-2.6.

b. SANITARY SERVICE LINES. Service connections shall be by "wye" fittings (see Design Manual Appendix C-4). The minimum pipe size for sanitary sewers shall be eight (8) inches in diameter. Service wyes shall be installed wherever a residential service is anticipated.

c. Minimum slope for house services shall be 1.00 feet per one hundred (100) feet.

d. Service locations shall be marked with a two (2) inch high “S” stamped in the curb where the service crosses under the curb.

3. MANHOLES. Manholes shall be pre-cast concrete. Cast iron ladder irons shall be provided (see Design Manual, Appendix C-4.1). Manhole frames and covers shall meet the requirements of the Illinois Department of Transportation Standard Specifications for Road and Bridge Construction and shall be Type 1, weighing four hundred thirty (430) lbs

4. LIFT STATIONS. Design of lift stations and selection of pump equipment and controls shall be as specified by the Village.

B. TESTING REQUIREMENTS. Sanitary sewers shall be tested in accordance with the standards required and approved by the Village Engineer.

7.3.3. WATER DISTRIBUTION SYSTEM STANDARDS AND SPECIFICATIONS. Any person subdividing or developing property along a street frontage shall provide water distribution system improvements along the frontage of the property or along any new streets being constructed. Water mains, valves, fire hydrants, services and other appurtenances shall be provided in accordance with the standards, specifications and requirements as follows.

A. WATER MAIN STANDARDS. All water mains shall comply with the following minimum specifications:

1. SYSTEM DESIGN. Water mains shall be extended to the limits of the subdivided parcel and shall be looped or cross-connected as determined by the Village Engineer.

a. DEAD ENDS. All water mains shall be looped, that is having two separate connections to the distribution system. Dead end water mains shall be prohibited.

b. WATER MAIN LOCATIONS. Water mains shall be located in the public right-of-way, in the tree bank seven (7) feet behind the curb. If the curb and/or public sidewalk do not exist, the water main shall be located as if they do exist. The Village Engineer must specifically approve all other locations for proposed water mains. When it is necessary to locate a water main on private property, it shall be constructed in a recorded easement extending no less than five (5) feet on either side of the main. No water main shall be located under, nor within fifteen (15) feet of, any existing or potential building. An easement wider than specified above will be required when the standard building setback does not ensure a fifteen (15) foot clearance.

c. WATER MAIN DEPTH. The minimum depth of bury, measured from the top of the water main to the finished ground surface, shall be five and one-half (5.5) feet.

d. WATER MAIN GRADE. Where both ends of a section of main are at a lower elevation than an intermediate point, a means of releasing entrapped air must be provided at the summit of the "hill". Where both ends of a section of main are at a higher elevation than an intermediate point, a means of flushing out sediment must be provided at the bottom of the "valley". Air release valves shall be provided at high points unless other means of bleeding air from the main are available.

e. CURVES ON WATER MAINS. The minimum radii for pipeline curves (horizontal, vertical, or oblique) which may be constructed by deflection the pipe at its joints shall be as specified in AWWA Standard C600 for twenty (20) foot long pipe sections. The curve radii shall be measured in the planes defined by the centerlines of the pipe sections. Curves with radii smaller than the specified minimums shall be constructed using fittings (bends and/or offsets), and the locations of the fittings must be shown on the detailed plans. Any bends twenty-two and one-half degrees (22.5^{o}) or greater shall have a poured concrete thrust block poured against undisturbed earth (See Design Manual, C-5.6).

f. PROVISIONS FOR FUTURE EXPANSION. Where, in the opinion of the Village Engineer, a proposed water main might be extended in the future, the following provisions shall be made to permit such an extension without interrupting service to existing customers. The water main shall extend to the boundary of the property proposed for development; The terminal pipe section shall be full-length, and a plug and thrust block shall be installed on its downstream end; A valve shall be installed on the upstream end of the terminal pipe section, twenty (20) feet from the boundary of the

property; and no service branches or fire hydrants shall be connected to the terminal pipe section.

g. VALVES. Three (3) valves shall be installed at each cross juncture of water mains, two (2) valves at each tee juncture, and one (1) valve on each hydrant branch or service branch larger than one (1) inch. Additional mainline valves shall be installed as needed so that no more than one thousand (1,000) feet of main will be involved in any shut-off. Mainline valves shall be arranged so that no more than four (4) need be closed to isolate any section of the main. Valves located near street intersections shall be placed on the projections of the right-of-way lines; valves located between street intersections shall be placed on property line projections.

h. FIRE HYDRANTS. Hydrants shall be spaced to provide a maximum of three hundred fifty (350) feet between fire hydrants. The Village Engineer shall approve all fire hydrant spacing and locations.

i. WATER SERVICE BRANCHES. Every property having frontage along a water main shall be provided with a service branch connection when the main is constructed unless the property has an existing service connection to another main along which the property fronts. No service branch shall serve more than one (1) property or premises.

1. Water services shall be of copper or ductile iron and shall be a minimum size of one (1) inch diameter. The maximum size tap permissible in the barrel of the cast iron main shall be as follows:

Main Size	Tap Size
8"	1-1/4"
10"	1-1/2"
12”	2"
14"	2"
16"	2-1/2"

When a service requires a size larger than allowed above, the connection shall be made by use of proper fittings to protect the main. Services greater than two and on-half (2.5) inches shall be of ductile iron and shall be tapped under pressure with tapping sleeve and vault. Multiple taps and use of a branch gooseneck or "tree connections" are to be avoided. Customer water service lines shall be stubbed from the water main to the nearest private property lot line for each platted lot, adjoining lot, tract or building site.

2. Service locations shall be marked with a two (2) inch high “W” stamped in the curb where the service crosses under the curb.

2. WATER MAIN SIZE. The minimum diameter for any water main shall be eight (8) inches nominal diameter. All water mains shall be sized to satisfy the anticipated local water demand plus fire flow under the conditions specified below.

a. Water mains shall be so sized that the pressure under maximum flow conditions is not less that twenty-five (25) pounds per square inch in all parts of the main addition or extension. In addition, the velocity at maximum flow shall be no more than ten (10) feet per second. Maximum flow conditions shall be twice the anticipated average daily local demand rate plus fire flow.

b. Fire flow shall be based on providing a minimum flow of one thousand five hundred (1500) gallons per minute and maintaining a minimum residual pressure of twenty five (25) pounds per square inch in the main.

B. MATERIAL STANDARDS AND SPECIFICATIONS. All construction of water distribution system improvements shall be designed and materials used shall be in accordance with the following:

1. All valves shall be in pre-cast valve vaults (See Design Manual).
2. All materials shall meet current AWWA Standards as a minimum. (See Material Standard List for approved manufacturers and materials.)
3. All gate valves shall be Mueller or approved equal. (See Material Standard List)
4. All fire hydrants shall be Waterous or approved equal. (See Material Standard List)
5. AWWA Specifications C-600 shall be the minimum specification for the installation of water mains
6. All watermains shall be ductile iron pipe, cement lined, ASA thickness Class 52.
7. AWWA Specification C-601 shall be a minimum for the procedure used in disinfecting mains.
8. All water mains shall be tested at one hundred twenty five (125) pounds per square inch with no allowable leakage.

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7.3.4. STREETS REQUIRED. Any person subdividing or developing property shall provide public street improvements along the frontage of the property, if none already exist, or to any new lots, parcels, tracts of land being created. All streets shall be provided in accordance with the following standards and specifications:

A. THOROUGHFARE STANDARDS AND SPECIFICATIONS. All thoroughfares shall comply with the following standards, specifications and criteria:

1. GENERAL DESIGN CRITERIA.

a. NETWORK CONNECTIVITY. All thoroughfares shall be laid out to provide multiple routes within and between neighborhoods in the Village, and shall be designed to accommodate motor vehicles, bicyclists, and pedestrians. All thoroughfares shall be located in relation to existing and planned thoroughfares, to topographical conditions, to public convenience and safety and to the proposed uses of the land to be served by such thoroughfares. If the Comprehensive Plan or Official Map makes no provision therefore, the arrangements of thoroughfares shall either provide for the continuation of appropriate projections of existing thoroughfares in the surrounding area, or conform to a plan for the adjacent area adopted by the Village to meet a particular situation where topographical or other conditions make continuance or conformance to existing thoroughfare impracticable. Where unsubdivided land adjoins the proposed subdivision or Planned Development, provisions shall be made for the extension of one or more thoroughfares into each such unsubdivided area in order to provide a seamless connection between neighborhoods and to maximize circulation choices and options for the public and public safety.

b. HALF-STREETS. Half-streets are not permitted. When any parcel or part of a parcel is adjacent to only one side of an existing right-of-way, which is less than the required width required by this Title or the Official Map, the subdivider/ developer shall dedicate additional right-of-way to satisfy the minimum right-of-way specifications of this Section.

c. DEAD-END STREETS. Permanent dead-end streets shall be discouraged where a reasonable substitute for dead-end streets exists. Where a dead-end street is of a temporary nature, awaiting its extension into adjoining undeveloped land, a temporary cul-de-sac or T-turnaround may be permitted. All land needed for a temporary cul-de-sac or T-turnaround shall be subject to a temporary public access easement. Easements for utilities shall be permanent unless the owner agrees to move any utilities installed within turn around right-of-way.

d. CUL-DE-SAC. Cul-de-sac streets shall only be permitted where topographical or geographical features such as rivers, streams and cliffs and fixed features such as railroads and limited access highways preclude continuation or connection of streets. Whenever a cul-de-sac is permitted, such street shall be no longer than six hundred and sixty (660) feet and shall be provided at the closed end with a turnaround complying with the specifications in Design Manual Exhibit __. The Village reserves the right to require a greater turnaround diameter in commercial or industrial subdivisions if it is deemed necessary.

e. Where a parcel abuts or contains an existing or proposed limited access thoroughfare, the Plan Commission may require alternative lot and thoroughfare configurations to avoid creating double frontage lots or cul-de-sacs.

f. PRIVATE STREETS. Private streets or thoroughfares are discouraged.

g. RAILROADS. If a railroad is involved, the subdivision plan should:

1. Be so arranged as to permit, where necessary, future grade separations at highway crossings of the railroad. Crossings shall be designed to be at right angles.

2. Border the railroad with a parallel street at a sufficient distance from it to permit deep lots to go back onto the railroad; or form a buffer strip for park, commercial or industrial area.

h. LAND NOT PLATTED. Where the plat to be submitted includes only part of the tract owned by the subdivider/developer, the Plan Commission may require topography and a sketch of a tentative future thoroughfare network of the unsubdivided portion.

i. PHYSICAL AND CULTURAL FEATURES. In general, thoroughfares shall be designed with appropriate regard for topography, creeks, wooded areas, and other natural features which would lend themselves to attractive treatment. (See Village of Richmond Comprehensive Plan.)

j. ALLEYS. Where required or permitted, alleys shall be designed to remain short in distance and have at least two points of connection to another alley or street.

k. THOROUGHFARE INTERSECTION STANDARDS AND SPECIFICATIONS. All thoroughfare intersections shall comply with the following standards, specifications and criteria:

1. GENERAL DESIGN CRITERIA.

i. No more than two (2) streets should intersect at any one point. The intersection of more than two streets shall be avoided unless specific conditions of design dictate otherwise.

ii. Streets shall be designed to intersect, as nearly as possible, at right angles. A proposed intersection of two streets at an angle of less than seventy-five degrees (75^{o}) shall not be acceptable. When this criterion cannot be satisfied, the centerlines shall intersect at right angles by means of curves.

iii. All street intersections and confluences should be designed to provide safe traffic flow.

iv. Proposed new intersections along one side of an existing street shall, wherever practical, coincide with any existing intersections on the opposite side of such street. Street jogs with centerline offsets of less than one hundred fifty (150) feet shall not be permitted, unless recommended by the Commission and/or approved by the Village Board.

v. Intersections shall have a minimum curb radius as specified in Section 7.3.4.B.

vi. Where any corner lots at street intersections create a traffic hazard by limiting visibility, the subdivider/developer shall cut such ground and/or vegetation, including trees, in connection with the grading of the public right-of-way to the extent deemed necessary to provide adequate sight distance.

