

ARTICLE 2. DEFINITIONS & RULES OF MEASUREMENT

2.1 RULES OF INTERPRETATION

2.2 GENERAL ABBREVIATIONS

2.3 DEFINITIONS

2.4 RULES OF MEASUREMENT

2.1 RULES OF INTERPRETATION

The terms in the text of this Ordinance must be interpreted in accordance with the following rules of construction:

- A. The singular includes the plural, and the plural the singular.
- B. The present tense includes the past and future tenses, and the future tense includes the present.
- C. The terms “must,” “shall,” and “will” are mandatory, while the word “may” is permissive.
- D. The terms “must not,” “will not,” “shall not,” “cannot,” and “may not” are prohibiting.
- E. Any gender includes all genders.
- F. Whenever a defined word or term appears in the text of this Code, its meaning is as set forth in the definition. Words not defined are interpreted in according to normal dictionary usage.

2.2 GENERAL ABBREVIATIONS

The following abbreviations may be used within this Ordinance:

- A. “BTL” is an abbreviation for “built-to line.”
- B. “BTZ” is an abbreviation for “built-to zone.”
- C. “DBH” is an abbreviation for “diameter at breast height.”
- D. “GFA” is an abbreviation for “gross floor area.”
- E. “ft” is an abbreviation for “feet.”
- F. “N/A” is an abbreviation for “not applicable.”
- G. “sq.ft.” is an abbreviation for “square feet.”
- H. “SF” is an abbreviation for “single-family - detached.”
- I. “2F” is an abbreviation for “two-family.”
- J. “TH” is an abbreviation for “townhouse.”
- K. “MF” is an abbreviation for “multi-family.”

2.3 DEFINITIONS

Abut or Adjacent. To share a common wall or lot line without being separated by a street or alley.

Accessibility Ramp. A ramp or similar structure that provides wheelchair or similar access to a structure.

Accessory Building. A detached building located on the same lot as the principal building, that is incidental to the use of the principal building and is constructed with a permanent foundation.

Accessory Dwelling Unit. A residential dwelling unit located on the same zoning lot as a single-family dwelling that provides a completely independent dwelling unit for one or more persons with a separate entrance. An accessory

dwelling unit shall either be a coach house, an attached unit to a single-family dwelling with its own entrance, or an interior dwelling unit, such as a converted attic or basement, with a separate entrance.

Accessory Structure. A structure located on the same lot as the principal building, which may be detached or attached, that is incidental to the use of the principal building and is not constructed with a permanent foundation.

Accessory Use. A use located on the same lot as the principal use and subordinate to the principal use of the land or structure thereon.

Addition/Enlargement. Construction that increases the size of a structure in terms of building footprint, height, or floor area.

Adult Use. Adult use includes: 1) adult retail where the following are sold: publications, photographs, films, or other video reproductions, or visual representations that depict or describe specified sexual activities or specified anatomical areas, or devices or paraphernalia designed for use in connection with specified sexual activities; and 2) adult entertainment where a business features dancers, go-go dancers, exotic dancers or similar entertainers, or live entertainment, in which persons regularly appear in a state of nudity, or where live performances are characterized by the exposure of specified anatomical areas or by specified sexual activities. Adult use establishments specifically exclude minors, or minors are specifically prohibited by statute or ordinance, regardless of whether any such business is licensed to sell alcoholic beverages. Any adult use must be located a minimum of 1,000 feet from any residential use, place of worship, educational facility, or day care center.

Alley. A private or dedicated public way that affords only a secondary means of access to contiguous property and is less than 33 feet in width.

Amateur (HAM) Radio Equipment. An amateur (HAM) radio station licensed by the Federal Communications Commission (FCC), including equipment such as, but not limited to, a tower or building-mounted structure supporting a radiating antenna platform and other equipment.

Animal Care Facility. A business which provides care for domestic animals, including veterinary offices for the treatment of animals, where animals may be boarded during their convalescence, pet grooming facilities, and pet boarding facilities, where animals are boarded during the day or for overnight stays.

Antique Shop. A retail establishment engaged in the sale of goods and merchandise, the majority of which are older than 50 years, have value as collectibles, and are not intended for everyday use or wear.

Architectural Feature. A part or projection that contributes to the aesthetics of a structure, exclusive of signs, that is not necessary for the structural integrity of the structure or to make the structure habitable.

Art Gallery. A business engaged in the sale, loan and/or display of paintings, sculpture, photographs, video art, or other works of art. Art gallery does not include a cultural facility, such as a library or museum, which may also display paintings, sculpture, photographs, video art, or other works.

Art and Fitness Studio. A business where an art, type of art or activity is taught, studied, or practiced such as dance, martial arts, photography, music, painting, pilates, or yoga. An art and fitness studio also includes private exercise studios that are only open for private sessions with trainers and/or classes, but does not include health clubs.

Arbor. A freestanding structure to support vines or trained climbing plants.

Auction House. An establishment that offers for public sale goods, wares, and merchandise to the highest bidder.

Automatic Teller Machine, Exterior (ATM). An automated structure providing limited banking services without personal attendants.

Awning. A roof like structure typically made of cloth, metal, or other material attached to a frame that extends from and is supported by a building. Awnings are typically erected over a window, doorway, or building front and they may be raised or retracted to a position adjacent to the building.

Balcony. A roofed or unroofed platform that projects from the exterior wall of a structure above the ground floor, which is exposed to the open air, has direct access to the interior of the building, and is not supported by posts or columns extending to the ground.

ARTICLE 9. SITE DEVELOPMENT STANDARDS

- 9.1 GENERAL REQUIREMENTS
- 9.2 EXTERIOR LIGHTING
- 9.3 ACCESSORY STRUCTURES AND USES
- 9.4 PERMITTED ENCROACHMENTS
- 9.5 ENVIRONMENTAL PERFORMANCE STANDARDS

9.1 GENERAL REQUIREMENTS

A. Number of Structures on a Lot

In R-1 through R-5 Districts, there must be no more than one principal building per lot. This does not include permitted accessory structures including permitted coach houses. This also does not apply to educational facilities or places of worship. In all other districts, more than one principal building is permitted on a lot, provided that it complies with all dimensional standards of the district.

