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Carol Stream, IL Code of Ordinances

§ 16-5-6 GARY AND NORTH AVENUE CORRIDOR REGULATIONS.

(A) Relationship to the rest of the Zoning Code.

(1) All provisions of the Zoning Code, to the extent that they do not conflict with the standards delineated in this section, shall remain in full force and effect for all properties subject to the provisions of this section.

(2) The standards found in this section shall be used by property owners, developers, village staff members, the Plan Commission and the Village Board during the design and review of development and redevelopment proposals within the Gary Avenue and North Avenue Corridors. These standards and criteria complement and add to those contained within the Village's Comprehensive Plan, Gary Avenue Corridor Plan, the Zoning Code and other land use regulations. In the event of conflict between regulatory ordinances, those contained in this section shall take precedence over all others.

(B) Identification of the Gary and North Avenue Corridors.

(1) The Gary Avenue Corridor regulations apply to those properties designated in Figure 1, Gary Avenue Corridor Boundaries. The Corridor includes two general areas. The first area includes those properties abutting Gary Avenue, and within a depth not exceeding 400 feet from the nearest Gary Avenue right-of-way line. Such properties are all within the Gary Avenue Corridor Plan area which runs along both sides of Gary Avenue from the southerly village boundary to the northerly village boundary. The second area includes the area adjacent to the intersection of Gary Avenue and Lies Road specifically bounded by 1,400 feet west of the nearest Gary Avenue right-of-way line and 1,300 feet north of the nearest Lies Road right-of-way line at the northwest corner of Gary Avenue and Lies Road; 850 feet west of the nearest Gary Avenue right-of-way line and 1,200 feet south of the nearest Lies Road right-of-way line at the southwest corner of Gary Avenue and Lies Road; and approximately 1,200 feet east of the nearest Gary Avenue right-of-way line to the nearest railroad right-of-way line and 400 feet north and south of the nearest Lies Road right-of-way line at the northeast and southeast corners of Gary Avenue and Lies Road.

(2) For any lot that abuts Gary Avenue directly, other than a single-family residential lot, the lot line abutting the Gary Avenue right-of-way shall be considered the front lot line.

(3) The North Avenue Corridor regulations apply to those properties designated in Figure 2, North Avenue Corridor Boundaries. The Corridor includes those properties within the corporate limits abutting North Avenue, and within a depth not exceeding 400 feet from the nearest North Avenue right-of-way line. Such properties are all within the North Avenue Corridor Plan area which runs along both sides of North Avenue from the easterly village boundary to the westerly village boundary.

(4) For any lot that abuts Gary Avenue directly, other than a single-family residential lot, the lot line abutting the Gary Avenue right-of-way shall be considered the front lot line.

Figure 1: Gary Avenue Corridor Boundaries

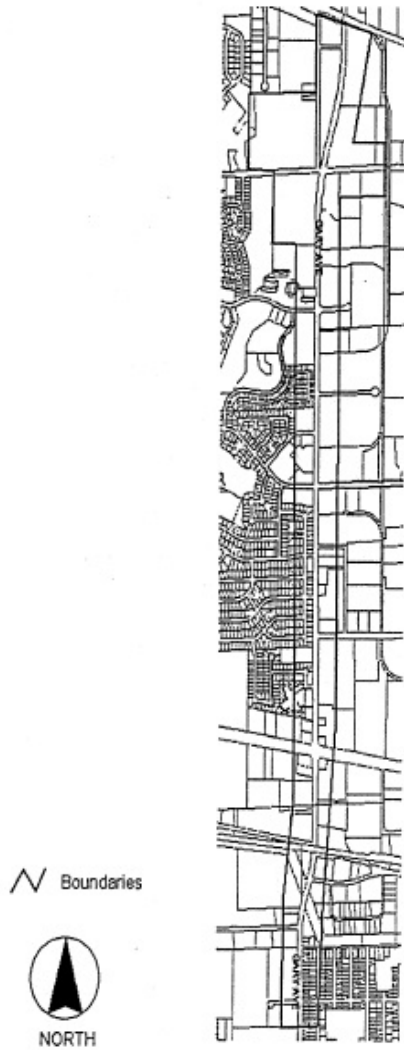
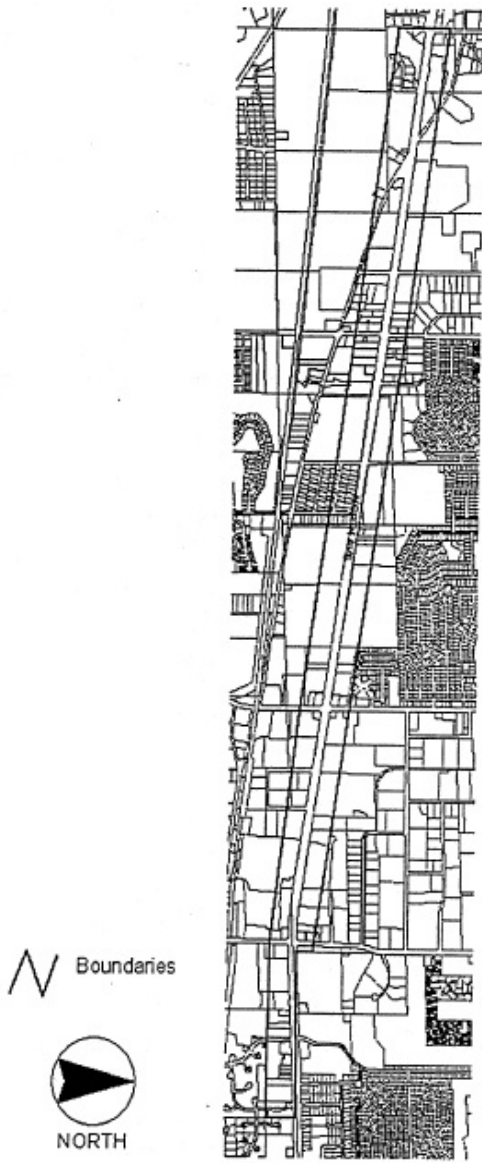


Figure 2: North Avenue Corridor Boundaries



(C) *Purpose.*

(1) The Gary Avenue and North Avenue Corridors and the development within them are major factors influencing the visual and environmental quality of the village. At full development, the Corridor will contain the village's Town Center, other retail nodes, significant industrial and employment concentrations, public institutions, recreational facilities and residential development. Due to the intensity of these land uses, Gary Avenue and North Avenue represent the heart of the village, as well as a prominent image to those passing through the community.

