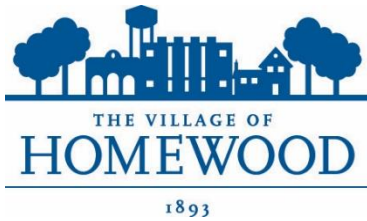


MEETING AGENDA



Board of Trustees Meeting

Village of Homewood

January 10, 2023

Meeting Start Time: 7:00 PM

Village Hall Board Room

2020 Chestnut Road, Homewood, IL

Board Meetings will be held as in-person meetings. In addition to in-person public comment during the meeting, members of the public may submit written comments by email to comments@homewoodil.gov or by placing written comments in the drop box outside Village Hall. Comments submitted before 4:00 p.m. on the meeting date will be distributed to all Village Board members prior to the meeting.

Please see last page of agenda for virtual meeting information.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Introduction of Staff
5. Minutes: Consider a motion to approve the following minutes:
 - A. From the Public Hearing held on December 13, 2022.
 - B. From the regular meeting of the Board of Trustees held on December 13, 2022.
6. Claims List:

Consider a motion to approve the Claims List of Tuesday, January 10, 2022 in the amount of \$1,554,357.42.
7. Hear from the Audience
8. Oaths of Office: The Village Clerk will administer the oath of office to:

Dennis Leaks on his promotion to Sergeant in the Homewood Police Department.
9. Omnibus Vote: Consider a motion to pass, approve, authorize, accept, or award the following item(s):
 - A. Reappointments/Economic Development Committee/Ethics Commission: Approve the reappointment of Valerie Warnsby to the Economic Development Committee for a two-year term ending on January 10, 2025; the reappointment of Susan Goldberg to the Ethics Commission for a three-year term ending on January 10, 2026; and the reappointment of Odell Fields to the Ethics Commission for a three-year term ending on January 10, 2026.
 - B. R-3133/Retirement/Officer Paul Neitzel: Pass a resolution honoring Officer Paul Neitzel on his retirement from the Homewood Police Department.
 - C. R-3134/Retirement/Sergeant Darren Easter: Pass a resolution honoring Sergeant Darren Easter on his retirement from the Homewood Police Department.
 - D. M-2234/Sale of Surplus Property/2017 Ford: Approve an ordinance authorizing the Village Manager to sell or dispose of a 2017 Ford Utility Vehicle.

- E. M-2235/Solicitation of Alternate Proposals/2066 Ridge Road: Pass an ordinance directing the solicitation of alternate proposals for the development of the property at 2066 Ridge Road in the Downtown TOD Redevelopment Project Area.
- F. Transfer of Funds/Contingency Account: Approve the transfer of \$120,000 from Contingency Account - Finance Department as follows:
 - \$20,000 to Labor Relations Manager's Office - litigation costs
 - \$60,000 to Accident Repairs Police Department - vehicle repairs
 - \$20,000 to Fuel Police Department - increases in fuel costs
 - \$20,000 to Fuel Public Works Streets Department – increases in fuel costs
- G. Amendment to Incentive Agreement/EMA Building Corporation/18676 Dixie Highway: Authorize an amendment to the agreement with EMA Building Corporation to provide financial assistance from the Southgate TIF Façade and Property Improvement Program in the amount of \$12,250 for building improvements at 18676 Dixie Highway.
- H. M-2236/Special Use Permit/bbHOLISTIC, LLC/18203 Dixie Highway: Pass an ordinance granting a Special Use Permit for a Salon/Spa Establishment in the B-1 Central Business District for “bbHOLISTIC, LLC” at 18203 Dixie Highway.
- I. R-3135/Agreement/Mutual Aid Box Alarm System Illinois: Pass a resolution authorizing the Village President to enter into a Mutual Aid Box Alarm System Master Agreement (intergovernmental agreement) for participation in the Mutual Aid Box Alarm System (MABAS) Illinois.

10. New Business:

- A. MC-1068/Amendment Adoption/Homewood Zoning Ordinance: Pass an ordinance adopting a comprehensive amendment to the Homewood Zoning Ordinance and repealing the existing Zoning Ordinance.
- B. MC-1069/Amendment Adoption/Homewood Zoning Map: Pass an ordinance adopting a comprehensive amendment to the Homewood Zoning Map and repealing the existing Zoning Map.
- C. MC-1070/Amendment/Fences: Pass an ordinance revising Chapter 10 of the Municipal Code related to fences.
- D. MC-1071/Amendment/Live/Work Units: Pass an ordinance amending Chapter 10, Section 10-51 of the Homewood Municipal Code concerning Live/Work units.
- E. MC-1072/Amendment/Signs: Pass an ordinance amending Chapter 30 of the Homewood Municipal Code concerning Signs.
- F. MC-1073/Amendment/Certain Acts or Conditions Deemed Prohibited Nuisances: Pass an ordinance amending Section 20-27 of the Homewood Municipal Code concerning certain acts or conditions deemed prohibited nuisances.
- G. M-2237/Fee Schedule Revisions: Pass an ordinance updating the “Building Division” and “Zoning” sections of the fee schedule, as proposed in Exhibit A.