B. All Activities within an Enclosed Structure

Within all districts, all activities must be conducted entirely within an enclosed structure, with the exception of the following uses and activities:

1. Parking lots, principal and ancillary.
2. Park/playground and similar open space uses.
3. Establishments with a permitted outdoor component that is integral to their function, including, but not limited to, outdoor recreation, outdoor storage yards, heavy retail and rental, heavy service, outdoor dining, car washes, animal care facilities, and similar businesses as determined by the Zoning Administrator.
4. Permitted outdoor storage, and outdoor sales and display areas.
5. Permitted outdoor temporary uses.

C. Applicability of Required Setbacks

No lot may be reduced in area so that the setbacks are less than required by this Ordinance. The required setbacks for a lot cannot be considered a setback for any other lot. No principal building or accessory structure may be located in a required setback unless specifically permitted by this Ordinance or a variation is approved.

D. Applicability of Dimensional Requirements

All structures must meet the dimensional requirements of the zoning district in which the structure is located. No existing structure may be enlarged, altered, reconstructed, or relocated in such a manner that conflicts with the requirements of the district in which the structure it is located unless a variation is approved.

E. Sight Triangle

All structures, including a closed fence or wall, and plantings must not violate the required sight triangle.

9.2 EXTERIOR LIGHTING

A. Lighting Plan Required

1. A lighting plan is required for all non-residential uses, and multi-family dwellings. Single-family, two-family, and townhouse dwellings are exempt from a required lighting plan but are subject to applicable lighting requirements.
2. A lighting plan must include the following:
 - a. A plan showing all light pole locations, building-mounted lights, bollard lights, and all other lighting.
 - b. Specifications for luminaires and lamp types, and poles, including photographs or drawings of proposed light fixtures.
 - c. Pole, luminaire, and foundation details including pole height, height of building-mounted lights, mounting height, and height of the luminaire.

- d. Elevations of the site including all structures and luminaires sufficient to determine the total cut off angle of all luminaires and their relationship to abutting parcels.
- e. Photometric plans that show the footcandle measurement at all lot lines.
- f. Other information and data reasonably necessary to evaluate the required lighting plan.

B. Maximum Lighting Regulations

- 1. The maximum allowable footcandle at any lot line is one footcandle.
- 2. When additional security lighting is required for security reasons in excess of the footcandle limit imposed by item 1 above, additional lighting may be allowed based on evidence for the need for additional security through design review.
- 3. No glare onto adjacent properties is permitted.

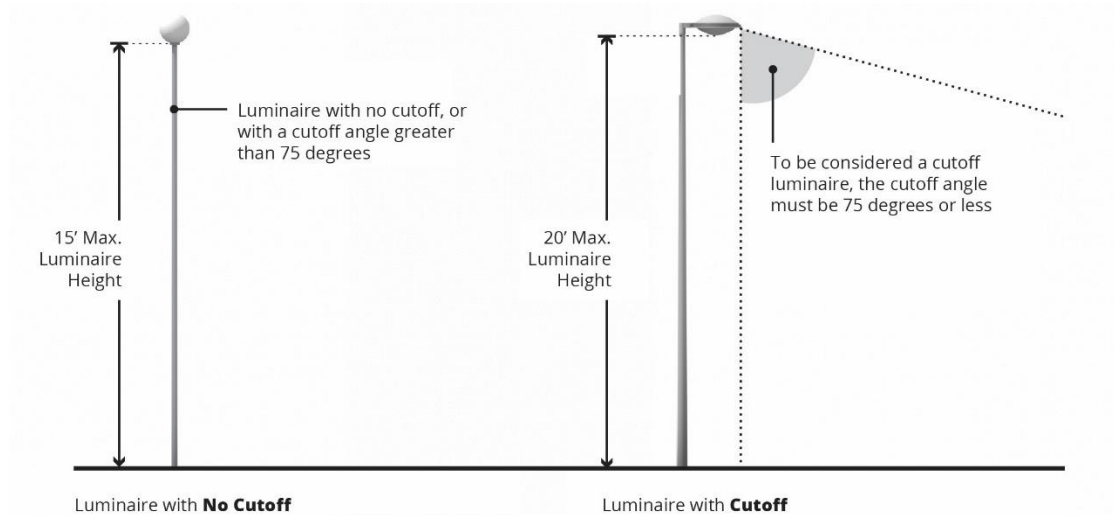
C. Luminaire with Cut Off Standards

- 1. To be considered a cut off luminaire, the cut off angle must be 75 degrees or less.
- 2. The maximum total height of a cut off luminaire, either freestanding or attached to a structure, is 20 feet.
- 3. A cut off luminaire must be designed to completely shield the light source from an observer three and one-half feet above the ground at any point along an abutting lot line.

D. Luminaire with No Cut Off Standards

- 1. A luminaire is considered to have no cut off if it is unshielded or has a cut off angle greater than 75 degrees.
- 2. The maximum permitted total height of a luminaire with no cut off is 15 feet.

LUMINAIRE DEISGN



E. Exceptions to Lighting Standards

1. Luminaires used for public roadway illumination are exempt from the requirements of this section.
2. All temporary emergency lighting required by public safety agencies, other emergency services, or construction are exempt from the requirements of this section.
3. In the OS and I Districts, lighting for outdoor recreation fields is permitted to the maximum building height of the district. A taller height may be allowed through special use approval. However, any existing lighting for outdoor recreation fields, in any district, as of the effective date of this Ordinance, is deemed conforming at its current height and may be repaired and replaced. Any conditions imposed as part of the special use approval for such lighting remain in effect and any changes to such conditions must be approved as a special use.
4. Certain temporary uses may be unable to meet the requirements of this section. When such temporary uses are allowed, approval of all lighting is required as part of the temporary use permit.

F. Prohibited Lighting

1. Flickering or flashing lights are prohibited.
2. Searchlights, laser source lights, or any similar high intensity lights are prohibited.

9.3 ACCESSORY STRUCTURES AND USES

All accessory structures and uses are subject to the requirements of this section and the permitted encroachment requirements of Section 9.4. Additional accessory structures not regulated in this section may be regulated in Section 9.4.

A. General Regulations for Accessory Structures

All accessory structures are subject to the following regulations, in addition to any other specific regulations within this section.