(2) Recognizing the importance of the Gary Avenue Corridor, the village adopted a beautification plan for the Gary Avenue Corridor. To coordinate private development with the public improvements envisioned by the beautification plan, and given the prominence and importance of the North Avenue Corridor, the village has established regulations applicable to the Gary Avenue and North Avenue Corridors within the Zoning Code. These regulations promote orderly development of land within the Corridors in a manner consistent with established goals and policies of the village. As a result of these requirements, development in

the Corridors will be designed with greater design sensitivity and generally higher quality than might have occurred in the absence of specific guidelines.

(3) The purpose of the Gary Avenue and North Avenue Corridors is to:

(a) Create a unified, harmonious and high-quality visual environment throughout the Gary Avenue and North Avenue Corridors, thereby identifying them as special areas with a unique identity within the village and the region;

(b) Promote high-quality design through improved development standards within the Corridors. These standards, which govern site planning, building design, and landscaping will enable the village to enhance what otherwise might result in aesthetically and economically lower quality strip development;

(c) Foster a distinctive and positive image for the village and for the Gary Avenue and North Avenue Corridors which function as principal gateway into the village; and

(d) Protect and enhance wetlands and other significant natural resources through use of careful site design, protective easements, sensitive alignment and design of roadways and utilities, incorporation of natural features, landscaping and massing of trees.

(D) *Intent.* The village intends that all development and redevelopment within the Gary Avenue and North Avenue Corridors should strive toward the highest level of quality in both design and construction. Nothing in these provisions is intended to stifle creativity or artistic expression nor is anything in these provisions intended to impede the economic use of land. Rather, the provisions are intended to challenge design professionals to create extraordinary sites and buildings within a context that is unique to the village. The criteria, by which all new development and redevelopment in the Corridors shall be reviewed, are as follows:

(1) Consistency with all provisions of the Comprehensive Plan and the Gary Avenue Corridor Plan, as amended from time to time; all provisions of the Zoning, Subdivision and Sign Codes not specifically overridden by the provisions of this section; and all other applicable regulations of this Code of Ordinances;

(2) Conservation of the natural conditions found on each site where desirable, through minimized removal of trees and other vegetation and soil, and through enhancement of natural wetlands;

(3) Establishment throughout the Corridors of harmonious physical and visual relationships among existing, new and proposed buildings, open spaces, natural terrain and plant materials and placements, with the intent of creating a unique and unified appearance for the entire Corridor;

(4) Creation of unified site designs with a sense of internal and interrelated order, that provide desirable environments for site users and visitors and the community as a whole and that consider all site elements, including: the relationship of buildings to surrounding land forms; grading; architectural design; building, parking and loading-dock orientation; building height; use of human-made materials, including paving; site furnishings (lighting, outdoor seating, signage and the like); landscaping (retention of natural vegetation, plant selection and placement, retention and incorporation of water features, and the like); and other visible outdoor site elements;

(5) Creation of a suitable balance between the amount and arrangement of open space, landscaping and view protection on the one hand and the design and function of human-made features on the other. Achieving this balance should take into account screening, buffering, size and orientation of open spaces, personal and property security, and localized wind and solar effects;

(6) Provision of safe and adequate access to and from the site, giving ample consideration to the location and number of access points from public streets, the safety and convenience of merging and turning movements, and traffic management and mitigation; and

(7) The provision of interior drives, parking areas, pathways and walkways adequate to handle anticipated needs and to safely buffer pedestrians and cyclists from motor vehicles where necessary for the safety and convenience of on-site vehicular, bicycle and pedestrian circulation.

(E) *Application of standards.*

(1) The provisions within this section shall be applicable to properties identified as within the Gary Avenue and North Avenue Corridors and within the corporate limits of the village at the time these regulations are adopted. Properties which lie within the jurisdiction of DuPage County shall not be subject to these regulations until such time as they are annexed by the village.

(2) The provisions within this section shall not be applicable to interior alterations, re-roofing, re-surfacing of existing parking spaces, maintenance or painting.

(3) The provisions within this section shall be applicable to all new developments within the Corridors.

(4) Application of these standards to existing development shall be initiated upon exterior additions to structures or upon significant changes to buildings or property as follows. Whether a change is significant shall be determined by the Community Development Director on the basis of the purpose and intent of the Gary and North Avenue Corridor regulations.

(a) *Use.* Any changes in the use of an existing building or property shall conform to the standards set forth in division (F) below, Uses Permitted Within the Gary Avenue and North Avenue Corridors.

(b) *Lot standards.* Any subdivision or significant change in the size or dimensions of a property shall conform with the standards set forth in division (G) below, Lot Standards.

(c) *Access.* Any significant change to the access between the site and Gary Avenue or North Avenue shall conform with the standards set forth in division (H) below, Access.

(d) *Site design, grading and drainage.* Any significant change in the grading or drainage on the site shall conform with the standards set forth in division (I) below, Site Design, Grading and Drainage, and division (M) below, Landscape Design and Site Furnishings.

(e) *Setbacks.* Any building addition or other significant change in the building setback shall conform with the standards set forth in division (J) below, Required Setbacks and the open space and adjacent setback area shall conform with division (M) below, Landscape Design and Site Furnishings.

(f) *Architectural design.* Any significant change in the building facade design such as changes in the location or types of windows, doors or other features, shall conform with the standards set forth in division (K) below, Architectural Design, and division (J) below, Required Setbacks. Painting or repair of the existing facade, a minor addition of windows or doors, or a minor modification of windows or doors shall not constitute a significant change, provided the Community Development Director determines that such alterations do not violate the purpose and intent of the Gary and North Avenue Corridor Regulations.

(g) *Parking.* Any significant addition to or reconstruction of parking spaces shall conform with the standards set forth in division (L) below, Parking, and division (M) below, Landscape Design and Site Furnishings. With the addition of new parking areas equal to or greater than the

number of spaces existing prior to adoption of this section, existing parking areas shall be required to be screened with landscape material in accordance with division (L)(3)(c) below.

(h) *Landscaping.* Removal of existing landscape materials shall not be permitted unless the remaining landscaping conforms with division (M) below, Landscape Design and Site Furnishings. The addition of new landscape material or the relocation or replacement of existing landscape material shall be permitted without conforming to the requirements of this section when no other site improvements are involved. Fence construction or removal shall be addressed separately from the remainder of the landscape requirements. Changes in fencing shall be required to conform with division (M)(21) below only and not with the remainder of division (M) below. Changes in landscaping, and not fencing, shall not require additional conformance with division (M)(21) below.

(i) *Signage.* Signage shall conform with the standards set forth in division (K) below, Architectural Design, and division (M) below, Landscape Design and Site Furnishings. Signage for new development shall be included in the Gary Avenue or North Avenue Corridor Development Plans, and shall be subject to review and approval by the Plan Commission as per the procedures defined in division (N) below. New or replacement ground signs and pole signs placed on existing, developed properties shall be subject to review and approval by the Plan Commission as per the procedures defined in division (N) below. New or replacement wall signs placed on existing, developed properties must meet the purpose and intent of the corridor regulations, as determined by the Community Development Director, and review by the Plan Commission shall not be required; however, the applicant may appeal the decision of the Community Development Director in accordance with § 6-11-22. The provisions within this section shall not be applicable to the changing of the face of existing signage.