2. HIGHWAY AUTHORITY APPROVALS. Where a development or a new subdivision involves frontage on an existing State or County Highway, access approval must be obtained from the respective highway authority, in addition to the Village. The Village may withhold final approval until the highway authority has provided its approval for access.

2. GRADES. Subdividers/developers shall recommend the grades at which thoroughfares and alleys within the platted area shall be constructed. Such grades are subject to review by the Village Engineer and final approval of the Village Board. All thoroughfares shall be graded to the full width of the right-of-way and the adjacent side slopes shall be graded to blend with the natural ground level. The maximum grades and vertical curves shall not exceed those specified in Section 7.3.4.B for each thoroughfare type. Visibility especially at intersections and sight distance shall be resolved in detail with the Village Engineer.

3. CURB AND GUTTER. Curb and gutter shall be installed, as required in Section 7.3.4.B, on all roadways being dedicated for public use. Combination Portland Cement Concrete Curb and Gutters shall be installed and shall meet the current Illinois Department of Transportation Standard Specifications for Road and Bridge construction.

   a. Expansion Joints shall be 3/4" preformed Type 1 cork ASTM Spec. D-544 and shall be installed at one hundred (100) feet intervals and at points of curvature and tangency on all curves.

   b. Contraction joints shall be saw-cut at ten (10) foot intervals.

4. STREET SURFACING STANDARDS. All roadways shall be surfaced from curb to curb with bituminous concrete or Portland Cement Concrete and comply with the following:

   a. All pavements shall be designed in accordance with the State of Illinois manuals on the Structural Design of Bituminous Pavements or Portland Cement Pavements. Porous paving materials are encouraged and must be approved by the Village Engineer.

   b. The minimum Structural Design Number for public street subgrade shall be 3.0. For minimum pavement cross-section, see Exhibit C-1.1 and C-1.2. Permissible pavement construction within the Village shall consist of either bituminous aggregate mix with bituminous concrete surface course Class I or Portland cement concrete pavement with pavement fabric and with ¾" preformed cork expansion joints at intervals of not more than one hundred (100) feet as well as all points of curvature.

   c. Pavement design thickness computations shall be provided to the Village Engineer for concurrence of design but shall not be less than seven (7) inches.

   d. Pavements shall be constructed parallel to and centered within the dedicated right-of-way.

   e. Cross-slope of the pavement shall be a minimum of 0.02 feet per foot.

   f. The length of vertical curves shall be in accordance with State of Illinois Highway Standards based on the desirable sight distances for the design speed. Lengths shall be based on a stopping sight distance of two hundred (200) feet (k = 0.30) with a minimum length vertical curve of one hundred fifty (150) feet.

   g. Radii for horizontal curves shall be in accordance with the State of Illinois Highway Standards based on the design speed for the roadway.

h. The "Standard Specifications for Road and Bridge Construction" of the State of Illinois Department of Transportation shall be the minimum specification for the installation of pavements and sidewalks.

5. ALLEY SPECIFICATIONS. In addition to the standards for Type 1 thoroughfares as specified in Section 7.3.1.B, all alleys, where used, shall comply with the construction and material specifications set forth by the Village Engineer.

6. DRIVEWAY, PARKING LOT AND ALLEY APPROACH SPECIFICATIONS. For the purpose of this Section, a driveway, parking lot and alley approach shall mean that portion of a driveway, parking lot and alley located in the public right-of-way. All driveway, parking lot and alley approaches shall comply with the following standards, specifications and criteria:

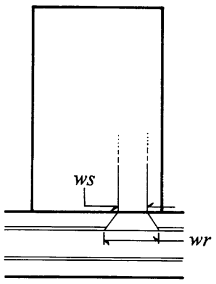
a. GENERAL DESIGN CRITERIA.

i. GRADE. Every driveway, parking lot and alley approach shall slope uniformly from the inside edge of the sidewalk to the back of the curb and shall not exceed ten-percent (10%).

ii. LOCATION. All driveway, parking lot and alley approaches shall be located to provide the maximum practicable distance from the intersection of any thoroughfares.

iii. NUMBER. One (1) driveway and parking lot approach will be permitted for each lot. The Plan Commission may recommend and the Village Board may approve more than one driveway for a lot for non-residential uses.

iv. WIDTH. The maximum width of a driveway, parking lot and alley approach shall be twenty (20) feet at the property or right-of-way line, and twenty-four (24) feet at the curb or pavement edge.



Driveway Width:
(ws) width at street line
(wr) width at roadway

v. DRAINAGE. No parking lot runoff shall be diverted to any street through a driveway, parking lot or alley approach. Every parking lot shall be provided with facilities to control the discharge of storm water runoff as described in this Title.

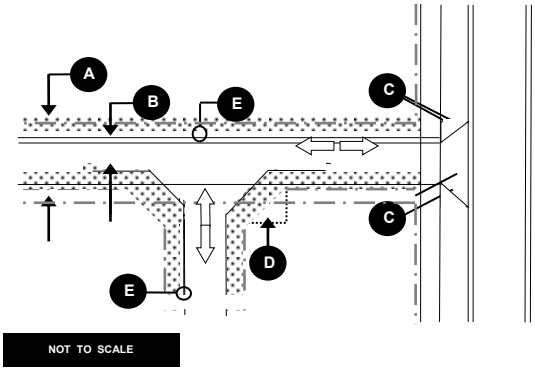
b. MATERIALS AND CONSTRUCTION SPECIFICATIONS.

i. The driveway and parking lot approach extending from the back of curb to the property line shall be constructed of six (6) inch thick non-reinforced Portland Cement concrete, conforming with the requirements of IDOT-SSRBC, or a two (2) inch Class B bituminous concrete surface on a ten (10) inch aggregate base, with all materials conforming with the requirements of IDOT-SSRBC.

ii. No gravel surfaced driveway and parking lot approaches are permitted.

B. THOROUGHFARE TYPES. The Plan Commission and Village Board shall determine which Thoroughfare Type, herein, shall be applied for a given thoroughfare upon the advice of the Village Planner and Village Engineer. Thoroughfare design shall be context-driven and shall provide for a wide diversity in thoroughfares throughout the Village. The location of the proposed thoroughfare, it's length, the uses of land and density or intensity of use along it's frontage, traffic calming capabilities, parking needs, as well as the intended function of the thoroughfare shall be considered in determining which Thoroughfare Type described in this Section shall be applied. Multiple Thoroughfare Types may be applied to the same thoroughfare depending upon the context and land uses at given segments along the thoroughfare. In addition to the standards and specifications set forth in Section 7.3.4.A, thoroughfares required by this Title shall be provided in the manner set forth below.

1. TYPE 1 Thoroughfare (Alley)



a. PERMITTED DEVELOPMENT DISTRICTS	
T-2 T-3 T-4 T-5A T-5B	
b. RIGHT-OF-WAY STANDARDS	
Right-of-way width:	16 feet (A)
One-way traffic?	Optional
c. ROADWAY STANDARDS	
Design speed (mph):	≤ 10
Centerline radius (min):	50 feet
Tangent, horizontal (min):	NA
Grade:* **Minimum grade shall be 0.4%*	6%
Tangent, vertical (min):	150 feet
Pavement width (min, edge-to-edge):	12 feet (B)
Intersection curb radius: **Alley shall have flared ends at intersection with thoroughfare*	10 feet* (C)
Bicycle lane required?	NO
Bicycle lane width (min):	NA
Median permitted:	NO
Median landscaped?	NA
d. ON-STREET PARKING STANDARDS	
On-street parking permitted?	NO
Parking lane width:	NA
e. ILLUMINATION STANDARDS	
Street lights required?	YES
Minimum spacing:	Motion-activated or photocell required on each garage
Dark sky photometrics?	Required

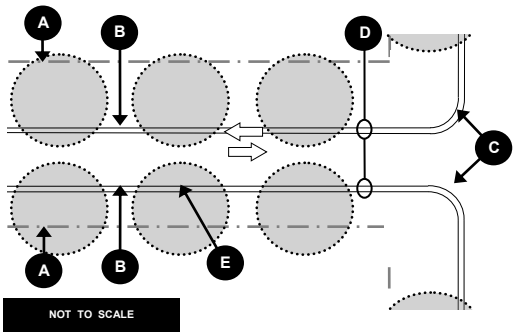
f. DRAINAGE STANDARDS	
Closed?	Optional
Open?	Optional
Curb?	M4.12, one side (location tbd) (E)
g. PEDESTRIAN STANDARDS	
Sidewalks required?	NO
Sidewalk width (min):	NA
Alternative paving materials?	NA
Traffic calming at intersections?	NA
h. OFF-STREET TRAILSTANDARDS	
Trail width (min):	NA
i. LANDSCAPING STANDARDS	
Street trees required?*	NO
Street tree spacing:	NA
Raised planting beds permitted?	NO
Tree grates/guards permitted?	NA

**See Section 7.3.7 for approved tree species list*

Notes:

- All dimensions are expressed as maximums, except where noted otherwise
- "Edge-to-edge" shall mean edge of pavement to edge of pavement
- Where open drainage is applied, curb openings may be permitted for drainage purposes by Village Engineer
- Lots forming the intersection of two alleys shall provide a chamfered corner to accommodate turning movements in the alley intersection; the legs of the chamfer shall each be twenty (20) feet in length (D)
- Dead-end alleys shall be avoided

2. TYPE 2 Thoroughfare (Country Lane)



a. PERMITTED DEVELOPMENT DISTRICTS	E-1	T-1	T-2

b. RIGHT-OF-WAY STANDARDS	
Right-of-way width (min):	60 feet[1] A
One-way traffic?	NO

c. ROADWAY STANDARDS	
Design speed (mph):	≤ 25
Centerline radius (min):	100 feet
Tangent, horizontal (min):	100 feet[2]
Grade:* **Minimum grade shall be 0.4%*	6%
Vertical curve:	150 feet
Tangent, vertical (min):	150 feet[2]
Pavement width (min, edge-to-edge): Gravel shoulders:	24 feet B 2 feet
Intersection curb radius:	25 feet C
Bicycle lane required?	NO
Bicycle lane width (min):	NA
Median permitted[2]:	NO
Median landscaped?	NA

d. ON-STREET PARKING STANDARDS	
On-street parking permitted?	NO
Parking lane width:	NA

e. ILLUMINATION STANDARDS	
Street lights required?	YES
Minimum spacing:	Intersections
Dark sky photometrics?	Required

f. DRAINAGE STANDARDS	
Closed	NO
Open?	Required
Curb?	As needed[3] D

g. PEDESTRIAN STANDARDS	
Sidewalks* required?	NO[4]
Sidewalk width (min):	NA
Alternative paving materials?	NA
Traffic calming at intersections?	NO