1. No accessory structure may be constructed prior to construction of the principal building to which it is accessory.
2. A building permit may be required for the construction of an accessory structure, per the Village Building Code.
3. Only those accessory structures permitted by this section, except for accessory dwelling units with separate entrances that are either converted attics, basements or units attached to single family dwellings, and Section 9.4 are permitted in required setbacks, as stated in the district standards. Certain accessory structures may also be prohibited in certain yards.
 - a. The use of the term “yard” refers to the area between the applicable building line and lot line. The distinction is made because certain principal buildings may not be built at required district setback lines, thereby creating a yard larger than the minimum setback dimension.
 - b. If a structure is permitted within a yard, it is permitted within the required setback subject to additional limitations.
 - c. Where there is no structure to determine yard location, yards are the same as the minimum district setback dimensions and the accessory structure is permitted in the buildable area.
4. The maximum height of any detached accessory structure is 20 feet, unless otherwise permitted or restricted by this Ordinance.
5. Detached accessory structures, including those listed in this section and Section 9.4, must be setback as follows, unless otherwise permitted or restricted by this Ordinance:

- a. One foot from any interior side lot line and two and one half (2.5) feet from the opposite interior side lot line.
 - b. No closer to the front or corner side lot line than the front building façade line, unless specifically allowed by this Ordinance.
 - c. No closer than four feet from any rear lot line, unless there is no access on the rear side, in which case no closer than one foot from the rear lot line.
6. Detached accessory structures are limited to 20% coverage of the lot in total. Detached accessory structures are included in and must comply with all maximum impervious surface and building coverage requirements.
7. The footprint of a detached accessory structure cannot exceed the footprint of the principal building.

B. Accessory Dwelling Units

Accessory dwelling units as defined herein are subject to the following requirements:

1. Either the single-family dwelling or the accessory dwelling unit must be owner-occupied.
2. Only one accessory dwelling unit is allowed per zoning lot.
3. No additional parking is required for an accessory dwelling unit.
4. All accessory dwelling units must meet all applicable building codes.

5. Detached Accessory Dwelling Unit – Coach House.

- a. Coach houses are permitted on a zoning lot used for a single-family dwelling that is a minimum of 6,500 square feet in lot area.
- b. A coach house must be located in a detached garage on the upper floor, above parking spaces located on the ground level. A detached garage with a coach house is subject to all standards of item N below, applicable to detached garages.
- c. Only one dwelling unit may be located in a coach house.
- d. New coach houses built after the effective date of this Ordinance must comply with the following:
 - 1). New coach houses must be designed to relate to the design of the single-family dwelling.
 - 2). New coach houses cannot exceed the height of the single-family dwelling.
 - 3). If located within a historic preservation district, the Historic Preservation Commission shall review.

6. Attached Accessory Dwelling Units – Additions with separate entrances.

- a. Attached units are permitted on a zoning lot used for a single-family dwelling that is a minimum of 6,500 square feet in lot area.
- b. An attached dwelling unit must be less than 1,000 square feet of livable space and smaller than the single-family dwelling.
- c. An attached dwelling unit must be located in the rear or side of a single-family dwelling and meet the dimensional requirements as a single-family dwelling found in Table 4-1: Residential Districts Dimensional Standards.
- d. An attached dwelling unit must have its own separate entrance from the single-family dwelling.
- e. Additions built after the effective date of this Ordinance must comply with the following:
 - 1). New additions must be designed to relate to the design of the single-family dwelling.

2). If located within a historic preservation district, the Historic Preservation Commission shall review.

7. Interior Accessory Dwelling Units – Basement and Attic conversions with separate entrances.

- a. An attic or basement accessory dwelling unit is permitted on a zoning lot within a single-family dwelling.
- b. An attic or basement accessory dwelling unit must have its own separate entrance from the single-family dwelling.

C. Awnings and Canopies (Non-Residential Uses)

Awnings and canopies for non-residential uses are subject to the following standards. Awnings and sunshades for residential uses are controlled by the provisions of Section 9.4.

1. Permitted Awnings and Canopies

- a. Awnings must be straight sheds or canopies.
- b. Awnings or canopies must be made of glass, steel, canvas, and other natural fabric.
- c. Awnings are permitted along the first floor only.
- d. Individual awnings or canopies are permitted for each storefront bay.
- e. The front extended edge should be compatible in height to others in the same block, but must maintain a minimum vertical clearance of seven feet above grade.
- f. Awnings must be constructed to discourage harborage of birds. Structural elements must be primed and painted, anodized, or powder-coated with electrostatic paint.
- g. Canopies may be supported by cables or chains affixed to the building, or supported by brackets affixed to the wall but no lower than seven feet above grade.

2. Prohibited Awnings and Canopies

- a. Slatted metal, vinyl, plastic, and other synthetic materials are prohibited.
- b. Bubbledome and arches on quarter vaults awnings and canopies are prohibited.
- c. Back-lit and internally illuminated awnings are prohibited.
- d. Use of continuous awnings or canopies across multiple storefront bays should be avoided.

CD. Amateur (HAM) Radio Equipment

- 1. Towers that solely support amateur (HAM) radio equipment and conform to all applicable performance criteria set forth in Section 9.5 are permitted in the rear yard only, and must be located ten feet from any lot line and any principal building. Towers are limited to the maximum building height of the applicable district plus an additional five feet, unless a taller tower is technically necessary to engage successfully in amateur radio communications and a special use approval is obtained.
- 2. Antennas may also be building-mounted and are limited to a maximum height of five feet above the structure, unless a taller antenna is technically necessary to engage successfully in amateur radio communications and special use approval is obtained.
- 3. Every effort must be made to install towers or antennas in locations that are not readily visible from adjacent residential lots or from the public right-of-way, excluding alleys.
- 4. An antenna or tower that is proposed to exceed the height limitations is a special use. The operator must provide evidence that a taller tower and/or antenna is technically necessary to engage successfully in amateur radio communications. In addition, the applicant must provide evidence that the tower and/or antenna will not prove a hazard and that it conforms to all applicable performance criteria of Section 9.5. As part of the application, the

applicant must submit a plan showing the proposed location of the tower or antenna, as well as its relation to the principal building and accessory structures.

5. Any such antennas and/or towers owned and operated by the Village are exempt from these requirements.

DE. Apiary

Apiaries must comply with Chapter 20, Article 11 of the Village Code.

EF. Automatic Teller Machines (ATM)

Automatic teller machines (ATM) are not permitted as freestanding outdoor facilities. ATMs must be accessory to a non-residential use. Any ATMs located outdoors must be accessory to, and physically part of, a building occupied by a financial institution or in an approved drive-up facility located on the same lot as the financial institution. ATMs may be accessible by automobile as part of a financial institution, provided there are no pedestrian and vehicular conflicts resulting from the placement of the ATM.