(j) *Variances.* In the event of unusual circumstances, or a particular hardship, the developer or property owner may request that the Plan Commission adjust the applicability of this section to existing development. For the purpose of this section, all properties that were improved with structures prior to adoption of the Gary Avenue and North Avenue Corridor regulations shall be considered unique and the Plan Commission shall use flexibility in consideration of variances to the requirements of this section. When reviewing a request, the Plan Commission shall consider the following factors:

1. The cost of the proposed property improvement as compared to the cost of the applicant adhering to the strict letter of this section;
2. The existing site design and the location of existing structures; and
3. The magnitude and impact of the proposed improvement on the Gary Avenue and North Avenue Corridors.

(F) *Uses permitted within the Gary Avenue and North Avenue Corridors.* Uses within the Gary Avenue and North Avenue Corridors shall be permitted pursuant to the Zoning Code, as amended, of the village.

(G) *Lot standards.*

(1) The minimum dimensions of lots shall be as required by the Zoning Code.

(2) Whenever a person owns or controls property and seeks to subdivide that property and create one or more new parcels of land that are less than five acres in size, the owner shall be required to present and receive approval of a master plan which shows the manner in which the parcel from which the new parcels are being created is proposed to be developed. A master site plan shall show all proposed parcel sizes, building locations, parking areas and locations, and access. Particular attention shall be given to access patterns.

(3) Existing parcels of record that are less than five acres in size at the time of adoption of this section shall not be required to be part of a master site plan for surrounding properties. However, the developer shall be encouraged to consider the site's relationship to adjacent properties when planning new development or re-development.

(4) All changes to the size or dimension of lots shall adhere to the village Subdivision Code.

(H) *Access.* Vehicular access onto Gary Avenue shall be provided in accordance with the ordinances and practices of DuPage County and the village. Vehicular access onto North Avenue shall be provided in accordance with the ordinances and practices of the State Department of Transportation and the village.

(I) *Site design, grading and drainage.*

(1) Service areas and drives shall not hinder consumer access, parking, driveways, walkways or entries. Service areas shall be out of sight from the public roadways, paved, curbed and internally drained.

(2) Internal site drainage is the responsibility of the site developer and shall be provided for all development pursuant to and village codes.

(3) Pedestrian facilities should be considered within the site and between adjacent sites where such facilities will improve circulation, increase safety or promote decreased use of the automobile.

(4) Grading of retention ponds and other drainage courses or facilities shall be designed to enhance the function of the facility and the aesthetics of the site. Specific criteria for grading are provided as follows to achieve these goals.

(a) Drainage channels shall be placed in less visible locations, and shall receive a naturalized treatment including landscaping of native vegetation so that the structure appears as an integral part of the environment.

(b) Drainage features shall be incorporated as an integral part of the project design in order to enhance the overall quality and aesthetics of a site, to provide attractive open space, and to preserve the natural character of the area.

(c) Where grading is substantial, as in the case of retention ponds, variable undulating slopes shall be used to create a more pleasing and natural appearance.

(d) Hard edges and slopes left by grading operations shall be given a rounded appearance that closely resembles the natural contours of the land, including varied rather than constant angles.

(e) Slopes adjacent to Gary Avenue, North Avenue or other roadways shall be modulated by sufficient berming, regrading and landscaping to create visually interesting and pleasing streetscapes.

(f) Non-contaminated soil remaining from cut operations shall be retained on-site whenever possible and be used to modulate the terrain and to create interesting land forms and improve site aesthetics.

(5) Site designs and configurations that tend to catch and accumulate trash, leaves and dirt shall be avoided. In addition, provisions for cleaning the site shall be considered in the design.

(J) *Required setbacks.*

(1) Building locations shall reflect consideration for roadway visibility, existing site features and parking lot circulation.

(2) The minimum building setback from the Gary Avenue right-of-way shall be 60 feet for properties in all zoning districts, except for the residential districts which shall be as required by the Zoning Code. The maximum building setback from the street right-of-way for all buildings shall be 100 feet; except that, no maximum setback shall apply to single-family residences.

(3) The minimum building setback from the North Avenue right-of-way shall be 100 feet for properties in all zoning districts.

(4) For both the Gary Avenue Corridor and the North Avenue Corridor, no road or parking lot pavement of any type shall be within the first 30 feet of property from the right-of-way except for approved entry drives and properties which were improved with buildings or parking lots at the time of the adoption of this section, which shall be permitted to encroach no more than ten feet into this required setback.

(K) *Architectural design.* This section provides architectural regulations and guidelines to the Plan Commission, village staff and owners and occupants of land along Gary Avenue and North Avenue in order to promote the objectives of the Gary Avenue and North Avenue Corridors regulations.

(1) Multi-tenant, mixed-used developments shall be constructed with compatible materials and design characteristics including building material, roof lines, color and landscaping.

(2) Each building in B-1, B-2 or B-3 Zoning Districts shall have a pedestrian arcade or canopy fronting the store for shade, identity and pedestrian scale. Arcades should visually and/or physically link retail and office functions within a shopping center to protect pedestrian patrons of the center.

(3) Attempts should be made to design improvements to be compatible with the existing built and natural environments. New materials should be the same or complement existing materials.

(4) Monotony shall be avoided within projects and between a project and its surroundings. Site characteristics to be evaluated for this purpose include building and plant materials, colors, textures, shapes, massing, rhythms of building components and details, signage, height, roof-line and setback. Facades of buildings shall incorporate such design features as changes in materials, color, fenestration or other significant visual relief provided in a manner or at intervals in keeping with the size, mass and scale of the building and its views from public ways.

(5) The following materials shall not be used in any front facade or side facade:

- (a) Unfinished pre-cast concrete or unfinished poured-in-place concrete;
- (b) Fabricated metal, not to include high-quality decorative architectural material, covering more than 25% of the wall area visible from any public way; and
- (c) Box signs.

(6) The following materials shall not be used on any part of a building:

- (a) Materials with no proven record of durability or ease of maintenance in the intended application; and
- (b) Materials or construction methods used for one aspect or portion of a project that are significantly lower in quality than those used for the balance of that project, such that this one aspect or portion is or rapidly becomes an eyesore or detriment to the project as a whole.

(7) Building designs and configurations that tend to catch and accumulate trash, leaves and dirt shall be avoided. In addition, provisions for washing and cleaning buildings, other structures and building grounds shall be considered and included in the design.