**See Section 7.3.5 for construction specifications*

h. OFF-STREET TRAIL STANDARDS	
Trail width (min):	10 feet

**Off-street trail may be used as substitute for sidewalk on one or both sides of thoroughfare as determined by Village[1]*

i. LANDSCAPING STANDARDS	
Street trees* required?	YES E
Street tree spacing:	See Section 7.3.7
Tree bank landscaping required?	See Section 7.3.7
Raised planting beds permitted?	NO
Tree grates/guards permitted?	NO

**See Section 7.3.7 for approved tree species list*

Notes:

- All dimensions are expressed as maximums, except where noted otherwise
- "Optional" requires consent and approval by Village Engineer and Village Board
- "Edge-to-edge" shall mean edge of pavement to edge of pavement

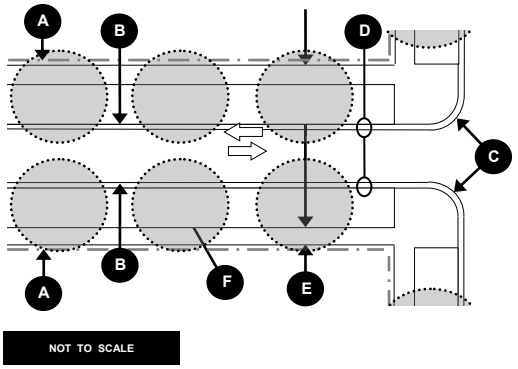
[1] If a median is used in the thoroughfare, the right-of-way dimension shall be increased by the width of the median

[2] Minimum shall conform to State of Illinois Highway Standards based on design speed for roadway

[3] Where open drainage is applied, curb openings may be permitted for drainage purposes by Village Engineer

[4] If sidewalks are provided, sidewalks shall be provided on both sides of roadway

3. TYPE 3 Thoroughfare (Estate Lane)



a. PERMITTED DEVELOPMENT DISTRICTS	
E-1 T-2 T-3 T-4	
b. RIGHT-OF-WAY STANDARDS	
Right-of-way width (min):	60 feet[1] A
One-way traffic?	NO
c. ROADWAY STANDARDS	
Design speed (mph):	≤ 25
Centerline radius (min):	100 feet
Tangent, horizontal (min):	100 feet[2]
Grade:* **Minimum grade shall be 0.4%*	6%
Vertical curve:	150 feet
Tangent, vertical (min):	150 feet[2]
Pavement width (min, face-to-face):	24 feet B
Intersection curb radius:	15 feet C
Bicycle lane required?	NO
Bicycle lane width (min):	NA
Median permitted[2]:	NO
Median landscaped?	NA
d. ON-STREET PARKING STANDARDS	
On-street parking permitted?	NO
Parking lane width:	NA
e. ILLUMINATION STANDARDS	
Street lights required?	YES
Minimum spacing:	Intersections
Dark sky photometrics?	Required

f. DRAINAGE STANDARDS	
Closed?	Optional
Open?	Optional
Curb?	M4.12, both sides[3] D
g. PEDESTRIAN STANDARDS	
Sidewalks* required?	YES[4] E
Sidewalk width (min):	5 feet
Alternative paving materials?	Optional
Traffic calming at intersections?	NO
**See Section 7.3.5 for construction specifications*	
h. OFF-STREET TRAIL STANDARDS	
Trail width (min):	12 feet
**Off-street trail may be used as substitute for sidewalk on one or both sides of thoroughfare as determined by Village[1]*	
i. LANDSCAPING STANDARDS	
Street trees* required?	YES F
Street tree spacing:	See Section 7.3.7
Tree bank landscaping required?	See Section 7.3.7
Raised planting beds permitted?	NO
Tree grates/guards permitted?	NO
**See Section 7.3.7 for approved tree species list*	

Notes:

- All dimensions are expressed as maximums, except where noted otherwise
- "Optional" requires consent and approval by Village Engineer and Village Board
- "Face-to-face" shall mean face of curb to face of curb

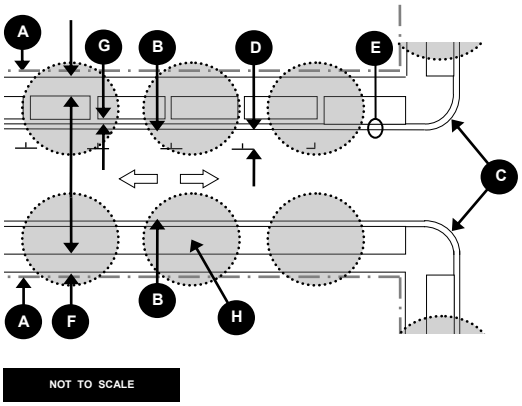
[1] If a median is used in the thoroughfare, the right-of-way dimension shall be increased by the width of the median

[2] Minimum shall conform to State of Illinois Highway Standards based on design speed for roadway

[3] Where open drainage is applied, curb openings may be permitted for drainage purposes by Village Engineer

[4] Unless indicated otherwise, sidewalks are required on both sides of roadway

4. TYPE 4 Thoroughfare (Yield Street)



a. PERMITTED DEVELOPMENT DISTRICTS				
E-1	R-2	GB	T-4	T-5B
R-1	R-3	T-3	T-5A	T-6

b. RIGHT-OF-WAY STANDARDS	
Right-of-way width (min):	66 feet[1] A
One-way traffic?	NO

c. ROADWAY STANDARDS	
Design speed (mph):	≤ 25
Centerline radius (min):	100 feet
Tangent, horizontal (min):	100 feet[2]
Grade:* **Minimum grade shall be 0.4%*	6%
Vertical curve:	150 feet
Tangent, vertical (min):	150 feet[2]
Pavement width (min, face-to-face):	28 feet B
Intersection curb radius:	15 feet C
Bicycle lane required?	NO
Bicycle lane width (min):	NA
Median permitted[2]?	NO
Median landscaped?	NA

d. ON-STREET PARKING STANDARDS	
On-street parking permitted?	One side
Parking lane width:	7 feet D

e. ILLUMINATION STANDARDS	
Street lights required?	YES
Minimum spacing:	Intersections
Dark sky photometrics?	Required

f. DRAINAGE STANDARDS	
Closed?	Optional
Open?	Optional
Curb?	B6.12, both sides[3] E

g. PEDESTRIAN STANDARDS	
Sidewalks* required?	YES[4] F
Carriage walk**required?	Optional G
Sidewalk width (min):	5 feet***
Carriage walk width (min)?	2 feet
Alternative paving materials?	Optional
Traffic calming at intersections?	Recommended

**See Section 7.3.5 for construction specifications*
***Carriage walks permitted only on side of street where on-street parking is permitted*
****Width may be increased with high density/intensity uses or pedestrian volumes along thoroughfare frontage*

h. OFF-STREET TRAIL STANDARDS	
Trail width (min):	NA

i. LANDSCAPING STANDARDS	
Street trees* required?	YES H
Street tree spacing:	See Section 7.3.7
Tree bank landscaping required?	See Section 7.3.7
Raised planting beds permitted?	NO
Tree grates/guards permitted?	Optional

**See Section 7.3.7 for approved tree species list*

Notes:

- All dimensions are expressed as maximums, except where noted otherwise
- "Optional" requires consent and approval by Village Engineer and Village Board
- "Face-to-face" shall mean face of curb to face of curb

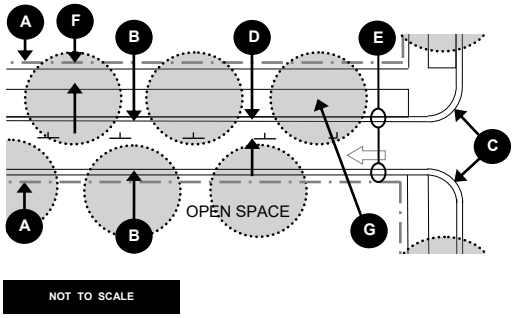
[1] If a median is used in the thoroughfare, the right-of-way dimension shall be increased by the width of the median

[2] Minimum shall conform to State of Illinois Highway Standards based on design speed for roadway

[3] Where open drainage is applied, curb openings may be permitted for drainage purposes by Village Engineer

[4] Unless indicated otherwise, sidewalks are required on both sides of roadway

5. TYPE 5 Thoroughfare (One-way Street)



a. PERMITTED DEVELOPMENT DISTRICTS					
T-1	T-2	T-3	T-4	T-5A	T-5B

b. RIGHT-OF-WAY STANDARDS	
Right-of-way width (min):	36 feet[1] A
One-way traffic*?	YES

**This Thoroughfare Type should be used only with a companion segment providing traffic flow in opposite direction, and should be used as an edge treatment for public or private neighborhood open spaces*

c. ROADWAY STANDARDS	
Design speed (mph):	≤ 20
Centerline radius (min):	100 feet
Tangent, horizontal (min):	100 feet[2]
Grade:*	6%
**Minimum grade shall be 0.4%*	
Vertical curve:	150 feet
Tangent, vertical (min):	150 feet[2]
Pavement width (min, face-to-face):	20 feet B
Intersection curb radius:	15 feet C
Bicycle lane required[1]?	NO
Bicycle lane width (min):	NA
Median permitted[1]?	NO
Median landscaped?	NA

d. ON-STREET PARKING STANDARDS	
On-street parking permitted?	One side
Parking lane width:	7 feet D

e. ILLUMINATION STANDARDS	
Street lights required?	YES
Minimum spacing:	Intersections
Dark sky photometrics?	Required

f. DRAINAGE STANDARDS	
Closed?	Optional
Open?	Optional
Curb?	B6.12, both sides[3] E

g. PEDESTRIAN STANDARDS	
Sidewalks* required?	One side[4] F
Sidewalk width (min):	5 feet
Alternative paving materials?	Optional
Traffic calming at intersections?	Optional

**See Section 7.3.5 for construction specifications*

h. OFF-STREET BICYCLE STANDARDS	
Bicycle lane width (min):	10 feet

**Off-street trail may be used as substitute for sidewalk on one or both sides of thoroughfare as determined by Village[1]*

i. LANDSCAPING STANDARDS	
Street trees* required?	YES G
Street tree spacing:	See Section 7.3.7
Tree bank landscaping required?	See Section 7.3.7
Raised planting beds permitted?	NO
Tree grates/guards permitted?	Optional

**See Section 7.3.7 for approved tree species list*

Notes:

- All dimensions are expressed as maximums, except where noted otherwise
- "Face-to-face" shall mean face of curb to face of curb
- "Optional" requires consent and approval by Village Engineer and Village Board

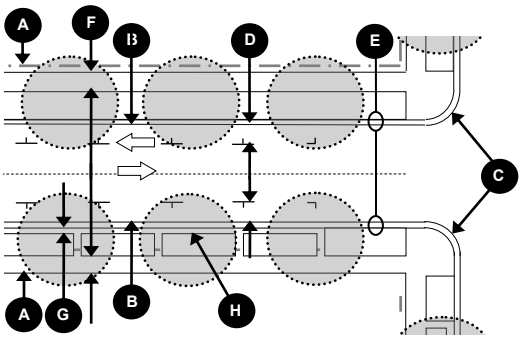
[1] If a median is used in the thoroughfare, the right-of-way dimension shall be increased by the width of the median

[2] Minimum shall conform to State of Illinois Highway Standards based on design speed for roadway

[3] Where open drainage is applied, curb openings may be permitted for drainage purposes by Village Engineer