FG. Book Exchange Box

1. Book exchange boxes are permitted in front or side corner yard only and must be located a minimum of one feet from any lot line, measured from the base of the book exchange box.
2. No book exchange box may be located so that it impedes pedestrian access or circulation, obstructs parking areas, or creates an unsafe condition. Boxes cannot obstruct the sight triangle.
3. Boxes are prohibited in the public right-of-way.
4. Each box must be designed and constructed in such a manner that its contents are protected from the elements. All media must be fully contained within a weatherproof enclosure that is integral with the structure that comprises the book exchange box.
5. Boxes are limited to a maximum height of 60 inches to the highest point on the structure, and a maximum width and depth of three feet.
6. Foundations comprised of concrete, masonry pavers, or other similar movable materials are permitted.
7. No more than one book exchange box is permitted per lot.

GH. Breezeway

Breezeways connecting a detached garage to the principal building are permitted provided that all vertical sides are no more than 25% enclosed at all times. Breezeways or canopies are not considered part of a principal building.

HI. Carport

1. A carport is permitted in the interior side or rear yard only.
2. The total length of a carport is limited to 20 feet. The height of a carport is limited to 10 feet.
3. A carport must be entirely open on at least two sides except for the necessary supporting columns and customary architectural features.
4. A carport must be constructed as a permanent structure. Temporary tent structures are not considered carports.

IJ. Chicken Coops

The keeping of chickens must comply with (*reference needed*) of the Municipal Code. In addition, chicken coops must comply with the following:

1. Chicken coops are permitted in the rear yard only.
2. No hens may be kept or raised within a dwelling.
3. The chicken coop must provide a minimum of three square feet per hen.
4. The chicken coop must be located upon an impermeable surface that prevents waste run-off.

JK. Coldframe Structures

1. Coldframe structures up to three feet in height are permitted in the interior side and rear yards.
2. Coldframe structures over three feet in height are permitted in the rear yard only.
3. Coldframe structures are limited to a maximum square footage of 60 square feet and a maximum height of six feet. When part of a community garden use, coldframe structures are permitted a maximum square footage of 120 square feet.

K. ~~Coach House~~

- ~~1. Coach houses are permitted on a lot used for a single-family dwelling that is a minimum of 6,500 square feet in lot area.~~
- ~~2. A coach house must be located in a detached garage on the upper floor, above parking spaces located on the ground level. A detached garage with a coach house is subject to all standards of item N below, applicable to detached garages.~~
- ~~3. No more than one coach house is allowed per lot and only one dwelling unit may be located in a coach house.~~
- ~~4. No additional parking is required for a coach house.~~
- ~~5. New coach houses built after the effective date of this Ordinance must comply with the following:~~
 - ~~a. New coach houses must be designed to relate to the design of the principal building.~~
 - ~~b. New coach houses cannot exceed the height of the principal building.~~

L. Fences and Walls

1. Fences for Residential Uses and H District

- a. For interior lots, fences located within 35 feet of a front lot line or closer to the front lot line than the existing building, whichever is less, must be open fences and cannot exceed five feet in height.
- b. For corner lots, fences located within 35 feet of the intersection of two intersecting street lines or closer to the intersection point than the existing building, whichever is less, must meet the following requirements:
 - i. Fences must be open fences and cannot exceed five feet in height.
 - ii. In addition, when boards are used as the surface material for such fences, the boards cannot exceed five inches in width and three-quarters of an inch in thickness, and must be installed vertically to form a flat and at least 50% open surface with no less than three and one-half inches of fence open space between each board.
- c. Fences located more than 35 feet from a front lot line or behind the front of an existing building and less than 15 feet from a corner side lot line cannot exceed six feet, in height, with the exception of fences authorized by Item e below.

- d. Fences located more than 35 feet from a front lot line or behind the front of an existing building and less than ten feet from a interior side lot line cannot exceed six feet in height, with the exception of fences authorized by Item e below. However, if a letter of consent by the owner of record of the adjacent property is filed with the Zoning Administrator, a fence may be erected to seven feet in height.
- e. Fences located less than ten feet from a rear lot line and parallel to such lot line cannot exceed eight feet in height.
- f. Fences for townhouse developments are subject to the following additional regulations:
 - i. Fences located along any front lot line of a townhouse development that are less than ten feet from the front lot line and parallel to such lot line is permitted up to eight feet in height without an open fence requirement, when such fence separates a street and a yard located along the front lot line, where the yard functions as a private yard for the townhouse unit.
 - ii. The materials used for the construction of a fence along the front lot line of a townhouse development must complement the development and require the specific approval of the Village through the fence permit process.
 - iii. Fences separating such individual townhouse yards from each another cannot exceed seven feet in height.

2. Fences for Non-Residential Uses

- a. Fences located within 35 feet of a front lot line or closer to the front lot line than the existing building, whichever is less, must be open fences and cannot exceed five feet in height. However, open wire fencing and fences of wrought iron, steel or aluminum are permitted to a height of eight feet.
- b. Fences located more than 35 feet from a front lot line cannot exceed eight feet in height.

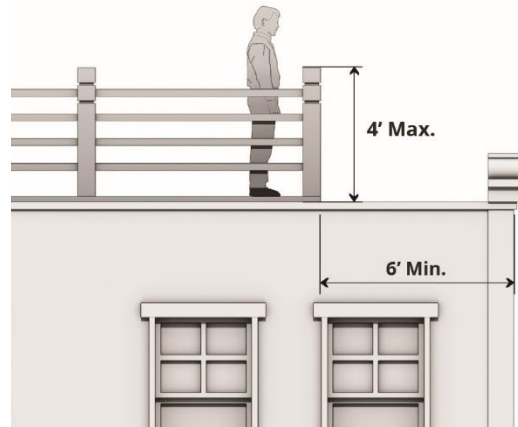
3. General Requirements for All Fences

- a. The height of a fence includes all gates and appurtenances.
- b. If an open wire fence is erected, it is preferred that the fence, including gates and appurtenances, be coated with black or brown vinyl coating. Chain link and open wire fencing is prohibited in the front yard and in any portion of the corner side yard that is forward of the front building line.
- c. If a fence of a greater height and/or is required to be a solid fence by any other section of this Ordinance or other Village ordinance, then such fence is permitted.
- d. All fences must be maintained in a non-deteriorated and rust-free condition. Posts must be set and maintained vertically.
- e. Barbed wire fences are prohibited.
- f. No spikes, nails, or any kind of pointed instrument may be installed on any railing, fence, guard, or other barrier or protection.
- g. Electrical fences or any kind of electrically charged fence are prohibited.