(8) All building components, such as windows, doors, wall signs, eaves, soffits and parapets, shall be proportionate to the facade of the building and shall relate well to one another.

(9) Mechanical equipment, satellite dishes and other utility hardware, whether located on the roof or exterior of the building or on the ground adjacent to it, shall be screened from view from public ways with materials identical to or strongly similar to building materials or by heavy landscaping that will be effective in winter, or they shall be located so as not to be visible from any public ways. Use of parapet walls or pitched roof elements to screen equipment is encouraged. In no case shall wooden fencing be used as a rooftop equipment screen.

(10) Screening of approved service yards, refuse and waste-removal areas, loading docks, truck-parking areas and other places which tend to be unsightly shall be accomplished by use of walls, fencing, dense planting or any combination of these elements. Screening shall block views from public ways and shall be equally effective in winter and summer.

(L) *Parking.*

(1) The minimum required setback for on-site roadways, parking and pavement shall be as set forth in divisions (J)(3) and (J)(4) above, Required Setbacks.

(2) All parking lots will be paved and curbed. Parking lot drainage will be subject to review by the Village Engineer. Parking areas in front of the building shall gradually slope upward toward the building at a slope not exceeding 5%, nor less than 0.5%. Ideally, the building will be slightly elevated on a foundation constructed on the excavated soil to reduce the visual barrier caused by automobiles adjacent to the roadway and result in better visibility for the owner/tenant.

(3) Landscaping shall be provided within parking lots pursuant to the following standards and the standards located in division (M) below, Landscape Design and Site Furnishings.

(a) A minimum of 10% of all parking lot area shall be landscaped to improve their appearance, provide shade and break up the expanse of pavement. This percentage of landscaping is in addition to the open space requirement of division (M) below, Landscape Design and Site Furnishings.

(b) Landscaping shall be planted in islands of at least 120 square feet with curbs and in the amount required by division (M) below, Landscape Design and Site Furnishings. Such landscaped islands shall be provided at both ends of each parking row and for each 20 parking bays.

(c) Except where facing a building, the front and side parking lot perimeters shall provide a landscaped screen pursuant to the point requirements for landscaped screens in division (M) below, Landscape Design and Site Furnishings.

(d) All landscaping shall be properly located so as to not obstruct the visibility of motorists or pedestrians. Where access drives intersect or meet public rights-of-way, landscaping shall not be installed in necessary sight triangles.

(e) When a parking lot is located within the required front or street side building setback, the parking area shall include a landscaped screen around the perimeter of the parking lot. The area of the parking lot which is within the required building setback shall be excluded from the landscaped setback requirement but shall be landscaped with the landscaped screen and according to the requirements for interior parking lot landscaping.

(4) Light fixture luminaires within parking lots shall be provided in accordance with this code.

(M) *Landscape design and site furnishings.*

(1) For the purposes of this section, the following definitions apply.

LANDSCAPE ELEMENT. Includes all forms of planting and vegetation, ground forms, rock groupings, water features and patterns, and all visible construction, except buildings and utilitarian structures.

LANDSCAPED BERMS. Earthen, landscaped and usually human-made forms similar to a ridge which is typically three to four feet in height and provides a visual barrier, usually within a landscaped setback, buffer or screen.

LANDSCAPED BUFFERS. Designated strips of land 15 feet in depth which are within setbacks but require a higher intensity of landscaping to help mitigate the impact of development upon development within lower intensity zoning classifications on adjacent land.

LANDSCAPED SCREENS. Designated densely landscaped strips five feet in depth which are intended to screen objectionable uses from the view of development within lower intensity zoning classifications on adjacent land.

LANDSCAPED SETBACKS. All land on a site which is within the required front or street side building setbacks.

OPEN SPACE. Land within a particular site that is neither covered by building structures nor used for automobile parking or circulation.

SITE FURNISHINGS. Include any structure, other than buildings, visible from any public way and any street hardware (objects not commonly referred to as structures) located in streets and public ways and outside of buildings. Site furnishings may include but are not limited to signs, decorative paving treatments, fences, walls, railings, artwork, transformers, utility access boxes, lighting standards and arrays, and other visible site appurtenances.

(2) Landscaping standards within this section are not applicable to single-family residential development, except division (M)(22) below, which regulates fence material and height.

(3) Installation and maintenance of landscaping.

(a) All landscaping materials shall be installed in accordance with the current planting procedures established by the American Association of Nurserymen.

(b) Minimum dimensions for plant materials at installation shall be as follows:

Evergreens	6-foot height
Ornamental trees	2-inch caliper
Shade trees	2-1/2-inch caliper
Shrubs	2-1/2-foot height with a 36-inch ball

(c) All landscaping materials shall be maintained according to the requirements of this section, in good condition so as to present a healthy, neat and orderly appearance and shall be kept free of refuse and debris. Plant material not in this condition shall be replaced or maintained to meet these requirements.

(4) Landscaping shall be provided according to a point system. Points are accumulated according to the value given a specific plant type as indicated below. Species within each plant type are listed in division (O) below, Plant List.

(a) Plant types shall be given the following point values:

Bedding plant areas and ground cover	1/2 point per square foot
Evergreens	275 points per tree
Ornamental lighting standards	
Standards which adhere to a design theme	10 points per lighting standard
Site furnishings which adhere to a design theme and enhance the aesthetics or usability of a site	10 points per furnishing
Ornamental trees	250 points per tree
Shade trees	225 points per tree
Shrubs up to 3 feet in height	35 points per shrub
Shrubs 4 to 12 feet in height	70 points per shrub

(b) The required point values are as follows.

1. Open space areas shall be landscaped to a point value no less than 0.05 per square foot.

2. Landscaped setbacks shall be landscaped to a point value no less than 0.35 per square foot.

3. Landscaped buffers shall be landscaped to a point value no less than one and one-half per square foot.

4. Landscaped screens shall be landscaped to a point value no less than two per square foot.

5. Required landscaped areas within parking lots shall be landscaped to a point value no less than one-half per square foot.

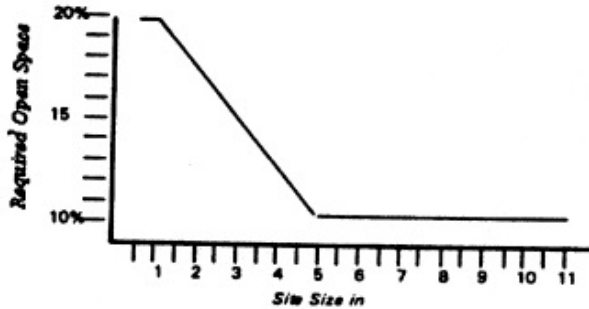
6. Retention and detention ponds shall be landscaped to a point value equal to the landscaped requirements for the area in which it is located.