[4] Unless indicated otherwise, sidewalks are required on both sides of roadway

6. TYPE 6 Thoroughfare



NOT TO SCALE

a. PERMITTED DEVELOPMENT DISTRICTS

E-1	R-2	GB	T-4	T-5B
R-1	R-3	T-3	T-5A	T-6

b. RIGHT-OF-WAY STANDARDS

Right-of-way width (min):	66 feet[1] A
One-way traffic?	NO

c. ROADWAY STANDARDS

Design speed (mph):	≤ 20
Centerline radius (min):	200 feet
Tangent, horizontal (min):	100 feet[2]
Grade:*	6%
**Minimum grade shall be 0.4%*	
Vertical curve:	150 feet
Tangent, vertical (min):	150 feet[2]
Pavement width (face-to-face):	38 feet B
Intersection curb radius:	15 feet C
Bicycle lane required[2]?	Optional
Bicycle lane width (min):	4 feet, each direction
Median permitted[1?]	Optional, 8-feet min
Median landscaped?	YES

d. ON-STREET PARKING STANDARDS

On-street parking permitted?	Both sides
Parking lane width:	7 feet D

e. ILLUMINATION STANDARDS

Street lights required?	YES
Minimum spacing:	Intersections
Dark sky photometrics?	Required

f. DRAINAGE STANDARDS

Closed	Optional
Open?	NO
Curb?	B6.12, both sides[3] E

g. PEDESTRIAN STANDARDS

Sidewalks* required?	YES[4] F
Carriage walk required?	Recommended G
Sidewalk width (min):	5 feet**
Carriage walk width (min)?	2 feet
Alternative paving materials?	Optional
Traffic calming at intersections?	Recommended

**See Section 7.3.5 for construction specifications*
***Width may be increased with high density/intensity uses or pedestrian volumes along thoroughfare frontage*

h. OFF-STREET TRAILSTANDARDS

Trail* width (min):	12 feet

**Off-street trail may be used as substitute for sidewalk on one or both sides of thoroughfare as determined by Village[1]*

i. LANDSCAPING STANDARDS

Street trees* required?	YES H
Street tree spacing:	See Section 7.3.7
Tree bank landscaping required?	See Section 7.3.7
Raised planting beds permitted?	Optional
Tree grates/guards permitted?	Optional

**See Section 7.3.7 for approved tree species list*

Notes:

- All dimensions are expressed as maximums, except where noted otherwise
- "Face-to-face" shall mean face of curb to face of curb
- "Optional" requires consent and approval by Village Engineer and Village Board

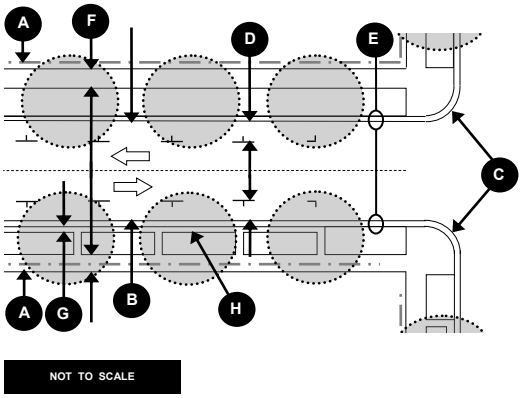
[1] If a median or bike lanes are used in the thoroughfare, the right-of-way dimension shall be increased by the width of the median and bike lanes

[2] Minimum shall conform to State of Illinois Highway Standards based on design speed for roadway

[3] Where open drainage is applied, curb openings may be permitted for drainage purposes by Village Engineer

[4] Unless indicated otherwise, sidewalks are required on both sides of roadway

7. TYPE 7 Thoroughfare



a. PERMITTED DEVELOPMENT DISTRICTS				
E-1	R-2	GB	T-4	T-5B
R-1	R-3	T-3	T-5A	T-6

b. RIGHT-OF-WAY STANDARDS	
Right-of-way width (min):	80 feet[1] A
One-way traffic?	NO

c. ROADWAY STANDARDS	
Design speed (mph):	≤ 30
Centerline radius (min):	200 feet
Tangent, horizontal (min):	100 feet[2]
Grade:*	6%
**Minimum grade shall be 0.4%*	
Vertical curve:	150 feet
Tangent, vertical (min):	150 feet[2]
Pavement width:	42 feet B
Intersection curb radius:	15 feet C
Bicycle lane required[1]?	Optional
Bicycle lane width:	4 feet, each direction
Median permitted[1]?	Optional, 8-feet min
Median landscaped?	YES

d. ON-STREET PARKING STANDARDS	
On-street parking permitted?	Both sides
Parking lane width:	7 feet D

e. ILLUMINATION STANDARDS	
Street lights required?	YES
Minimum spacing:	Intersections
Dark sky photometrics?	Required

f. DRAINAGE STANDARDS	
Closed?	Optional
Open?	Optional
Curb?	B6.12, both sides[3] E

g. PEDESTRIAN STANDARDS	
Sidewalks* required?	YES[4] F
Carriage walk required?	Recommended G
Sidewalk width (min):	5 feet**
Carriage walk width (min)?	2 feet
Alternative paving materials?	Optional
Traffic calming at intersections?	Optional

**See Section 7.3.5 for construction specifications*
***Width may be increased with high density/intensity uses along thoroughfare frontage*

h. OFF-STREET TRAILSTANDARDS	
Trail* width (min):	12 feet

**Off-street trail may be used as substitute for sidewalk on one or both sides of thoroughfare as determined by Village[1]*

i. LANDSCAPING STANDARDS	
Street trees* required?	YES H
Street tree spacing:	See Section 7.3.7
Tree bank landscaping required?	See Section 7.3.7
Raised planting beds permitted?	Optional
Tree grates/guards permitted?	Optional

**See Section 7.3.7 for approved tree species list*

Notes:

- All dimensions are expressed as maximums, except where noted otherwise
- "Optional" requires consent and approval by Village Engineer and Village Board

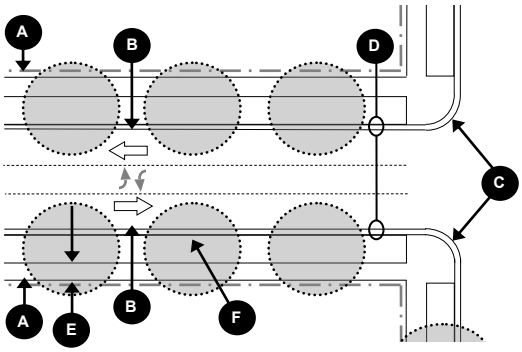
[1] If a median or bike lanes are used in the thoroughfare, the right-of-way dimension shall be increased by the width of the median and bike lanes

[2] Minimum shall conform to State of Illinois Highway Standards based on design speed for roadway

[3] Where open drainage is applied, curb openings may be permitted for drainage purposes by Village Engineer

[4] Unless indicated otherwise, sidewalks are required on both sides of roadway

8. TYPE 8 Thoroughfare (3-lane street)



a. PERMITTED DEVELOPMENT DISTRICTS				
E-1	R-2	GB	T-4	T-5B
R-1	R-3	T-3	T-5A	T-6

b. RIGHT-OF-WAY STANDARDS	
Right-of-way width (min):	66 feet[1] A
One-way traffic?	NO

c. ROADWAY STANDARDS	
Design speed (mph):	≤ 30
Centerline radius (min):	200 feet
Tangent, horizontal (min):	100 feet[2]
Grade:* **Minimum grade shall be 0.4%*	6%
Vertical curve:	150 feet
Tangent, vertical (min):	150 feet[2]
Pavement width:	36 feet B
Intersection curb radius:	15 feet C
Bicycle lane required[1]?	Optional
Bicycle lane width (min):	4 feet, each direction
Median permitted[1?]	YES, but length may be limited by Village Engineer
Median landscaped?	YES

d. ON-STREET PARKING STANDARDS	
On-street parking permitted?	NO
Parking lane width:	NA

e. ILLUMINATION STANDARDS	
Street lights required?	YES
Minimum spacing:	Intersections
Dark sky photometrics?	Required

f. DRAINAGE STANDARDS	
Closed?	Optional
Open?	Optional
Curb?	B6.12, both sides[3] D

g. PEDESTRIAN STANDARDS	
Sidewalks* required?	YES[4] E
Sidewalk width (min):	5 feet**
Alternative paving materials?	Optional
Traffic calming at intersections?	Optional

**See Section 7.3.5 for construction specifications*
***Width may be increased with high density/intensity uses along thoroughfare frontage*

h. OFF-STREET TRAILSTANDARDS	
Trail* width (min):	12 feet

**Off-street trail may be used as substitute for sidewalk on one or both sides of thoroughfare as determined by Village[1]*

i. LANDSCAPING STANDARDS	
Street trees* required?	YES F
Street tree spacing:	See Section 7.3.7
Tree bank landscaping required?	See Section 7.3.7
Raised planting beds permitted?	Optional
Tree grates/guards permitted?	Optional

**See Section 7.3.7 for approved tree species list*

Notes:

- All dimensions are expressed as maximums, except where noted otherwise
- "Optional" requires consent and approval by Village Engineer and Village Board

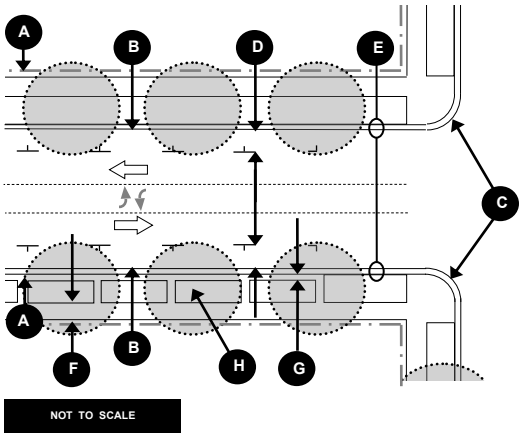
[1] If a median or bike lanes are used in the thoroughfare, the right-of-way dimension shall be increased by the width of the median and bike lanes

[2] Minimum shall conform to State of Illinois Highway Standards based on design speed for roadway

[3] Where open drainage is applied, curb openings may be permitted for drainage purposes by Village Engineer

[4] Unless indicated otherwise, sidewalks are required on both sides of roadway

9. TYPE 9 Thoroughfare (three-lane street)



a. PERMITTED DEVELOPMENT DISTRICTS	
R-2 GB T-4 T-5B T-6 R-1 R-3 T-3 T-5A	
b. RIGHT-OF-WAY STANDARDS	
Right-of-way width (min):	80 feet[1] A
One-way traffic?	NO
c. ROADWAY STANDARDS	
Design speed (mph):	≤ 30
Centerline radius (min):	200 feet
Tangent, horizontal (min):	100 feet[2]
Grade:* **Minimum grade shall be 0.4%*	6%
Vertical curve:	150 feet
Tangent, vertical (min):	150 feet[2]
Pavement width:	34 feet B
Intersection curb radius:	15 feet C
Bicycle lane required[1]?	Optional
Bicycle lane width (min):	4 feet, each direction
Median permitted[1]?	Optional, 8-feet min
Median landscaped?	YES
d. ON-STREET PARKING STANDARDS	
On-street parking permitted?	Both sides
Parking lane width:	7 feet D
e. ILLUMINATION STANDARDS	
Street lights required?	YES
Minimum spacing:	Intersections
Dark sky photometrics?	Required

f. DRAINAGE STANDARDS	
Closed?	Optional
Open?	Optional
Curb?	B6.12, both sides[3] E
g. PEDESTRIAN STANDARDS	
Sidewalks* required?	YES[4]
Carriage walk required?	Recommended
Sidewalk width (min):	5 feet** F
Carriage walk width (min)?	2 feet G
Alternative paving materials?	Optional
Traffic calming at intersections?	Required