M. Flat Roof Features

- 1. Accessory rooftop features of a flat roof, such as rooftop decks, rooftop gardens, and stormwater detention systems are permitted below the parapet of any flat roof building, and are excluded from the calculation of maximum building height.
- 2. Rooftop decks or patios must be set back six feet from all building edges.
- 3. Rooftop decks or patios must have a guardrail that is minimum of 30% open and a maximum of four feet in height as measured from the surface of the roof deck or patio.

ROOFTOP DECK DESIGN



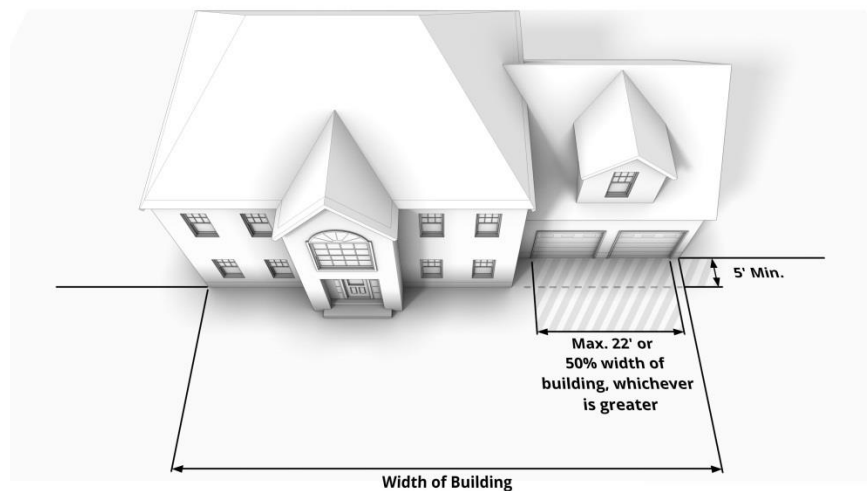
N. Garage

The following standards apply to residential garages, with the exception of multi-family dwellings.

1. Attached Garages

- a. Front-loaded attached garages are limited to 50% of the width of the front building facade line or 22 feet, whichever is greater. Garage width is measure between garage doors; in the case of garages designed with multiple garage doors, the distance is measure between the edge of the outmost doors.
- b. Attached garages must be set back a minimum of five feet from the front building wall, which excludes any architectural elements, such as bay windows or unenclosed porches.

ATTACHED GARAGE DESIGN



2. Detached Garages

- a. One detached garage is permitted per lot.
- b. Detached garages are permitted in the rear and interior side yards. Detached garages must be set back a minimum of five feet from the front building facade line. No setback is required from any side or rear building façade line.
- c. If a lot abuts a public alley that provides adequate access to a street, a detached garage must be constructed so that access is from the public alley.

O. Home Occupation

1. Home occupations are permitted in any dwelling unit as an accessory use provided that this use is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the character of the dwelling unit or adversely affect the surrounding residential district of which it is a part.
2. A member or members of the immediate family occupying the dwelling and no more than one person who is not a resident member of the immediate family may be in the home at any given time to work in connection with the home occupation.
3. Home occupations of an office or service-related businesses are limited to one client at a time per home occupation in the structure. For purposes of this section, client means one or more persons meeting with for the office or service-related business home occupation.
4. No alteration of the principal building may be made that changes the residential character of that dwelling. Displays or activities that indicate from the exterior that the structure is being used, in part, for any purpose other than that of a residence are prohibited.
5. If the home occupation is conducted entirely within the principal building, no home occupation may occupy more than 25% of the total heated floor area of the dwelling unit in which it is located.
6. If the residents of a principal building also maintain a coach house for their personal use, a home occupation is limited to no more than 25% of the combined total heated floor areas of the principal building and the coach house. The home occupation may occupy the entire coach house as long as the total floor area of the home occupation in the couch house does not exceed 25% of the combined total heated floor area of the principal building and the coach house.
7. If a coach house is occupied as an independent second residence located on the same zoning lot as the principal building, then a home occupation conducted by residents of the coach house cannot occupy more than 25% of the total heated floor area of the coach house.
8. No commodities can be sold or services rendered that require receipt or delivery of merchandise, goods, or equipment other than by a passenger motor vehicle or by parcel or letter carrier mail services using vehicles typically employed in residential deliveries.
9. The home occupation and all related activity, including storage, must be conducted completely within the principal building or a permitted accessory structure.
10. No toxic, explosive, flammable, combustible, corrosive, etiologic, radioactive, or other restricted materials may be used or stored on the site. There must be no perceptible noise, odor, smoke, electrical interference, vibration, or other nuisance emanating from the structure where the home occupation is located in excess of that normally associated with residential use.
11. Any home occupation that involves internal or external alterations, or involves construction features or the use of electrical or mechanical equipment that would change the required fire rating of the structure, is prohibited.
12. The home occupation cannot create greater vehicular or pedestrian traffic than normal for a residential area. The home-based business and any related activity must not create any traffic hazards or nuisances in public rights-of-way.
13. Use or storage of tractor trailers, semi trucks, or heavy equipment, such as construction equipment used in a commercial business, is prohibited. Day care homes are not considered a home occupation and are regulated separately by this Code.
14. The following activities are prohibited as home occupations:
 - a. Repair and service of any vehicles or any heavy machinery is prohibited as a home occupation.
 - b. Rental services, where any materials for rent are stored on-site and customers visit the residence to pick-up and return the product
 - c. Animal care facilities
 - d. Barbershops, beauty salons, nail salons

- e. Funeral homes
- f. Large-scale manufacturing
- g. Medical/dental clinics
- h. Restaurant
- i. Social club or meeting hall

P. Mechanical Equipment

Mechanical equipment includes heating, ventilation, and air conditioning (HVAC) equipment, electrical generators, and similar equipment.

1. Ground-Mounted Equipment

- a. Mechanical equipment is permitted in the interior side or rear yard only.
- b. For multi-family and non-residential uses, ground-mounted mechanical equipment must be screened from view by a decorative wall or solid fence that is compatible with the architecture and landscaping of a development site. The wall or fence must be of a height equal to or greater than the height of the mechanical equipment being screened.