7. Motor vehicle service or sales uses shall be landscaped an additional 20% over the values listed in divisions (M)(4)(b)1. through 4. above. This shall not include retail sale, wholesale, warehousing or manufacturing of motor vehicle parts.

8. Point value requirements for specific uses may be appropriate, and are established within this section wherever regulations for such a use are contained.

(5) Building and parking structures or areas may consume 80 to 905 of the site according to standards set forth in Figure 2, Open Space Requirements. The balance of the site shall be devoted to open space. Landscape setbacks may be included in open space calculations.

Figure 2: Open Space



(6) Within a landscaped setback, no more than 75% of the point requirements may be achieved by the same plant type.

(7) Suggested groupings for trees are in informal blocks adjacent to the development, scattered as individuals, or as small groups in intensively landscaped areas.

(8) Where retail or business uses abut institutional or residential uses, a landscape buffer shall be installed and maintained across the length of the property and within the required building setback for that yard.

(9) Where industrial uses abut institutional or residential uses, a landscaped screen shall be installed and maintained across the length of the property and within the required building setback for that yard.

(10) Landscaping materials shall be selected from the approved plants and trees listed in division (O) below, Plant List. Deviations from this list will be subject to approval by the Plan Commission.

(11) The grades of all walks, parking spaces, terraces, and other paved areas shall conform with the requirements of the State Accessibility Act. In addition, they shall provide an inviting and stable appearance for walking.

(12) All landscape treatments shall strive to preserve and enhance natural features, enhance architectural features, strengthen vistas and provide intermittent shade. Where significant value is placed upon such features, the Planning Division may recommend and the Plan Commission may assign point values to such features that would count toward the required landscaping point value for the site.

(13) Unity of design is encouraged and may be achieved by repetition of certain plant varieties and other materials, and by correlation with native prairie environments or adjacent developments where appropriate.

(14) Retention ponds shall be enhanced with appropriate landscaping and use of wetland plants. Retention ponds shall be located pursuant to division (I) above, Site Design, Grading and Drainage. Landscaping shall not interfere with the retention pond's function.

(15) Plant material shall be selected for interest in its structure, texture and color, and for its ultimate growth size. Plants shall be used that are indigenous to the area and others that are hardy, harmonious to the design and good in appearance.

(16) In locations where plants will be susceptible to injury by pedestrian or vehicular traffic, they shall be protected by appropriate curbs, tree guards or similar devices.

(17) Consideration shall be given to the special needs of plants surrounded by impervious surfaces.

(18) In areas where general planting will not prosper, other solutions such as fences, stone walls, raised planters or ground covers shall be used. Carefully selected plants shall be included in these solutions wherever possible.

(19) Exterior lighting shall enhance the building design and adjoining landscape. Lighting standards and fixtures shall be of a design and size compatible with the building and adjacent areas.

(20) Site furnishings located on private property shall be designed as part of the site's architectural concept and landscape. Materials and colors shall be in harmony with buildings, surroundings and other furnishings; scale shall be appropriate to the site and the design; and proportions shall be attractive.

(21) Site furnishings and landscaping located in any public way or on other public property shall be harmonious with the design of adjacent buildings, with the appearance of Gary Avenue or North Avenue in the vicinity, and with the general character of the village.

(22) Fences shall comply with the requirements of the village Fence Code (Ch. 6, Art. 12). Fences which are located within the Gary Avenue or North Avenue Corridors shall comply with the standards set forth in this section. Fencing material with no proven record of durability or ease of maintenance, or which is known to be of low aesthetic quality, shall not be used.

(a) Fencing for new development shall be included in the Gary Avenue or North Avenue Corridor Development Plans, and shall be subject to review and approval by the Plan Commission as per the procedures defined in division (N) of this section. Chain link, stockade or material which is not of a sufficient level of quality shall not be permitted

(b) New or replacement fencing placed on existing, developed properties must meet the purpose and intent of the corridor regulations, as determined by the Community Development Director, and review by the Plan Commission shall not be required; however, the applicant may appeal the decision of the Community Development Director in accordance with § 16-11-22.

(c) Maintenance of existing fencing shall not be subject to the corridor regulations, provided the new portion of fence shall be of the same type as the existing fence.

(d) New or replacement fencing placed on existing residential properties shall not be subject to the corridor regulations.

(N) *Review and approval procedures.* Except for individual single-family homes, all new construction, subsequent construction, exterior remodeling, expansion or demolition of structures shall be reviewed and approved by the Plan Commission prior to commencement of any on-site building or construction activity. Such review of projects shall follow the procedures outlined below.

(1) *Preliminary sketch.* The applicant shall prepare a readable sketch which depicts building size and location and parking lot configuration including auto capacity. This sketch shall also include driveway size and location, building and parking setbacks, landscaping areas and preliminary utility layout. This preliminary sketch shall be reviewed by Planning Division staff and staff from other appropriate village divisions. Appropriate comments shall be submitted to the applicant which detail not only specific requirements which will apply to the property, but design features which are desirable to the village as well.

(2) *Registered professional architect, landscape architect.* The applicant shall engage a registered professional architect and landscape architect to prepare Gary Avenue or North Avenue Corridor Development Plans. The applicant may provide evidence of the ability to

prepare Gary Avenue or North Avenue Corridor Development Plans through the use of personnel already in the applicant’s employ.

(3) *Gary Avenue or North Avenue Corridor Development Plans.* These plans represent final site layout and design and shall incorporate comments generated from the preliminary sketch and shall include utility service, exterior design renderings, elevations, materials, landscaping, signage, exterior lighting and colors. These plans shall be presented in the format typically produced by a registered, professional architect or engineer as required by the Planning Division and/or Engineering Department staff. The Plan Commission shall review the Gary Avenue or North Avenue Corridor Development Plans within 30 days of its receipt by the Planning Division unless the applicant requests an extension. The Plan Commission shall take one of the following actions upon reviewing the Gary Avenue or North Avenue Corridor Development Plans:

(a) Return the Gary Avenue or North Avenue Corridor Development Plans to Planning Division staff with recommendations for further refinement and an extension of processing time to address particular issues;

(b) Approval of the Gary Avenue or North Avenue Corridor Development Plans;

(c) Approval of the Gary Avenue or North Avenue Corridor Development Plans subject to conditions; or

(d) Denial of the Gary Avenue or North Avenue Corridor Development Plans.

(4) *Refining plans.* When the plans have been returned for refinement, the applicant shall be responsible for refining the plans in accordance with the comments stated by the Plan Commission. In the case of the resubmittal of revised Gary Avenue or North Avenue Corridor Development Plans, in their review, the Plan Commission shall consider if all issues identified as part of the previous reviews have been addressed. The Plan Commission shall review revised Gary Avenue or North Avenue Corridor Development Plans within 30 days of its receipt by the Planning Division unless the applicant requests an extension.