**See Section 7.3.5 for construction specifications*
***Width may be increased with high density/intensity uses along thoroughfare frontage*

h. OFF-STREET TRAILSTANDARDS	
Trail* width (min):	12 feet

**Off-street trail may be used as substitute for sidewalk on one or both sides of thoroughfare as determined by Village[1]*

i. LANDSCAPING STANDARDS	
Street trees* required?	YES H
Street tree spacing:	See Section 7.3.7
Tree bank landscaping required?	See Section 7.3.7
Raised planting beds permitted?	Optional
Tree grates/guards permitted?	Optional

**See Section 7.3.7 for approved tree species list*

Notes:

- All dimensions are expressed as maximums, except where noted otherwise
- "Optional" requires consent and approval by Village Engineer and Village Board

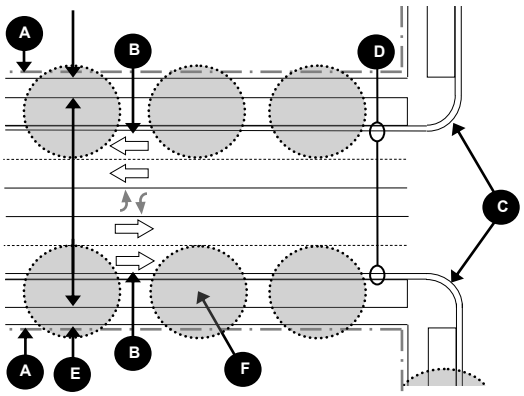
[1] If a median or bike lanes are used in the thoroughfare, the right-of-way dimension shall be increased by the width of the median and bike lanes

[2] Minimum shall conform to State of Illinois Highway Standards based on design speed for roadway

[3] Where open drainage is applied, curb openings may be permitted for drainage purposes by Village Engineer

[4] Unless indicated otherwise, sidewalks are required on both sides of roadway

10. TYPE 10 Thoroughfare



a. PERMITTED DEVELOPMENT DISTRICTS				
E-1	R-2	GB	T-4	T-5B
R-1	R-3	T-3	T-5A	T-6

b. RIGHT-OF-WAY STANDARDS	
Right-of-way width (min):	100 feet[1] A
One-way traffic?	YES

c. ROADWAY STANDARDS	
Design speed (mph):	≤ 30
Centerline radius (min):	300 feet
Tangent, horizontal (min):	100 feet[1]
Grade:*	6%
**Minimum grade shall be 0.4%*	
Vertical curve:	150 feet
Tangent, vertical (min):	150 feet[1]
Pavement width:	60 feet B
Intersection curb radius:	15 feet C
Bicycle lane required[2]?	Optional
Bicycle lane width:	4 feet, each direction
Median permitted?	Required, 14-feet min
Median landscaped?	YES

d. ON-STREET PARKING STANDARDS	
On-street parking permitted?	NO
Parking lane width:	NA

e. ILLUMINATION STANDARDS	
Street lights required?	YES
Minimum spacing:	Intersections
Dark sky photometrics?	Required

f. DRAINAGE STANDARDS	
Closed?	Optional
Open?	Optional
Curb?	B6.12, both sides[3] D

g. PEDESTRIAN STANDARDS	
Sidewalks* required?	YES[4] E
Sidewalk width (min):	5 feet**
Alternative paving materials?	Optional
Traffic calming at intersections?	Optional

**See Section 7.3.5 for construction specifications*
***Width may be increased with high density/intensity uses along thoroughfare frontage*

h. OFF-STREET TRAILSTANDARDS	
Trail* width (min):	12 feet

**Off-street trail may be used as substitute for sidewalk on one or both sides of thoroughfare as determined by Village[1]*

i. LANDSCAPING STANDARDS	
Street trees* required?	YES F
Street tree spacing:	See Section 7.3.7
Tree bank landscaping required?	See Section 7.3.7
Raised planting beds permitted?	Optional
Tree grates/guards permitted?	Optional

**See Section 7.3.7 for approved tree species list*

Notes:

- All dimensions are expressed as maximums, except where noted otherwise
- "Optional" requires consent and approval by Village Engineer and Village Board

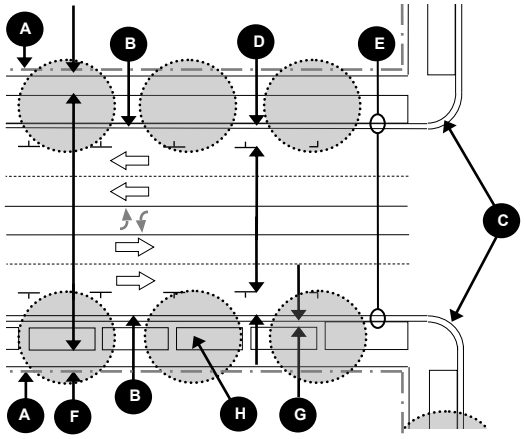
[1] If a median or bike lanes are used in the thoroughfare, the right-of-way dimension shall be increased by the width of the median and bike lanes

[2] Minimum shall conform to State of Illinois Highway Standards based on design speed for roadway

[3] Where open drainage is applied, curb openings may be permitted for drainage purposes by Village Engineer

[4] Unless indicated otherwise, sidewalks are required on both sides of roadway

11. TYPE 11 Thoroughfare



NOT TO SCALE

a. PERMITTED DEVELOPMENT DISTRICTS

R-2 GB T-4 T-5B T-6
R-1 R-3 T-3 T-5A

b. RIGHT-OF-WAY STANDARDS

Right-of-way width (min):	112 feet[1] (A)
One-way traffic?	YES

c. ROADWAY STANDARDS

Design speed (mph):	40
Centerline radius (min):	300 feet
Tangent, horizontal (min):	100 feet[2]
Grade:*	6%
**Minimum grade shall be 0.4%*	
Vertical curve:	150 feet
Tangent, vertical (min):	150 feet[2]
Pavement width:	74 feet (B)
Intersection curb radius:	15 feet (C)
Bicycle lane required[1]?	Optional
Bicycle lane width[1]:	4 feet, each direction
Median permitted[2]?	Optional
Median landscaped?	NA

d. ON-STREET PARKING STANDARDS

On-street parking permitted?	Both sides
Parking lane width:	7 feet (D)

e. ILLUMINATION STANDARDS

Street lights required?	YES
Minimum spacing:	Intersections
Dark sky photometrics?	Required

f. DRAINAGE STANDARDS

Closed?	Required
Open?	NO
Curb?	B6.12, both sides, each direction (E)

g. PEDESTRIAN STANDARDS

Sidewalks* required?	YES[4]
Carriage walk required?	Recommended
Sidewalk width (min):	5 feet** (F)
Carriage walk width (min)?	2 feet (G)
Alternative paving materials?	Optional
Traffic calming at intersections?	Required

**See Section 7.3.5 for construction specifications*
***Width may be increased with high density/intensity uses along thoroughfare frontage*

h. OFF-STREET TRAILSTANDARDS

Trail* width (min):	12 feet

**Off-street trail may be used as substitute for sidewalk on one or both sides of thoroughfare as determined by Village[1]*

i. LANDSCAPING STANDARDS

Street trees* required?	YES (H)
Street tree spacing:	See Section 7.3.7
Tree bank landscaping required?	See Section 7.3.7
Raised planting beds permitted?	Optional
Tree grates/guards permitted?	Optional

**See Section 7.3.7 for approved tree species list*

Notes:

- All dimensions are expressed as maximums, except where noted otherwise
- "Optional" requires consent and approval by Village Engineer and Village Board

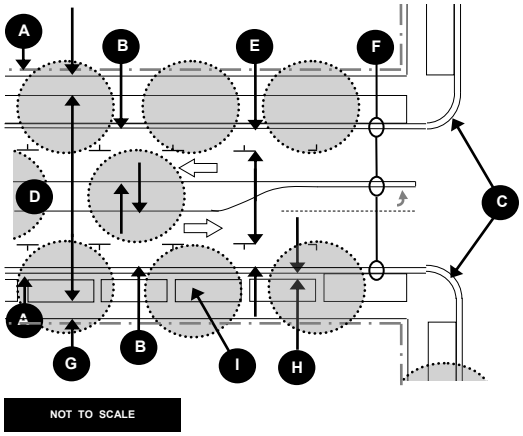
[1] If a median or bike lanes are used in the thoroughfare, the right-of-way dimension shall be increased by the width of the median and bike lanes

[2] Minimum shall conform to State of Illinois Highway Standards based on design speed for roadway

[3] Where open drainage is applied, curb openings may be permitted for drainage purposes by Village Engineer

[4] Unless indicated otherwise, sidewalks are required on both sides of roadway

12. TYPE 12 Thoroughfare (boulevard)



a. PERMITTED DEVELOPMENT DISTRICTS

R-2 GB T-4 T-5B T-6
R-1 R-3 T-3 T-5A

b. RIGHT-OF-WAY STANDARDS

Right-of-way width (min):	94 feet[1] A
One-way traffic?	YES

c. ROADWAY STANDARDS

Design speed (mph):	35
Centerline radius (min):	300 feet
Tangent, horizontal (min):	100 feet[2]
Grade:*	6%
**Minimum grade shall be 0.4%*	
Vertical curve:	150 feet
Tangent, vertical (min):	150 feet[2]
Pavement width (min):	21 feet, each direction B
Intersection curb radius:	15 feet C
Bicycle lane required[1]?	Optional
Bicycle lane width:	4 feet, each direction, local lanes only
Median permitted[1]?	Required, 14-feet min D
Median landscaped?	YES

d. ON-STREET PARKING STANDARDS

On-street parking permitted?	One side, each direction
Parking lane width:	7 feet E

e. ILLUMINATION STANDARDS

Street lights required?	YES
Minimum spacing:	Intersections
Dark sky photometrics?	Required

f. DRAINAGE STANDARDS

Closed?	Optional
Open?	Optional
Curb?	B6.12, both sides, each direction F

g. PEDESTRIAN STANDARDS

Sidewalks* required?	YES[4]
Carriage walk required?	Recommended
Sidewalk width (min):	5 feet** G
Carriage walk width (min)?	2 feet H
Alternative paving materials?	Optional
Traffic calming at intersections?	Optional

**See Section 7.3.5 for construction specifications*
***Width may be increased with high density/intensity uses along thoroughfare frontage*

h. OFF-STREET TRAILSTANDARDS

Trail* width (min):	12 feet

**Off-street trail may be used as substitute for sidewalk on one or both sides of thoroughfare as determined by Village[1]*

i. LANDSCAPING STANDARDS

Street trees* required?	YES I
Street tree spacing:	See Section 7.3.7
Tree bank landscaping required?	See Section 7.3.7
Raised planting beds permitted?	Optional
Tree grates/guards permitted?	Optional

**See Section 7.3.7 for approved tree species list*

Notes:

- All dimensions are expressed as maximums, except where noted otherwise
- "Optional" requires consent and approval by Village Engineer and Village Board

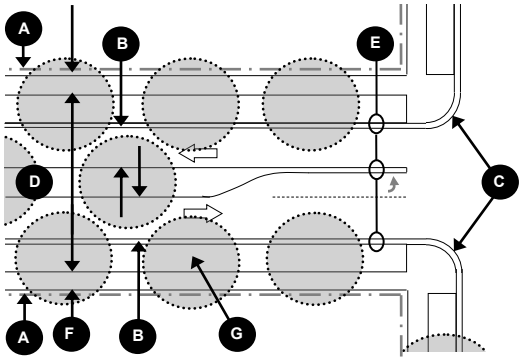
[1] If a median or bike lanes are used in the thoroughfare, the right-of-way dimension shall be increased by the width of the median and bike lanes