- H. Discussion/Liquor License/Crab Bagz/18681 Dixie Highway: After discussion, and if the Board is in favor of granting the request for a liquor license, staff is directed to prepare an ordinance to increase the allowed number of Class 7B liquor licenses for the Crab Bagz location at 18681 Dixie Highway. The ordinance will be agendized at a future Board meeting, once the petitioner successfully completes the application requirements for a Village of Homewood liquor license.
- I. Discussion/Liquor License/17532 Dixie Highway: After discussion, if the Board is in favor of granting the request for a liquor license, staff is directed to prepare an ordinance to increase the allowed number of Class 2 liquor licenses for the United Liquor location at 17532 Dixie Highway. The ordinance will be agendized at a future Board meeting once the petitioner successfully completes the application requirements for a Village of Homewood liquor license.

11. General Board Discussion

12. Adjourn

Zoom Link: <https://zoom.us/>

- To View the Meeting via Computer or Smartphone - Type in: Zoom.us into any internet browser.

Select: JOIN A MEETING from menu at top right of page. Meeting I.D.: 980 4907 6232

Meeting Password: 830183. Enter an email address (required), or

- To Listen to the Meeting via Phone - Dial: (312) 626-6799

Enter above "Meeting I.D. and Meeting Password" followed by "#" sign

VILLAGE OF HOMEWOOD
TRUTH IN TAXATION MEETING
TUESDAY, DECEMBER 13, 2022
VILLAGE HALL BOARD ROOM

CALL TO ORDER: President Hofeld called the hearing on the 2022 tax levy to order at 7 p.m.

ROLL CALL: Deputy Clerk Nancy Adams called the roll. Those present were Village President Richard Hofeld, Trustee Julie Willis, Trustee Vivian Harris-Jones, Trustee Jay Heiferman and Trustee Lauren Roman. Trustees Lisa Purcell and CeCe Belue were absent.

Director Dennis Bubenik presented information on the Village of Homewood 2022 Final Real Estate Tax Levy.

Inflation has been extremely high. The Consumer Price Index for 2022 at 7 percent, but Illinois follows tax cap rules and limits taxing bodies to increase the levy this time by 5 percent. Plus new construction is up 1 percent. So the Village is asking for a 6 percent increase in the levy. The total levy is \$6,941,562, an increase of 3.3 percent. The General Fund levy is \$2,063,694.

Homewood's taxes are approximately 9.5 percent of the total tax bill. It covers day-to-day operations, pensions and principal and interest. Pensions are costing the Village more than in the past -- \$1,332,000, so that number was plugged into formula. The \$473,137 increase in pension costs will take funding away from day-to-day operations by \$111,180 in the General Fund.

President Hofeld added that 70 percent of the tax levy will go to pensions the Village's debt. He said sales taxes are helping cover much of the Village's operations.

A motion was made by Trustee Heiferman and seconded by Trustee Roman to adjourn the tax levy hearing.

Roll Call: AYES—Trustees Willis, Harris-Jones, Heiferman and Roman. NAYS –None. Motion carried.

The hearing was adjourned at 7:08 p.m.

Respectfully submitted,

Marilyn Thomas

Village Clerk

VILLAGE OF HOMEWOOD
 BOARD OF TRUSTEES MEETING
 TUESDAY, DECEMBER 13, 2022
 VILLAGE HALL BOARD ROOM

CALL TO ORDER: President Hofeld called the regular meeting of the Board of Trustees to order at 7:08 p.m.

PLEDGE OF ALLEGIANCE: President Hofeld led trustees in the Pledge of Allegiance.

ROLL CALL: Deputy Clerk Nancy Adams called the roll. Those present were Village President Richard Hofeld, Trustee Julie Willis, Trustee Vivian Harris-Jones, Trustee Jay Heiferman and Trustee Lauren Roman. Trustees Lisa Purcell and CeCe Belue were absent.

President Hofeld introduced staff present: Village Manager Napoleon Haney, Village Attorney Chris Cummings, Director of Finance Dennis Bubenik, Director of Economic Development Angela Mesaros and Director of Public Works John Schaefer.

MINUTES: The minutes of the meeting of Nov 22, 2022, were presented. There were no comments or corrections.

A motion was made by Trustee Roman and seconded by Trustee Harris-Jones to approve the minutes as presented.

Roll Call: AYES—Trustees Willis, Harris-Jones, Heiferman and Roman. NAYS –None. Motion carried.

CLAIMS LIST: The Claims List in the amount of \$863,963.58 was presented. There were no questions from the Trustees.

A motion was made by Trustee Roman and seconded by Trustee Harris-Jones to approve the Claims List as presented.

Roll Call: AYES—Trustees Willis, Harris-Jones, Heiferman and Roman. NAYS –None. Motion carried.