(5) *Right of appeal.* The applicant shall have the right to appeal decisions of the Plan Commission to the Village Board. If an appeal is desired, the applicant shall submit, in writing, a request for appeal and specific reasons for the appeal to the Community Development Department. The Village Board may grant modifications to the

requirements contained within the corridor regulations when the Board can identify specific justification for the modification. The Village Board shall review the appeal request within 30 days of its receipt by the Community Development Department unless the applicant requests an extension.

(O) *Plant list.* This division (O) presents common plant types and their corresponding point values. This division (O) shall be used to determine landscaping point values as required by the Zoning Code. Point values for plant types that do not appear in this division (O) shall be considered on a case by case basis.

Shade Trees (225 points per tree)		
Botanical Name	Common Name	*Salt Tolerance
Acer Plantanoides	Norway Maple	T
Acer Rubrum	Red Maple	I
Acer Saccharum	Sugar Maple	I
Acer Saccharum “Columnare”	Columnar Sugar Maple	I

Acer Saccharum "Green Mountain"	Green Mountain Sugar Maple	I
Acer Saccharum "Wright Brothers"	Wright Brothers Sugar Maple	I
Aesculus Glabra	Ohio Buckeye	S
Aesculus Hippocastatum	Horsechestnut	S
Betula Nigra	River Birch	T
Celtis Occidentalis	Hackberry	T
Ginkgo Biloba	Ginkgo	T
Gleditsia Triacanthos "Inermis"	Thornless Honeylocust	T
Gynocladus Dioicus	Kentucky Coffee Tree	T
Larix Decidua	European Larch	T
Liriodendron Tulipifera	Tulip Tree	S
Phellodendron Amurense	Amur Corktree	S
Quercus Bicolor	Swamp White Oak	T
Quercus Ellipsoidalis	Hills Oak	T
Quercus Macrocarpa	Bur Oak	T
Quercus Robur	English Oak	T
Quercus Rubra	Red Oak	T
Quercus Velutina	Black Oak	T
Tilia Americana	American Linden	I
Tilia Americana "Fastigiata"	Pyramidal American Linden	I
Tilia Americana "Redmond"	Redmond Linden	I
Tilia Cordata	Little Leaf Linden	I
Tilia Cordata "Chancellor"	Chancellor Linden	I
Tilia Cordata "Glenleven"	Glenleven Linden	I
Tilia Cordata "Olympic"	Olympic Linden	I
Tilia X Euchlora	Crimean Or Redmond Linden	I
Tilia Platyphyllos	Big-Leaf Linden	I
Tilia Vulgaris	European Linden	I
Taxodium Distichum	Baldcypress	T
Zelkova Serrata	Zelkova	S
Zelkova Serrata "Greenvase"	Greenvase Zelkova	S

Ornamental Trees (250 Points per tree)		
Botanical Name	Common Name	*Salt Tolerance
Acer Ginnala	Amur Maple	T
Amelanchier Canadensis	Juneberry	T
Cercis Canadensis	Eastern Redbud	S
Cornus Alternifolia	Pagoda Dogwood	S

Cornus Mas	Cornelian Cherry Dogwood	S
Crataegus Crusgalli	Cockspur Hawthorn	S
Crataegus Crusgalli "Inermis"	Thornless Cockspur Hawthorn	S
Crataegus Phaenopyrum	Washington Hawthorn	S
Crataegus Viridis	Winter King Hawthorn	S
Magnolia Stellata	Star Magnolia	T
Malus "Adams"	Adams Crabapple	T
Malus Floribunda	Jap. Flowering Crabapple	I
Malus "Red Splendor"	Red Splendor Crabapple	I
Malus "Snowdrift"	Snowdrift Crabapple	I
Malus Sieboldi Zumi "Calocarpa"	Zumi Crabapple	T
Pyrus Calleryana "Chanticleer"	Chanticleer Flowering Pear	S
Pyrus Calleryana "Redspire"	Redspire Flowering Pear	S
Pyrus Calleryana "Whitehouse"	Whitehouse Flowering Pear	S
Syringa Japonica	Japanese Tree Lilac	T
Viburnum Prunifolium	Blackhaw Viburnum	T

Evergreens (275 Points per tree)

Botanical Name	Common Name	*Salt Tolerance
Juniperus Chinensis	Chinese Juniper	I
Juniperus Communis	Common Juniper	I
Juniperus Virginiana	Red Cedar	I
Picea Glauca Densata	Black Hills Spruce	I
Pinus Nigra	Austrian Pine	I
Pinus Sylvestris	Scotch Pine	I

Shrubs (4 - 12 [70 Points per shrub]; 0 - 3 [35 Points per shrub])

Botanical Name	Common Name	*Salt Tolerance
Aronia Arbutifolia	Red Chokeberry	T
Aronia Melanocarpa	Black Chokeberry	T
Berberis Thunbergii	Japanese Barberry	S
Berberis Thunbergii "Crimson"	Crimson Pygmy Barberry	S
Cornus Isanti	Isanti Dogwood	S
Cornus Racemosa	Grey Dogwood	S
Corylus Americana	American Hazelnut	I
Cotoneaster Apiculatus	Cranberry Cotoneaster	T

Euonymus Alatus	Burning Bush	S
Euonymus Alatus Compacta	Dwarf Burning Bush	S
Forsythia "Arnold Dwarf"	Arnold Dwarf Forsythia	I
Forsythia Viridissima "Bronxensis"	Bronx Greenstem Forsythia	I
Forsythia X Intermedia	Border Forsythia	I
Hamamelis Vernalis	Vernal Witchazel	T
Hamamelis Virginiana	Common Witchazel	T
Hypericum	St. Johnswort	T
Ilex Verticillata	Winterberry Holly	S
Ligustrum Vulgare	Common Privet	S
Ligustrum X Vicary	Golden Vicary Privet	S
Lonicera Clavey	Clavey's Dwarf Honeysuckle	I
Potentilla Fruticosa	Potentilla	T
Rhus Aromatica	Fragrant Sumac	T
Rhus Glabra	Smooth Sumac	T
Rhus Typhina	Staghorn Sumac	T
Ribes Alpinum	Alpine Current	T
Spirea Bumalda "Goldflame"	Goldflame Spirea	S
Spirea Japonica "Little Princess"	Little Princess Spirea	S
Spirea Van Houttei	Van Houtt Spirea	S
Syringa Patula "Miss Kim"	Miss Kim Korean Lilac	T
Syringa Vulgaris	Common Lilac	T
Taxus Spp	Yew	S
Viburnum X Carlcephalum	Fragrant Viburnum	I
Viburnum Carlesii "Compacta"	Dwarf Koreanspice Viburnum	I
Viburnum Dentatum	Arrowwood Viburnum	I
Viburnum Lentago	Nannyberry Viburnum	I
Viburnum Trilobum	American Cranberry Bush	I
Viburnum Trilobum Compactum	Dwarf Cranberry Bush	I