2. Roof-Mounted Equipment

- a. For structures four or more stories in height, all roof equipment must be set back from the edge of the roof a minimum distance of one foot for every two feet by which the equipment extends above the roof.
- b. For structures less than four stories in height and for any building where roof equipment cannot meet the setback requirement of item a above, there must be either a parapet wall to screen the equipment or the equipment must be housed in solid building material that is architecturally integrated with the structure.

3. Wall-Mounted Equipment

- a. Wall-mounted mechanical equipment is not permitted on the front façade of the building or any façade of the building visible from a public street.
- b. For multi-family and non-residential uses, wall-mounted mechanical equipment that protrudes more than twelve inches from the outer building wall must be screened from view by structural features that are compatible with the architecture of the subject building.
- c. Wall-mounted mechanical equipment that protrudes less than twelve inches must be designed to blend with the primary color and architectural design of the subject building.
- d. These requirements do not apply to window air conditioning units.

Q. Outdoor Sales and Display (Ancillary)

These regulations apply only to outdoor sales and display located on the lot. Outdoor sales and display located on the public right-of-way must meet the requirements of (*reference needed*) of the Village Code.

- 1. Retail goods establishments in the non-residential districts are permitted to have accessory outdoor sales and display of merchandise. Such merchandise must be customarily sold on the premises.
- 2. All outdoor display of merchandise must be located immediately adjacent to the storefront and not in drive aisles, loading zones, fire lanes, or parking lots.
- 3. No item of merchandise may be placed within three feet of either side of an active door, or within ten feet directly in front of an active door.
- 4. A minimum clear width for pedestrian traffic of five feet is provided and maintained along the sidewalk.
- 5. No merchandise is to be displayed, stored, or otherwise left outdoors during non-operating hours of business.

R. Outdoor Storage (Ancillary)

The following uses are permitted outdoor storage: greenhouse/nursery – retail, including the growing of plants in the open, heavy retail and rental, heavy service, vehicle dealerships, vehicle rentals, vehicle operations facility, and vehicle repair/service - minor or major. The Zoning Administrator can also render an interpretation that a use not listed in this section would typically have outdoor storage and permit such use to include outdoor storage on the site. These uses are permitted ancillary outdoor storage in accordance with the following provisions:

1. No outdoor storage is permitted in any public right-of-way or located so that it obstructs pedestrian or vehicular traffic. Outdoor storage is prohibited in a required setback and in the front yard.
2. All manufacturing, assembly, repair, or work activity must take place inside an enclosed building.
3. No required parking area may be used as outdoor storage.

S. Refuse and Recycling Containers

Refuse and recycling container regulations apply only to new construction of multi-family dwellings and non-residential uses as of the effective date of this Ordinance.

1. Refuse and recycling containers are prohibited in the front or corner side yard. No dumpsters may be located on any public street.
2. All refuse and recycling containers must be fully enclosed on three sides by a solid fence, wall, or wall extension of the principal building a minimum of six feet and a maximum of eight feet in height. The wall or wall extension must be constructed as an integral part of the building's architectural design.
3. The enclosure must be gated. Such gate must be solid and a minimum of five feet and a maximum of eight feet in height. Such construction requires a building permit. This requirement does not apply to refuse containers located adjacent to an alley.
4. The gate must be maintained in good working order and must remain locked except when refuse/recycling pick-ups occur. The gate must be architecturally compatible with other buildings and structures on the site.

T. Satellite Dish Antennas

1. General Requirements

- a. Satellite dish antennas must be permanently installed on a building, in the ground, or on a foundation, and cannot be mounted on a portable or movable structure.
- b. Subject to operational requirements, the dish color must be of a neutral color, such as white or grey. No additional signs or advertising is permitted on the satellite dish itself, aside from the logos of the satellite dish service provider and/or dish manufacturer.
- c. Antennas no longer in use must be immediately removed.
- d. Every effort must be made to install satellite dish antennas in locations that are not readily visible from neighboring properties or from the public right-of-way. When located along the front building façade, a report must be submitted to the Zoning Administrator stipulating that the location on such façade is necessary for reception.

2. Additional Standards for Large Satellite Dish Antennas

Large satellite dish antennas, which are greater than one meter (3.28 feet) in diameter, are subject to the general requirements above as well as the following requirements:

- a. Large satellite dish antenna are permitted only in the rear or interior side yard, and must be set back a distance from all lot lines that is at least equal to the height of the dish, but in no case less than five feet from any lot line.
- b. Roof-mounting is permitted only if the satellite dish antenna is entirely screened from public view along the right-of-way by an architectural feature.
- c. A large satellite dish antenna must be located and screened so that it cannot be readily seen from public rights-of-way or adjacent properties. Screening includes solid fences, plant materials, and/or earth berms located to conceal the antenna and its support structure. Plants must be a minimum of five feet tall at the time of installation.

U. Solar Panels

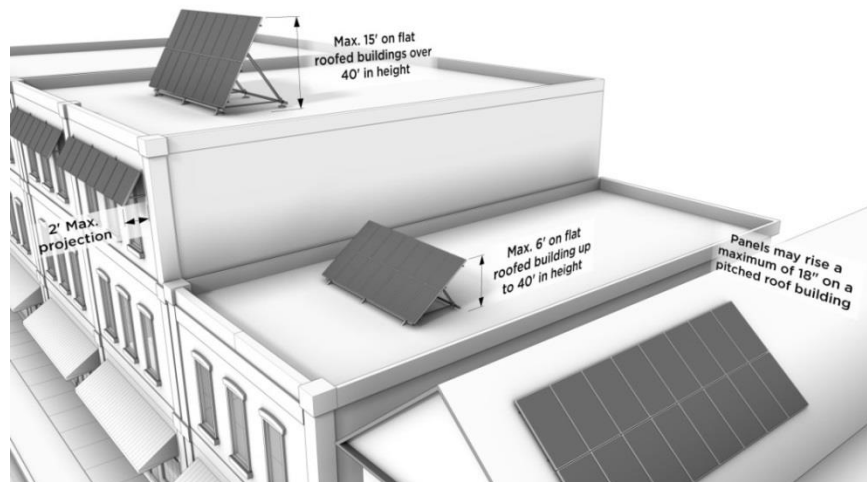
1. General Requirements

- a. A solar panel may be building-mounted or freestanding.
- b. Solar panels must be placed so that concentrated solar radiation or glare is not directed onto nearby properties or roadways.
- c. Solar panels to be installed within a historic district must meet the Architectural Review Guidelines of the Historic Preservation Commission.