[2] Minimum shall conform to State of Illinois Highway Standards based on design speed for roadway

[3] Where open drainage is applied, curb openings may be permitted for drainage purposes by Village Engineer

[4] Unless indicated otherwise, sidewalks are required on both sides of roadway

13. TYPE 13 Thoroughfare (boulevard)



a. PERMITTED DEVELOPMENT DISTRICTS					
R-2	GB	T-4	T-5B	T-6	
R-1	R-3	T-3	T-5A		

b. RIGHT-OF-WAY STANDARDS	
Right-of-way width (min):	84 feet[1] A
One-way traffic?	YES

c. ROADWAY STANDARDS	
Design speed (mph):	35
Centerline radius (min):	300 feet
Tangent, horizontal (min):	100 feet[2]
Grade:* **Minimum grade shall be 0.4%*	6%
Vertical curve:	150 feet
Tangent, vertical (min):	150 feet[2]
Pavement width:	16 feet, each direction B
Intersection curb radius:	15 feet C
Bicycle lane required[2]?	Optional
Bicycle lane width:	4 feet, each direction
Median permitted[2]?	Required, 14-feet min D
Median landscaped?	YES

d. ON-STREET PARKING STANDARDS	
On-street parking permitted?	NO
Parking lane width:	NA

e. ILLUMINATION STANDARDS	
Street lights required?	YES
Minimum spacing:	Intersections
Dark sky photometrics?	Required

f. DRAINAGE STANDARDS	
Closed?	Optional
Open?	Optional
Curb?	B6.12, both sides, each direction E

g. PEDESTRIAN STANDARDS	
Sidewalks* required?	YES[4] F
Sidewalk width (min):	5 feet**
Alternative paving materials?	Optional
Traffic calming at intersections?	Optional

**See Section 7.3.5 for construction specifications*
***Width may be increased with high density/intensity uses along thoroughfare frontage*

h. OFF-STREET TRAILSTANDARDS	
Trail* width (min):	12 feet

**Off-street trail may be used as substitute for sidewalk on one or both sides of thoroughfare as determined by Village[1]*

i. LANDSCAPING STANDARDS	
Street trees* required?	YES G
Street tree spacing:	See Section 7.3.7
Tree bank landscaping required?	See Section 7.3.7
Raised planting beds permitted?	NO
Tree grates/guards permitted?	NO

**See Section 7.3.7 for approved tree species list*

Notes:

- All dimensions are expressed as maximums, except where noted otherwise
- "Optional" requires consent and approval by Village Engineer and Village Board

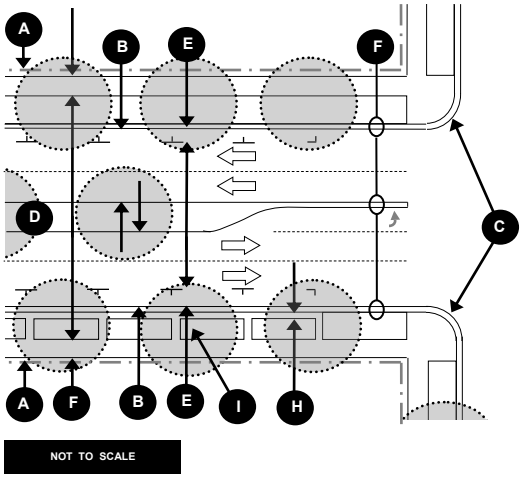
[1] If a median or bike lanes are used in the thoroughfare, the right-of-way dimension shall be increased by the width of the median and bike lanes

[2] Minimum shall conform to State of Illinois Highway Standards based on design speed for roadway

[3] Where open drainage is applied, curb openings may be permitted for drainage purposes by Village Engineer

[4] Unless indicated otherwise, sidewalks are required on both sides of roadway

14. TYPE 14 Thoroughfare (boulevard)



a. PERMITTED DEVELOPMENT DISTRICTS

R-2 GB T-4 T-5B T-6
R-1 R-3 T-3 T-5A

b. RIGHT-OF-WAY STANDARDS

Right-of-way width (min):	114 feet[1] A
One-way traffic?	YES

c. ROADWAY STANDARDS

Design speed (mph):	35
Centerline radius (min):	300 feet
Tangent, horizontal (min):	100 feet[2]
Grade:*	6%
**Minimum grade shall be 0.4%*	
Vertical curve:	150 feet
Tangent, vertical (min):	150 feet[2]
Pavement width:	31 feet, each direction B
Intersection curb radius:	15 feet C
Bicycle lane required[1]?	Optional
Bicycle lane width:	4 feet, each direction
Median permitted[1]?	Required, 14-feet min D
Median landscaped?	YES

d. ON-STREET PARKING STANDARDS

On-street parking permitted?	One side, each direction
Parking lane width:	7 feet E

e. ILLUMINATION STANDARDS

Street lights required?	YES
Minimum spacing:	Intersections
Dark sky photometrics?	Required

f. DRAINAGE STANDARDS

Closed?	Required
Open?	NO
Curb?	B6.12, both sides, each direction F

g. PEDESTRIAN STANDARDS

Sidewalks* required?	YES[4]
Carriage walk required?	Recommended
Sidewalk width (min):	5 feet** G
Carriage walk width (min)?	2 feet H
Alternative paving materials?	Optional
Traffic calming at intersections?	Required

**See Section 7.3.5 for construction specifications*
***Width may be increased with high density/intensity uses along thoroughfare frontage*

h. OFF-STREET TRAILSTANDARDS

Trail* width (min):	12 feet

**Off-street trail may be used as substitute for sidewalk on one or both sides of thoroughfare as determined by Village[1]*

i. LANDSCAPING STANDARDS

Street trees* required?	YES I
Street tree spacing:	See Section 7.3.7
Tree bank landscaping required?	See Section 7.3.7
Raised planting beds permitted?	Optional
Tree grates/guards permitted?	Optional

**See Section 7.3.7 for approved tree species list*

Notes:

- All dimensions are expressed as maximums, except where noted otherwise
- "Optional" requires consent and approval by Village Engineer and Village Board

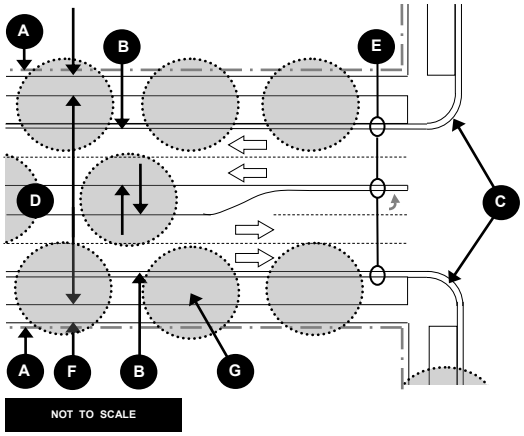
[1] If a median or bike lanes are used in the thoroughfare, the right-of-way dimension shall be increased by the width of the median and bike lanes

[2] Minimum shall conform to State of Illinois Highway Standards based on design speed for roadway

[3] Where open drainage is applied, curb openings may be permitted for drainage purposes by Village Engineer

[4] Unless indicated otherwise, sidewalks are required on both sides of roadway

15. TYPE 15 Thoroughfare (boulevard)



a. PERMITTED DEVELOPMENT DISTRICTS				
R-2	GB	T-4	T-5B	T-6
R-1	R-3	T-3	T-5A	

b. RIGHT-OF-WAY STANDARDS	
Right-of-way width (min):	100 feet[1] (A)
One-way traffic?	YES

c. ROADWAY STANDARDS	
Design speed (mph):	35
Centerline radius (min):	300 feet
Tangent, horizontal (min):	100 feet[2]
Grade:* **Minimum grade shall be 0.4%*	6%
Vertical curve:	150 feet
Tangent, vertical (min):	150 feet[2]
Pavement width:	24 feet, each direction (B)
Intersection curb radius:	15 feet (C)
Bicycle lane required[1]?	Optional
Bicycle lane width:	4 feet, each direction
Median[1:]	Required, 14-feet min (D)
Median landscaped?	YES

d. ON-STREET PARKING STANDARDS	
On-street parking permitted?	NO
Parking lane width:	NA

e. ILLUMINATION STANDARDS	
Street lights required?	YES
Minimum spacing:	Intersections
Dark sky photometrics?	Required

f. DRAINAGE STANDARDS	
Closed?	Required
Open?	NO
Curb?	B6.12, both sides, each direction (E)

g. PEDESTRIAN STANDARDS	
Sidewalks* required?	YES[4]
Sidewalk width (min):	5 feet** (F)
Alternative paving materials?	Optional
Traffic calming at intersections?	Optional

**See Section 7.3.5 for construction specifications*
***Width may be increased with high density/intensity uses along thoroughfare frontage*

h. OFF-STREET TRAILSTANDARDS	
Trail* width (min):	12 feet

**Off-street trail may be used as substitute for sidewalk on one or both sides of thoroughfare as determined by Village[1]*

i. LANDSCAPING STANDARDS	
Street trees* required?	YES (G)
Street tree spacing:	See Section 7.3.7
Tree bank landscaping required?	See Section 7.3.7
Raised planting beds permitted?	Optional
Tree grates/guards permitted?	Optional

**See Section 7.3.7 for approved tree species list*

Notes:

- All dimensions are expressed as maximums, except where noted otherwise
- "Optional" requires consent and approval by Village Engineer and Village Board

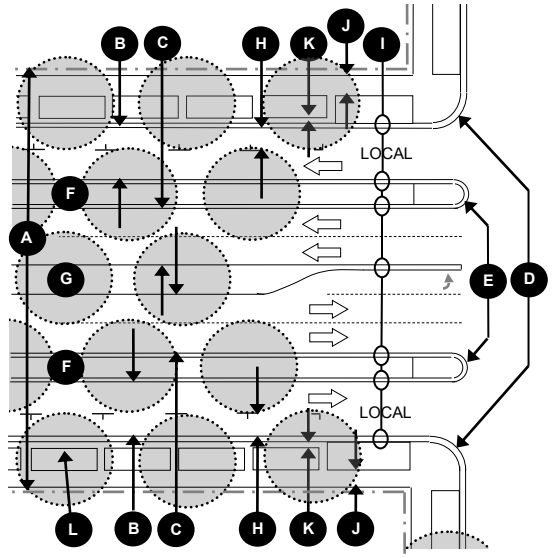
[1] If a median or bike lanes are used in the thoroughfare, the right-of-way dimension shall be increased by the width of the median and bike lanes

[2] Minimum shall conform to State of Illinois Highway Standards based on design speed for roadway

[3] Where open drainage is applied, curb openings may be permitted for drainage purposes by Village Engineer