Groundcover (1/2 point per square feet)		
Botanical Name	Common Name	*Salt Tolerance
Cotoneaster Adpressa	Creeping Cotoneaster	T
Cotoneaster Dammeri	Bearberry Cotoneaster	T
Cotoneaster Horizontalis	Rock Spray Cotoneaster	T
Cotoneaster Horizontalis "Hessei"	Hesse Cotoneaster	T
Euonymus Fortunei "Colorata"	Purpleleaf Wintercreeper	I
Euonymus Fortunei Vegetus	Bigleaf Wintercreeper	I
Hedra Helix	Ivy	I

Juniperus Chinensis Procumbens	Jap. Garden Juniper	I
Juniperus Chinensis Sargentii	Sargent Juniper	I
Juniperus Conferta	Shore Juniper	I
Juniperus Horizontalis	Creeping Juniper	I
Pachysandra Terminalis	Jap. Pachysandra	I
Polygonum Reynoutria	Dwarf Fleeceflower	T
Rhus Aromatica "Gro-Low"	Grow-Low Sumac	T
Sedum Spurium "Dragon's Blood"	Sedum	I
Vinca Minor Bowles	Myrtle	I

Grasses (1/2 point per square feet)		
Botanical Name	Common Name	*Salt Tolerance
Calamagrostis Acutifolius "Stictus"	Feather Reed Grass	T
Deschampsia Caesptiosa	Tufted Hair Grass	S
Elymus Glaucus	Blue Lyme Grass	T
Helictotrichon Sempervirens	Blue Oat Grass	S
Miscanthus Sinensis "Gracillimus"	Maiden Grass	T
Miscanthus Sinensis Purpurascens	Purple Maiden Grass	T
Miscanthus Sinensis "Silberfeder"	Silver Maiden Grass	T
Miscanthus Sinensis "Variegatus"	Striped Eulalia Grass	T
Pennisetum Alopecuroides	Fountain Grass	T
Penn. Alopecuroides "Hamelin"	Dwarf Fountain Grass	T
Sesleria Autumnalis	Autumn Moor Grass	T
Sporobolus Heterolepsis	Prairie Drop Seed	T

Hardy Perennials/Wildflowers (1/2 point per square feet)		
Botanical Name	Common Name	*Salt Tolerance
Acorus Calamus	Sweet Flag	T
Allium Cernuum	Wild Onion	T
Amorpha Canescens	Leadplant	T
Anemone Cylindrica	Thimbleweed	T
Antennaria Sp	Pussytoes	T
Aquilegia Canadensis	Columbine	T
Asclepias Incarnata	Red Milkweed	T
Asclepias Tuberosa	Butterfly Weed	T
Aster Laevis	Smooth Aster	T

Baptisia Leucantha	White Wild Indigo	T
Callirhoe Triangulata	Poppy Mallow	T
Coreopsis Palmata	Stiff Coreopsis	T
Delphinium Tricorne	Wild Larkspur	S
Dicentra Cucullaria	Dutchman's Breeches	S
Dodecatheon Meadia	Shooting Stars	S
Echinacea Pallida	Pale Purple Coneflower	T
Echinacea Purpurea "Magnus"	Purple Coneflower	T
Eryngium Yuccifolium	Rattlesnake Master	T
Euphorbia Corollata	Flowering Spurge	T
Geranium Maculatum	Wild Geranium	S
Geum Triflorum	Prairie Smoke	T
Helianthus Occidentalis	Western Sunflower	T
Hemerocallis Spp	Daylily	T
Hydrophyllum Virginianum	Virginia Waterleaf	S
Iris Virginica Shrevei	Blue Flag Iris	T
Liatris Pyscostachya	Gayfeather	T
Lilium Superbum	Turkscap	T
Lithospermum Croceum	Puccoon	T
Lupinus Perennis	Lupine	T
Mertensia Virginica	Bluebells	S
Mondarda Fistulosa	Bee Balm	T
Sparganium Eurycarpum	Large Fruited Burreed	S
Tephrosia Virginiana	Goatsrue	S
Petalostemum Purpureum	Purple Prairie Clover	T
Soldago Sp	Goldenrod	T
Uvularia Grandflora	Yellow Bellwort	S
Tradescantia Ohiensis	Spiderwort	T
Viola Pedata	Pansey Violet	T
Perovskia Atriplicifolia	Russian Sage	T
Ranunculus Rhomboideus	Prairie Buttercup	T
Rudbeckia Hirta	Black-Eyed Susan	T
Veronicastrum Virginicum	Culversroot	T
Ratibida Pinnata	Yellow Coneflower	T
Silphium Terebinthinaceum	Prairie Dock	T
Sangiunaria Canadensis	Bloodroot	S
Sisyrinchium Campestre	Blue-Eyed Grass	T
Mondarda Punctata	Spotted Bee Balm	T
Phlox Divaricata	Blue Phlox	T
Polygonum Coccineum	Marsh Smartweed	S
Sagittaria Latifolia	Arrowhead	S

*Salt Tolerance Levels: T = Tolerant I = Intermediate S = Sensitive

(Ord. 95-07-35, passed 7-10-1995; Ord. 2000-04-29, passed 4-17-2000; Ord. 2006-09-56, passed 9-18-2006; Ord. 2011-10-34, passed 10-3-2011; Ord. 2011-12-43, passed 12-19-2011)

§ 16-9-3 B-2 GENERAL RETAIL DISTRICT.

(A) *Intent.* The B-2 General Retail District is designed to cater to the needs of a larger consumer population than is served by the B-1 Local Retail District.