2. Building-Mounted Systems

- a. A building-mounted system may be mounted on the roof or wall of a principal building or accessory structure.
- b. On pitched roof buildings, the maximum height a roof-mounted solar panel may rise is 18 inches.
- c. On flat roofed buildings up to 40 feet in height, the roof-mounted solar panel system is limited to a maximum height of six feet above the surface of the roof. On flat roofed buildings over 40 feet in height, the roof-mounted solar panel system is limited to 15 feet above the height of such structure. Roof-mounted solar energy systems are excluded from the calculation of building height.
- d. Wall-mounted solar panels may project up to two feet from a building façade and must be integrated into the structure as an architectural feature.

BUILDING-MOUNTED SOLAR PANELS



3. Freestanding Systems

- a. A freestanding system is prohibited in the front or corner side yard.
- b. The maximum height of a freestanding system is eight feet.

4. Co-Location

Solar panels may be co-located on structures such as wireless communication towers and light poles.

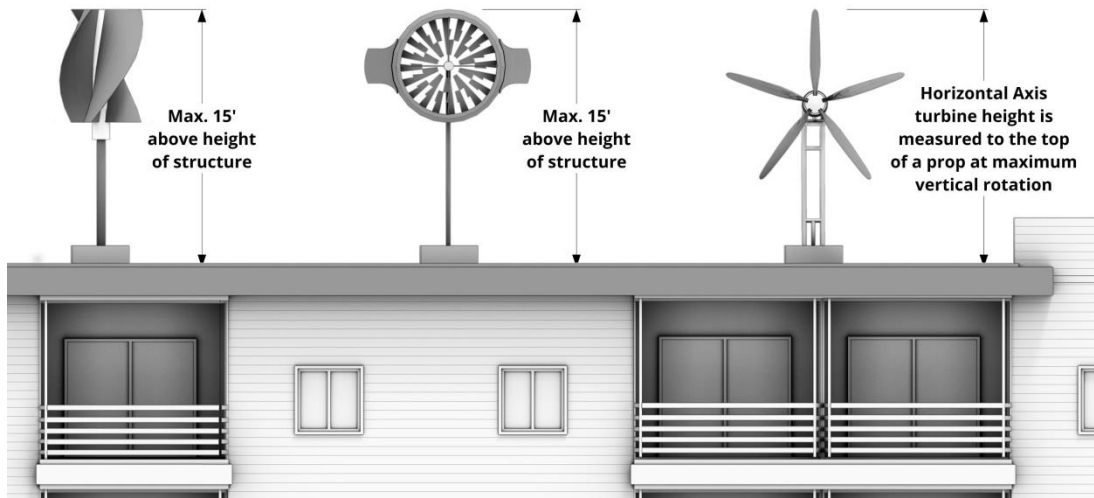
V. Tour House and House Museum

1. Tour houses and house museums are allowed as an accessory use in the residential districts as a special use. No permit may be issued for this special use unless the applicant is licensed by the Village to operate a tour house within the Village. For purposes of this section, the license is deemed to have been issued if approval of the license is given by the Village, contingent upon the issuance of the special use permit. No permit issued for this special use is transferable to a subsequent owner of the property or any other party.
2. No tour house may be located less than 500 feet from a house museum or another tour house. Special use approval is required to waive or reduce this spacing requirement and such waiver or reduction must find that reduced or waived spacing would not alter the residential character of the neighbor or have an adverse impact on surrounding properties.
3. No tour house may be open to the public more than six days per week, and no tour house may be open to the public earlier than 10 A.M. or later than 5 P.M. on any given day. The applicant must submit a plan that describes the activities of the proposed use, including the number of annual tours and the distribution of those tours throughout the days and weeks of the year.
4. No ancillary commercial operations or retail sales are permitted. However, souvenirs and mementos which portray a likeness of the tour house or some portion thereof, or convey information specifically related to the tour house as its primary content, may be sold within the tour house by the resident or owner of the tour house. A token souvenir, such as a postcard or poster, may be offered without charge by the resident or owner of a tour house to each member of the public touring the tour house. The maximum floor area within the tour house devoted to the sale of such souvenirs and mementos must be no greater than 50 square feet.
5. No food service to members of the public touring a tour house is permitted.
6. No more than 20% of the floor area of any house so designated as a house museum may be used for any purpose other than museum space accessible to the public. For the purposes of this definition, the basement and unfinished attic space of any house museum is not included either in the calculation of the total floor space of the house museum or in the calculation of the 20% of the floor space which is eligible for use for any purpose other than museum space accessible to the public.

W. Wind Turbines

1. Wind turbines may be designed as either vertical or horizontal axis turbines, or designs that combine elements of the different types of turbines.
2. Wind turbines are subject to the following height restrictions:
 - a. The maximum height of any ground-mounted wind turbine is the maximum height allowed in the district. A taller height may be allowed by special use.
 - b. The maximum height of any wind turbine mounted upon a structure is 15 feet above the height of such structure.
 - c. Maximum height is the total height of the turbine system as measured from the base of the tower. For vertical axis turbines, the maximum vertical height of the turbine blades is measured as the length of a prop at maximum vertical rotation.
 - d. No portion of exposed turbine blades (vertical access wind turbine) may be within 20 feet of the ground. Unexposed turbine blades (horizontal access wind turbine) may be within 10 feet of the ground.

WIND TURBINE DESIGN



3. Ground-mounted wind turbines are permitted only in the rear yard. No part of the wind system structure, including guy wire anchors, may be located closer than 10 feet to any lot line. The tower must be set back from all lot lines equal to the height of the system. No principal buildings may be located within this area.
4. All wind turbines must be equipped with manual (electronic or mechanical) and automatic over speed controls to limit the blade rotation speed to within the design limits of the wind energy system.
5. Wind turbines to be installed within a historic district must meet the Architectural Review Guidelines of the Historic Preservation Commission.

9.4 PERMITTED ENCROACHMENTS

An encroachment is the extension or placement of an accessory structure or architectural feature into a required setback. Permitted encroachments are indicated in Table 9-1: Permitted Encroachments into Required Setbacks.