[4] Unless indicated otherwise, sidewalks are required on both sides of roadway

16. TYPE 16 Thoroughfare (multi-lane boulevard)



a. PERMITTED DEVELOPMENT DISTRICTS
Special purpose thoroughfare and can apply across all development districts

b. RIGHT-OF-WAY STANDARDS	
Right-of-way width (min):	180 feet[1] A
One-way traffic?	YES

c. ROADWAY STANDARDS	
Design speed (mph):	40
Centerline radius (min):	300 feet
Tangent, horizontal (min):	100 feet[2]
Grade:*	6%
**Minimum grade shall be 0.4%*	
Vertical curve:	150 feet
Tangent, vertical (min):	150 feet[2]
Pavement width, each direction:	
Local Lanes:	21 feet B
Express Lanes:	24 feet C
Intersection curb radius, Local Lanes:	15 feet D
Intersection curb radius, Express Lanes:	6 feet E
Bicycle lane required[1]?	Optional, local lanes only
Bicycle lane width:	4 feet, each direction
Median?	
Local Lanes[1]	Required, 14-feet min F
Express Lanes[1]	Required, 18-feet min G
Median landscaped?	YES

d. ON-STREET PARKING STANDARDS	
On-street parking?	One side, local lanes only
Parking lane width:	7 feet H

e. ILLUMINATION STANDARDS	
Street lights required?	YES
Minimum spacing:	Intersections, all pedestrian areas
Dark sky photometrics?	Required

f. DRAINAGE STANDARDS	
Closed?	Required
Open?	NO
Curb?	B6.12, both sides, each direction I

g. PEDESTRIAN STANDARDS	
Sidewalks* required?	YES[4]
Carriage walk required?	Recommended
Sidewalk width (min):	8 feet** J
Carriage walk width (min)?	2 feet K
Alternative paving materials?	Optional
Traffic calming at intersections?	Required

**See Section 7.3.5 for construction specifications*
***Width may be increased with high density/intensity uses along thoroughfare frontage*

h. OFF-STREET TRAILSTANDARDS	
Trail* width (min):	NA

i. LANDSCAPING STANDARDS	
Street trees* required?	YES L
Street tree spacing:	See Section 7.3.7
Tree bank landscaping required?	See Section 7.3.7
Raised planting beds permitted?	Optional
Tree grates/guards permitted?	Optional

**See Section 7.3.7 for approved tree species list*

Notes:

- All dimensions are expressed as maximums, except where noted otherwise
- "Optional" requires consent and approval by Village Engineer and Village Board

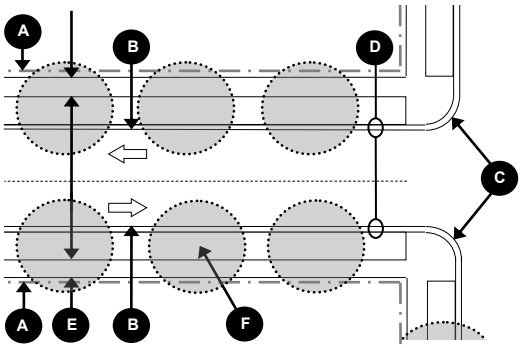
[1] If a median or bike lanes are used in the thoroughfare, the right-of-way dimension shall be increased by the width of the median and bike lanes

[2] Minimum shall conform to State of Illinois Highway Standards based on design speed for roadway

[3] Where open drainage is applied, curb openings may be permitted for drainage purposes by Village Engineer

[4] Unless indicated otherwise, sidewalks are required on both sides of roadway

17. TYPE 17 Thoroughfare (industrial street)



NOT TO SCALE

a. PERMITTED DEVELOPMENT DISTRICTS	
T-6	
b. RIGHT-OF-WAY STANDARDS	
Right-of-way width (min):	80 feet[1] A
One-way traffic?	NO
c. ROADWAY STANDARDS	
Design speed (mph):	30
Centerline radius (min):	300 feet
Tangent, horizontal (min):	100 feet[2]
Grade:* **Minimum grade shall be 0.4%*	6%
Vertical curve:	150 feet
Tangent, vertical (min):	150 feet[2]
Pavement width:	40 feet B
Intersection curb radius:	15 feet C
Bicycle lane required[1]?	Optional
Bicycle lane width:	4 feet, each direction
Median[1]?	NO
Median landscaped?	NA
d. ON-STREET PARKING STANDARDS	
On-street parking permitted?	NO
Parking lane width:	NA
e. ILLUMINATION STANDARDS	
Street lights required?	YES
Minimum spacing:	Intersections
Dark sky photometrics?	Required
f. DRAINAGE STANDARDS	
Closed?	Required
Open?	NO
Curb?	B6.12, both sides, each direction D
g. PEDESTRIAN STANDARDS	
Sidewalks* required?	YES[4]
Sidewalk width (min):	5 feet** E
Alternative paving materials?	Optional
Traffic calming at intersections?	Optional

**See Section 7.3.5 for construction specifications*
***Width may be increased with high density/intensity uses along thoroughfare frontage*

h. OFF-STREET TRAIL STANDARDS	
Trail* width (min):	12 feet

**Off-street trail may be used as substitute for sidewalk on one or both sides of thoroughfare as determined by Village[1]*

i. LANDSCAPING STANDARDS	
Street trees* required?	YES F
Street tree spacing:	See Section 7.3.7
Tree bank landscaping required?	See Section 7.3.7
Raised planting beds permitted?	Optional
Tree grates/guards permitted?	Optional

**See Section 7.3.7 for approved tree species list*

Notes:

- All dimensions are expressed as maximums, except where noted otherwise
- "Optional" requires consent and approval by Village Engineer and Village Board

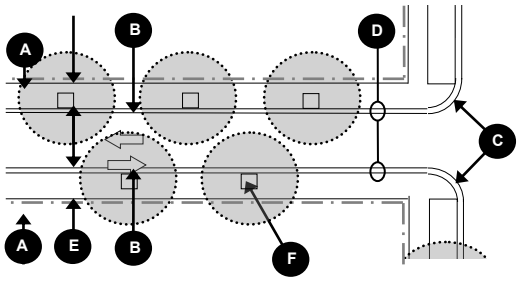
[1] If a median or bike lanes are used in the thoroughfare, the right-of-way dimension shall be increased by the width of the median and bike lanes

[2] Minimum shall conform to State of Illinois Highway Standards based on design speed for roadway

[3] Where open drainage is applied, curb openings may be permitted for drainage purposes by Village Engineer

[4] Unless indicated otherwise, sidewalks are required on both sides of roadway

18. TYPE 18 Thoroughfare (carriage walk street)



NOT TO SCALE

a. PERMITTED DEVELOPMENT DISTRICTS						
T-2	T-3	T-4	T-5A	T-5B	T-6	
b. RIGHT-OF-WAY STANDARDS						
Right-of-way width (min):					42 feet[1]	A
One-way traffic?					NO	
c. ROADWAY STANDARDS						
Design speed (mph):					20	
Centerline radius (min):					300 feet	
Tangent, horizontal (min):					100 feet[2]	
Grade:* **Minimum grade shall be 0.4%*					6%	
Vertical curve:					150 feet	
Tangent, vertical (min):					150 feet[2]	
Pavement width:					24 feet	B
Intersection curb radius:					15 feet	C
Bicycle lane required[1]?					NO	
Bicycle lane width:					NA	
Median[1]?					NO	
Median landscaped?					NA	
d. ON-STREET PARKING STANDARDS						
On-street parking permitted?					NO	
Parking lane width:					NA	
e. ILLUMINATION STANDARDS						
Street lights required?					YES	
Minimum spacing: Intersections						
Dark sky photometrics?					Required	

f. DRAINAGE STANDARDS		
Closed?	Required	
Open?	NO	
Curb?	B6.12, both sides, each direction	D
g. PEDESTRIAN STANDARDS		
Sidewalks* required?	YES[4]	
Sidewalk width (min):	8 feet**	E
Alternative paving materials?	Optional	
Traffic calming at intersections?	Required	

**See Section 7.3.5 for construction specifications*
***Width may be increased with high density/intensity uses along thoroughfare frontage*

h. OFF-STREET TRAILSTANDARDS	
Trail* width (min):	12 feet

**Off-street trail may be used as substitute for sidewalk on one or both sides of thoroughfare as determined by Village[1]*

i. LANDSCAPING STANDARDS		
Street trees* required?	YES	F
Street tree spacing:	See Section 7.3.7	
Tree bank landscaping required?	See Section 7.3.7	
Raised planting beds permitted?	NO	
Tree grates/guards permitted? Required		

**See Section 7.3.7 for approved tree species list*

Notes:

- All dimensions are expressed as maximums, except where noted otherwise
- "Optional" requires consent and approval by Village Engineer and Village Board

[1] If a median or bike lanes are used in the thoroughfare, the right-of-way dimension shall be increased by the width of the median and bike lanes

[2] Minimum shall conform to State of Illinois Highway Standards based on design speed for roadway

[3] Where open drainage is applied, curb openings may be permitted for drainage purposes by Village Engineer

[4] Unless indicated otherwise, sidewalks are required on both sides of roadway

7.3.5. SIDEWALKS AND OFF-STREET TRAILS. Any person subdividing or developing property along a street frontage shall provide sidewalks along the frontage of the property or along any new streets being constructed, and to construct any off-street trails that are included in an approved development plan. Where required along thoroughfares in accordance with Section 7.3.4, public sidewalks shall comply with the following standards, specifications and criteria. Off-street trails, where deemed appropriate or required, shall be provided in accordance with this Section.

A. LOCATION. Unless otherwise provided in Section 7.3.4, sidewalks shall be provided parallel on both sides of a street. Sidewalks shall be constructed entirely within the public right-of-way or public easement and shall have their outer edges located one (1) foot from the right-of-way line. When not located in a public right-of-way, the minimum width of a pedestrian-way access easement shall be fifteen (15) feet. Every sidewalk shall extend across the entire street frontage of the lot for which it is constructed. Sidewalks shall be constructed to extend across driveways and alleys.

B. DESIGN STANDARDS.

1. DIMENSIONS. Sidewalks shall be a minimum of five (5) feet wide. Off-street trails shall be a minimum ten (10) feet wide and have a minimum vertical clearance of eleven (11) feet.

2. GRADE. The inner edge of every sidewalk shall be one-half (½) inch higher than the top of the curb for each foot of horizontal distance from the back of the curb (S = 0.0417) and shall parallel the longitudinal grade of the gutter line.

3. CROSS-SLOPE. The outer edge of every sidewalk shall be one-quarter (1/4) inch higher than its inner edge for each foot of its width (S = 0.0208).

4. HANDICAPPED RAMPS. Handicapped ramps shall be installed at all street intersections and at other locations required by the Village Engineer.

5. SERVICE WALKS AND CARRIAGE WALKS. Service walks and carriage walks may be installed in the public right-of-way with the approval of the Village Engineer. Service walks and carriage walks shall be constructed in accordance with the material and thickness requirements for public sidewalks. Carriage walks shall not be less than eighteen (18) inches or more than thirty (30) inches in width. For the purpose of this Section, a service walk is a sidewalk in the right-of-way that is perpendicular to the curb, and a carriage walk is a sidewalk parallel and adjacent the back of curb along a street and is intended only as a convenience to passengers entering or exiting a parked vehicle at the curb.

C. MATERIALS AND SPECIFICATIONS.

1. Sidewalks shall be of Portland cement concrete five (5) inches uniform thickness. A six (6) bag mix shall be used on all sidewalks. Where the sidewalk extends across a driveway or alley the minimum thickness of sidewalks shall be six (6) inches and a six (6) bag mix shall be used. The concrete mix shall have five-percent (5%) to seven-percent (7%) air entrainment.

2. Alternate materials, such as but not limited to, brick or concrete paving, stamping patterns, and dyes, may be applied to selected sidewalks with the approval and recommendation of the Village Engineer.