(B) *Permitted uses.*

- (1) Uses permitted in a B-1 District;
- (2) Antique shops;
- (3) Art and school supply stores;
- (4) Art galleries;
- (5) Beauty parlors and barbershops or similar personal service shops;
- (6) Bakery shops or shops selling similar commodities where the commodities may be produced on the premises; but all such production shall be either sold at retail on the premises or sold in stores owned and operated by the producing company;
- (7) Bicycle sales, rental and repairs;
- (8) Candy and ice cream stores;
- (9) Camera and photographic supply stores;
- (10) Carpet and rug stores;
- (11) China and glassware stores;
- (12) Clothing and costume rental shops;
- (13) Coin and philatelic stores;
- (14) Currency exchanges;
- (15) Custom dressmaking;
- (16) Department stores;
- (17) Dry goods stores;
- (18) Electric and household appliance stores;
- (19) Flower shops with conservatories;
- (20) Furrier shops, including the incidental storage and conditioning of furs;
- (21) Furniture stores, including upholstery when conducted as part of the retail operation and secondary to the principal use;
- (22) Haberdashery;

- (23) Hobby shops and retail of items to be assembled or used away from the premises;
- (24) Interior decorating shops, including upholstery and making of draperies, slip covers and other similar articles, when conducted as part of the retail operations and secondary to the principal use;
- (25) Jewelry stores, including watch repair;
- (26) Job printing shops;
- (27) Leather goods and luggage stores;
- (28) Libraries and reading rooms;
- (29) Locksmith shops;
- (30) Musical instruments, sales and repairs;
- (31) Office equipment sales and service;
- (32) Office supply stores;
- (33) Optometrists;
- (34) Paint and wallpaper stores;
- (35) Pawnshops;
- (36) Photography studios, including the development of film and pictures, when conducted as part of the retail business on premises;
- (37) Physical culture and health service, gymnasiums and reducing salons, masseurs and public baths;
- (38) Picture framing when conducted for retail trade on the premises only;
- (39) Post offices;
- (40) Radio and television broadcasting studios;
- (41) Restricted production and repair, limited to the following: art, needlework, clothing, custom manufacturing and alterations for retail only, jewelry from precious metals, watches, dentures and optical lenses;
- (42) Sales and display rooms;
- (43) Schools, music, dance or business;
- (44) Sewing machine sales and service, household machines only;
- (45) Shoe stores;
- (46) Sporting goods stores;
- (47) Tailor shops;
- (48) Temporary outdoor demonstrations and exhibitions of merchandise, to be located on the same zoning lot, and in conjunction with the permanent use found on the lot, and those permitted uses under the definition of an open sales lot (see Art. 18 of this Zoning Code); such display or sale shall be for a maximum of ten days and no more than twice during any calendar year;

- (49) Theaters, except open-air drive-in theaters;
- (50) Tobacco shops;
- (51) Toy shops;
- (52) Offices, businesses and professional buildings of less than 6,000 square feet;
- (53) Wearing apparel shops;
- (54) Veterinary clinics (outpatient, no overnight boarding);
- (55) Grocery stores;
- (56) Domestic pet training/obedience school with no overnight boarding;
- (57) Domestic pet service;
- (58) Temporary permitted use: carnival, in compliance with § 10-2-12;
- (59) Restaurants, indoor, sit-down, without a bar area;
- (60) Restaurants, carry-out; and
- (61) Auction house, subject to the following performance standards:
 - (a) Total floor area of business not to exceed 7,500 square feet;
 - (b) Outdoor storage or display of merchandise is prohibited;
 - (c) Auctions must be conducted completely inside an enclosed building; and
 - (d) Parking required as set forth in § 16-13-3(D) of this chapter.

(C) *Special uses.*

- (1) Those permitted in a B-1 District;
- (2) Additional building on a lot, such building limited to no more than 50 square feet of floor area; provided, such building is used for a general drop-off center, newsstand, photo processing drop-off, ticketron and other similar uses;
- (3) Banks and financial institutions;
- (4) Clubs and lodges, private, fraternal or religious;
- (5) Hospitals and first-aid stations for the treatment of emergency cases;
- (6) Hotels, motels serving transient guests, hotel apartments;
- (7) Dyeing and cleaning establishments operated as an accessory to some other use or uses permitted by this section; provided, permits for proper combustibles are obtained from the village;
- (8) Offices, business and professional, of more than 6,000 square feet;
- (9) Pet supply shops, with ancillary use for the sale of fish and other small aquatic animals, small mammals and birds (no cats, dogs or larger domestic animals, nor exotic animals);
- (10) Taverns;
- (11) Drive-up service window, ancillary to a permitted or special use;

(12) Game rooms when operated as an accessory use to a restaurant, tavern, pub or hotel and containing no more than one amusement device for each 400 square feet of total floor area occupied by the principal use. In no case shall such accessory game room contain more than 20 amusement devices;

(13) Veterinary clinics with indoor overnight boarding;

(14) Shopping plazas;

(15) Shopping centers;

(16) Restaurants, with bar area;

(17) Outdoor seating, ancillary to a restaurant, tavern, or food service business, including the service and consumption of alcohol, or otherwise not in conformance with the standards for limited outdoor seating set forth elsewhere in this chapter;

(18) Auction house greater than 7,500 square feet in total floor area, subject to the following performance standards:

(a) Outdoor storage or display of merchandise is prohibited;

(b) Auctions must be conducted completely inside an enclosed building; and

(c) Parking required as set forth in § 16-13-3(D) of this chapter.

(19) Public meeting halls.

(D) *Floor area ratio*. Not to exceed 0.6.

(E) *Lot area*. The net land area for each business establishment shall be not less than 5,000 square feet.

(F) *Off-street parking and off-street facilities*. In accordance with applicable regulations as set forth in Art. 13 of this Zoning Code.

(G) *Yards*.

(1) Front yard: not less than 80 feet in depth.

(2) Side yards.

(a) Interior side yards shall not be required, unless the lot is adjacent to a residential property.

(b) If a lot is adjacent to a residential property, a 25-foot side yard is required, and the yard must be landscaped and screened in such a manner so as to create an effective buffer between the business and residential uses. An access drive may occupy up to half of the required side yard, if screening is provided.

(c) If a side lot line abuts a public alley, then the depth of the required side yard may be reduced by an amount equal to one-half of the right-of-way width of such alley. If such alley is adjacent to a residential property, screening must be provided.

(d) If a side yard adjacent to a residential property is less than 40 feet in width, a solid wall or solid fence shall be provided along the property line. Such fence or wall shall be uniformly painted, and shall comply with the requirements of the village's Fence Code (Ch. 6, Art. 12).

(e) Corner lots. A side yard adjoining a street shall be in accordance with regulations herein for a front yard.

(3) Rear yard: not less than 40 feet in depth. If a lot is adjacent to a residential property, the yard must be landscaped and screened in such a manner so as to create an effective buffer between the business and residential uses. If a rear lot line abuts a public alley, then the depth of the required rear yard may be reduced by an amount equal to one-half of the right-of-way width of such alley. If such alley is adjacent to a residential property, screening must be provided.

(Ord. 90-11-95, passed 11-13-1990; Ord. 92-12-123, passed 12-8-1992; Ord. 92-04-33, passed 4-14-1992; Ord. 92-12-123, passed 12-8-1992; Ord. 93-07-60, passed 7-13-1993; Ord. 94-01-07, passed 1-11-1994; Ord. 95-04-16, passed 4-3-1995; Ord. 2005-08-44, passed 8-1-2005; Ord. 2007-04-14, passed 4-16-2007; Ord. 2008-11-61, passed 11-17-2008; Ord. 2011-10-34, passed 10-3-2011; Ord. 2015-03-02, passed 3-2-2015)