- A. Section 9.3 contains regulations on additional accessory structures and architectural features not listed in Table 9-1, which may include additional permissions or restrictions for their permitted encroachment into required setbacks.
- B. Unless constructed concurrently with the principal building, accessory structures or architectural features require a building permit, unless exempted by this section.
- C. Unless otherwise indicated, all accessory structures and architectural features must meet the requirements for general accessory structures.
- D. When an attached or detached accessory structure or architectural feature regulated by Table 9-1 is permitted to locate in a required setback, it also indicates permission to locate in the corresponding yard.
- E. When an attached or detached accessory structure or architectural feature regulated by Table 9-1 is prohibited from encroaching in a required setback, the structure or architectural feature may be located in the corresponding yard beyond the required setback line unless specifically prohibited by the table.
- F. The RR District may have additional controls on permitted encroachments contained within the provisions of Section 5.4, which supersede the permissions of this Article in the case of conflict.

Table 9-1: Permitted Encroachments Into Required Setbacks
Y= Permitted // N= Prohibited
Max. = Maximum // Min. = Minimum

	Front Setback	Corner Side Setback	Interior Side Setback	Rear Setback
Accessibility Ramp	Y	Y	Y	Y
Air Conditioner Ground Unit <i>Min. of 1' from interior or rear lot line</i>	N	N	Y	Y
Air Conditioner Window Unit <i>Max. projection of 18" from building wall</i> <i>No building permit required</i>	Y	Y	Y	Y
Arbor <i>No building permit required</i>	Y	Y	Y	Y
Awning or Sunshade (Residential Uses) <i>Max. of 18" into front, interior side, or corner side setback</i> <i>Max. of 5' into rear setback</i>	Y	Y	Y	Y
Balcony or Balustrade <i>Max. of 6' into front, interior side, or corner side setback</i> <i>Max. of 8' into rear setback</i> <i>Min. of 4' from any lot line</i> <i>Min. vertical clearance of 8'</i>	Y	Y	Y	Y
Bay Window <i>Max. of 5' into any setback</i> <i>Min of 2' from any lot line</i>	Y	Y	Y	Y
Canopy: Building Entrance (Residential Uses) <i>Max. of 5' into any setback</i> <i>Max. 15' width or no more than 3' extension on either doorway side, whichever is less</i>	Y	Y	Y	Y
Chimney <i>Max. of 18" into setback</i>	Y	Y	Y	Y
Deck or Terrace <i>Max. of 5' into front, corner side, or interior side setback</i> <i>Max. of 8' into rear setback</i> <i>Max. height of 5' above grade</i>	Y	Y	Y	Y
Dog House <i>Prohibited in front or corner side yard</i> <i>No building permit required</i>	N	N	N	Y
Eaves <i>Max. of 4' into setback</i>	Y	Y	Y	Y
Exterior Stairwell <i>Max. of 5' into rear or interior side setback</i> <i>Prohibited in front yard</i> <i>Min. of 1' from rear or interior lot line</i>	N	N	Y	Y
Fire Escape and Window Well <i>Max. of 3' into setback</i>	Y	Y	Y	Y
Gazebo or Pergola <i>Min. of 1' from rear or interior lot line</i> <i>Prohibited in front yard</i>	N	N	Y	Y
Greenhouse <i>Min. of 5' from any lot line</i> <i>Prohibited in front and corner side yard</i>	N	N	Y	Y
Personal Recreation Game Court <i>Prohibited in front and corner side yard</i> <i>Min. of 5' from any lot line</i>	N	N	N	Y
Playground Equipment <i>Prohibited in front and corner side yard</i> <i>Min. of 5' from any lot line</i>	N	N	N	Y
Porch - Unenclosed <i>Max. of 5' into front, interior side, or corner side setback</i> <i>Max. of 8' into rear setback</i> <i>Enclosed porches are considered part of the principal structure</i>	Y	Y	Y	Y

Table 9-1: Permitted Encroachments Into Required Setbacks				
Y= Permitted // N= Prohibited				
Max. = Maximum // Min. = Minimum				
	Front Setback	Corner Side Setback	Interior Side Setback	Rear Setback
Shed <i>Prohibited in front yard</i> <i>No building permit required for sheds without a permanent foundation</i>	N	N	Y	Y
Sidewalk <i>No min. setback from lot lines</i>	Y	Y	Y	Y
Sills, belt course, cornices, and ornamental features <i>Max. of 3' into setback</i>	Y	Y	Y	Y
Stoop <i>Max. of 3' into setback</i>	Y	Y	Y	Y

9.5 ENVIRONMENTAL PERFORMANCE STANDARDS

All uses must comply with the performance standards established in this section unless any federal, state, or local law, ordinance, or regulation establishes a more restrictive standard, in which case, the more restrictive standard applies.

A. Noise

No activity or use must be conducted in a manner that generates a level of sound as measured on another property greater than that allowed by federal, state, and local regulations, as amended from time to time. These limits do not apply to construction noises, noises emanating from safety signals or warning devices, noises not directly under the control of the owner or occupant of the property, and transient noises from moving sources, such as motor vehicles, railroads, and aircraft.

B. Glare and Heat

Any activity or the operation of any use that produces glare or heat must be conducted so that no glare or heat from the activity or operation is detectable at any point off the lot on which the use is located. Flickering or intense sources of light must be controlled or shielded so as not to cause a nuisance across lot lines.

C. Vibration

No earthborne vibration from the operation of any use may be detectable at any point off the lot on which the use is located.

D. Dust and Air Pollution

Dust and other types of air pollution, borne by the wind from sources, such as storage areas, yards, roads, conveying equipment and the like, within lot boundaries, must be kept to a minimum by appropriate landscape, screening, sheltering, paving, fencing, wetting, collecting, or other acceptable means.

F. Discharge and Disposal of Radioactive and Hazardous Waste

The discharge of fluid and the disposal of solid radioactive and hazardous waste materials must comply with applicable federal, state, and local laws, and regulations governing such materials or waste. Radioactive and hazardous material waste must be transported, stored, and used in conformance with all applicable federal, state, and local laws.

G. Electromagnetic Interference

Electromagnetic interference from any operation of any use must not adversely affect the operation of any equipment located off the lot on which such interference originates.

H. Odors

Any condition or operation which results in the creation of odors of such intensity and character as to be detrimental to the public health and welfare, or which interferes unreasonably with the comfort of the public, must be removed, stopped, or modified so as to remove the odor.

I. Fire and Explosion Hazards

Materials that present potential fire and explosion hazards must be transported, stored, and used only in conformance with all applicable federal, state, and local regulations.