3. Off-street trails shall be constructed in accordance with Village standards and specifications.

7.3.6. STREET LIGHTING STANDARDS AND SPECIFICATIONS. Any person subdividing or developing property along a street frontage shall provide street lighting along the frontage of the property or along any new streets being constructed. All street lights in the Village shall comply with the following standards.

A. Street lights shall be located at all street intersections and at a maximum spacing of two hundred fifty (250) feet along the street proper.

B. HID luminaries having a two hundred fifty (250) watt maximum shall be provided for each installation.

C. Supporting poles and luminaries shall be sixteen (16) foot height.

D. Operation of the luminaries shall be by means of a photoelectric control.

E. All wiring shall be underground in conduit, and shall be sleeved at street or parkway lot crossings.

F. All luminaries shall apply Dark Sky photometrics.

G. The aesthetic design of the luminaries and poles shall be in accordance with the Richmond Public Improvements Illustrated Manual, Appendix C Enclosure 6.1.

7.3.7. THOROUGHFARE LANDSCAPING STANDARDS AND SPECIFICATIONS. Any person subdividing or developing property along a street frontage shall provide thoroughfare landscaping along the frontage of the property or along any new streets being constructed. All thoroughfare landscaping shall comply with the following standards, specifications and criteria:

A. LANDSCAPING. All unpaved areas within a thoroughfare in any subdivision or development, including tree banks, swales and medians, and all swales forming the drainage system for a parcel shall be landscaped with sod or alternate approved year round groundcover. Upon the recommendation of the Village Engineer, the Village Board may require additional sod to be placed on a lot to prevent soil erosion and blockage of storm drainage systems. Any twelve (12) month guarantee provided under Chapter 4 of this Title shall include all thoroughfare landscaping required in this Section 7.3.7.

B. STREET TREES.

1. GENERAL CRITERIA.

a. All trees shall be grown in a nursery located in the northern half of the State of Illinois and licensed by the State of Illinois.

b. Trees selected for planting in the Village shall be healthy, free of insects and diseases, bark bruises, and scrapes on the trunk or limbs before or after planting. Selected trees shall have a straight trunk with limbs not lower than six (6) feet above the ground.

c. Tree holes may be machine dug, provided all sides of holes dug in such manner shall be scored to prevent glazing. If any existing lawn is damaged during the planting operations, it shall be the responsibility of the subdivider/developer to restore said lawn to its original condition. All trees shall be hand planted and planted straight.

d. The planting season shall be approximately October 15 to December 1, and March 15 to May 1.

e. Trees shall have a trunk diameter of not less than three (3) inches and a circumference of not less than nine and four-tenths (9.4) inches. Caliper of the trunk of nursery stock shall be measured six (6) inches above the ground for up to and including four (4) inch caliper size, and twelve (12) inches above the ground for larger caliper trees. The root system of all trees shall be balled and burlapped with a minimum ball diameter of thirty-two (32) inches for three (3) inch caliper trees.

f. LOCATION REQUIREMENTS. Trees shall be planted in the parkway along all streets as follows:

1. No closer than ten (10) feet from driveways and alleys and forty (40) feet from intersections, as measured from the right-of-way lines extended.

2. In addition, no trees shall be planted within ten (10) feet of a fire hydrant, other above ground utility structure or pole, or utility service lines.

3. Trees shall be planted with a maximum forty (40) foot spacing such that the total number of trees shall equal or exceed the ratio of one (1) tree for each forty (40) feet of street frontage.

4. Along residential streets, trees shall be planted in the tree bank in line with the side lot lines. Additional trees shall be planted in the space in between such that the minimum twenty-five (25) and maximum forty (40) foot spacing is maintained without encroaching on the required planting setbacks from driveways, alleys, intersections, fire hydrants, and above ground utility

structures and poles. Final determination of the quantity and location of street trees to satisfy the above requirements shall be made by the Village Engineer or his representative.

5. When conditions are such that the required spacing cannot be satisfied in the tree bank or, if in the opinion of the Village Engineer the tree bank is not wide enough to support tree growth, required street trees shall be planted inside the sidewalk line.

g. Prior to planting, the subdivider/developer shall submit to the Village Engineer, or his designated representative, a list of the number and type of trees that are to be planted and a statement that the trees will comply with the requirements of Section 7.3.7.B. The minimum number of tree species required on each parcel or tract of land shall be as follows:

Size of Parcel (acres)	Quantity of Tree Species
Up to, but not including 5	3
5 up to, but not including 15	5
15 up to, but not including 30	7
30 acres or more	1 additional species for each 10 acres or portion thereof

h. The subdivider/developer shall provide the Village Engineer with a minimum twenty-four (24) hour notice prior to beginning tree planting.

i. All trees planted by the subdivider/developer shall be guaranteed for one (1) year from the date of acceptance and shall be replaced by the subdivider/developer at no charge to the Village should they die or be in declining condition in the opinion of the Village Engineer. The replacement trees shall be of the same species, size and quantity, and shall not be released from the same one (1) year guarantee. The subdivision/development shall not be released from the one (1) year warranty period until the one (1) year guarantee period is expired for either original or replacement trees.

2. PLANTING REQUIREMENTS.

a. Trees shall be planted on the centerlines of the tree banks.

b. The perimeter of the planting hole shall extend a minimum of two (2) feet beyond the sides of the root ball on all sides. The sides of the hole shall slope gradually, making the hole saucer-shaped or bowl-shaped. The hole shall be no deeper than necessary to cover the root ball.

c. Top soil shall be placed around the root ball in six (6) inch layers and tamped down until the pit is filled. Tops of root balls shall be planted no deeper than nursery level. A doughnut-like circle of soil shall be cultivated eight (8) to twelve (12) inches deep and eighteen (18) inches wide around the root ball. A four (4) inch layer of organic mulch shall be spread over the planting hole coming no closer to the trunk than six (6) inches. The trees shall be initially watered to remove air pockets from the soil and later as necessary to maintain a healthy, vigorous condition.

d. Each tree shall be properly pruned back to compensate for any root loss. Such pruning may include roots and lateral branches (up to one-third their length) but in no case may the leader be cut. Any tree that has the main leader cut in any way shall be removed and replaced.

e. Any excess soil, clay, or construction debris shall be removed from the planting area prior to planting the tree.

f. All tags, wires, plastic ties, and rope shall be removed from each tree to prevent girdling the tree. The burlap shall be removed from the upper third of the root ball. If "plastic" burlap is used, it shall be removed in its entirety from the root ball.

g. All trees shall have their trunk protected with tree wrap paper from the base of the trunk up to the first branch. In addition, all trees shall be planted straight and maintained in an upright position. Trees greater than three (3) inches in caliper shall be staked for a minimum of one growing season to provide for the tree's support and prevent the tree from leaning. Trees with a caliper of three (3) inches or less do not have to be staked unless environmental factors, such as exposure to high winds, predispose the trees to leaning. The Village Engineer shall determine whether or not staking is required in these cases.

3. PERMITTED TREE SPECIES.

a. Only the following species of trees shall be planted in Village tree banks where the clear space between the curb and sidewalk is six (6) feet or greater in width:

Common Name	Botanical Name
Black Maple	*Acer nigrum*
"Emerald Lustre" Norway Maple	*Acer platanoides* "Emerald Lustre"
"Emerald Queen" Norway Maple	*Acer platanoides* "Emerald Queen"
"Schwedleri" Norway Maple	*Acer platanoides* "Schwedleri"
"Legacy" Sugar Maple	*Acer saccharum* "Legacy"
"Legacy" Sugar Maple	*Acer saccharum* "Legacy"
European Black Alder	*Alnus glutinosa*
Hackberry	*Celtis occidentalis*
"Autumn Purple" White Ash	*Fraxinus Americana* "Autumn Purple"
"Rosehill" White Ash	*Fraxinus Americana* "Rosehill"
"Hessei" European Ash	*Fraxinus excelsior* "Hessei"
"Autumn Gold" Ginkgo	*Ginkgo biloba* "Autumn Gold"
"Lakeview" Ginkgo	*Ginkgo biloba* "Lakeview"
"Santa Cruz" Ginkgo	*Ginkgo biloba* "Santa Cruz"
Blue Ash	*Fraxinus quadrangulata*
"Moraine" Thornless Honeylocust	*Gleditsia triacanthos var. interis* "Moraine"
"Shademaster" Thornless Honeylocust	*Gleditsia triacanthos var. interis* "Shademaster"
Swamp White Oak	*Quercus bicolor*
Red Oak	*Quercus rubra*
"Redmond" Linden	*Tilia Americana* "Redmond"
Little Leaf Linden	*Tilia cordata*
Lacebark Elm	*Ulmus parvifolia*

b. Only the following species of trees shall be planted in Village tree banks where the clear space between the curb and sidewalk is less than six (6) feet in width:

Common Name	Botanical Name
"Erectum" Norway Maple	*Acer platanoides* "Erectum"
"Columnare" Norway Maple	*Acer platanoides* "Columnare"
"Crimson Sentry" Norway Maple	*Acer platanoides* "Crimson Sentry"
"Bowhall" Red Maple	*Acer rubrum* "Bowhall"
"Columnare" Red Maple	*Acer rubrum* "Columnare"
"Mayfield" Ginkgo	*Gingko biloba* "Mayfield"
"Sentry" Ginkgo	*Gingko biloba* "Sentry"
"Chaticlear" Callery Pear	*Pyrus calleryana* "Chanticlear"
"Fastigata" American Linden	*Tilia americana* "Fastigata"
"Chancellor" Linden	*Tilia cordata* "Chancellor"
"Erecta" Linden	*Tilia x euchlora*

c. Only the following species of trees shall be planted in Village tree banks with overhead utilities:

Common Name	Botanical Name
Amur Maple (tree form)	*Acer ginnala* (tree form)
Peking tree lilac (tree form)	*Syringa pekinensis* (tree form)
Corneliacherry Dogwood (tree form)	*Cornus mas* (tree form)
Blackhaw viburnum	*Viburnum prunifolium* (tree form)

Crabapples, only those *Malus* culivars listed below:
"Adams"
"Bob White"
"Candied Apple"
"David"
floribunda:
"Liset"
"Ormiston Roy"
"Professor Sprenger"
"Robinson"
"Sugartyme" or "Milton Baron"

d. Tree species not listed in this Section may be permitted on a case-by-case basis upon written approval by the Village Engineer.

e. In addition to invasive plants in the Chicago region, as identified by the Chicago Botanic Garden or the Morton Arboretum, none of the following species of trees shall be planted in thoroughfares: Poplar, Silver Maple, Box Elder, Chinese Elm, Black Locust, Russian Olive, Willow, Catalpa, Mulberry, Pin Oak, or any fruit trees, except those crabapple species specifically identified in this Section 7.3.7.B.3.

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7.3.8. TRAFFIC CONTROL AND STREET NAME SIGN STANDARDS AND SPECIFICATIONS. Traffic control and street name signs shall be provided by the subdivider/developer and shall be located so as to identify every street within the subdivision/ development. Said signs shall comply with the following:

A. TRAFFIC CONTROL SIGNS. In all subdivisions/developments containing pavement markings and traffic control signs, such as speed limit, street name, stop, yield, etc., such signs shall conform to the "Manual of Uniform Traffic Control Devices." The Village Engineer shall approve their type and location.

B. STREET NAME SIGNS. Street name signs shall be posted at every intersection. Wherever possible, such signs shall be attached to street light poles and shall be attached with cantilever arm brackets and three quarters (3/4) inch stainless steel banding.

C. High intensity facing shall be used for all street name signs and traffic control signs. Series C black reflective letters on a white background shall be used for all lettering.