President Hofeld said three items totaled 70 percent of the claims list: \$86,218.01 to Thorn Creek Basin Sanitary District.; \$238,505.91 for employee insurance, and \$283,896.90 to the City of Chicago Heights for Lake Michigan water.

HEAR FROM THE AUDIENCE: President Hofeld invited anyone in the audience to address the board on any subject not on the agenda. Rachel Shore, owner of Be Well Studio, asked to address the board. She said she is being forced to vacate her space at 17900 Dixie Highway because the Village purchased the location for construction of a new water tower. She asked why she was not able to get a sufficient loan to help her relocate her business. Stoney Point Grill, moving into the Hartford Building, was given an \$800,000+ supplement from the Village through TIF funding, but she could only receive a little over \$2,000 in assistance. Shore argued that the Village is being unfair to small businesses that want to locate in the Village but aren't given adequate resources, in many cases, to make that possible. She took out a \$50,000 personal loan to redevelop a space for her business.

OMNIBUS VOTE: Consider a motion to pass, approve, authorize, accept, or award these item(s):

- A. Agreement/Business Incentive Program/2023 Ridge Road/Be Well Studio: Authorize the Village President to enter into an agreement with Rachael Shores, owner of Be Well Studio, to provide financial assistance from the non-TIF Business Incentive Program in the amount of \$2,190.36 for building improvements at 2023 Ridge Road.
- B. MC-1067/Class 1 Tobacco License/2138 Homewood Inc.: Pass an ordinance increasing the number of Class 1 tobacco retailer licenses by one for 2138 Homewood Inc. d/b/a Go 2 Market Shell located at 2138 183rd Street, subject to an approved background check.
- C. R-3132/Transfer of Tax Increment Financing District Funds: Pass a resolution approving the transfer of funds from the Southwest Central Business District - Special Tax Allocation Fund to the Downtown Transit Oriented Development - Special Tax Allocation Fund.
- D. Bid Rejection/Marlin Avenue Project: Reject all bids as submitted for the Marlin Avenue water main replacement project due to the bids being well above the budgeted amount.
- E. 2022 Real Estate Tax Levy Ordinances:
 - a. M-2231: Pass an ordinance levying taxes for corporate purposes and for special funds for the fiscal year commencing on the first day of May 2023 and ending on the thirtieth day of April 2024 for the Village of Homewood.
 - b. M-2232: Pass an ordinance increasing the 2022 Street and Bridge tax levy in the Village of Homewood.
 - c. M-2233: Pass an ordinance directing the Cook County Clerk to reduce the Village of Homewood's 2022 Levy, if necessary, to comply with the Property Tax Extension Limitation Law.
- F. Meeting Cancellation/December 27, 2022: Approve the cancellation of the regular meeting of the Board of Trustees scheduled for December 27, 2022.

Regarding Item A: Trustees Heiferman and Roman said they can understand Rachel Shore's frustration, but she didn't make a true comparison of her business to that of the incoming restaurant. President Hofeld explained that the Village has to follow rules set out for a TIF district, and the restaurant was getting a substantial assist over several years because of the sales tax it is expected to generate.

Regarding Item D: Trustee Heiferman asked Director Schaefer if the water main work on Marlin Avenue would be rescheduled. Director Schaefer said there have been several water main breaks on Marlin and there also is a drainage issue that could be handled at the same time. Costs for the repair were up about 30 percent and the water fund has limited dollars available after the work the Village did converting its water source to Chicago Heights. The project is being delayed a year to allow time to replenish the water fund.

A motion was made by Trustee Roman and seconded by Trustee Heiferman to approve the Omnibus Agenda as presented.

Roll Call: AYES—Trustees Willis, Harris-Jones, Heiferman and Roman. NAYS –None. Motion carried.

GENERAL BOARD DISCUSSION: Trustees wished the community Happy Holidays.

A motion was made by Trustee Roman and seconded by Trustee Heiferman to adjourn the regular meeting of the Board of Trustees.

Roll Call: AYES—Trustees Willis, Harris-Jones, Heiferman and Roman. NAYS –None. Motion carried.

The meeting was adjourned at 7:25 p.m.

Respectfully submitted,

Marilyn Thomas

Village Clerk

Name	Description	DEPARTMENT	Net Invoice Amount
A BETTER DOOR & DOCK SERV	PUBLIC WORKS GATE	PUBLIC WORKS	440.00
Total A BETTER DOOR & DOCK SERVICES:			440.00
ACCURATE EMPLOYMENT SCR	EMPLOYMENT SCREENING SERVICES	MANAGER'S OFFICE	203.07
Total ACCURATE EMPLOYMENT SCREENING LLC:			203.07
AIR ONE EQUIPMENT INC	BOOTS	FIRE DEPARTMENT	285.00
Total AIR ONE EQUIPMENT INC:			285.00
ALRO STEEL CORPORATION	STEEL	PUBLIC WORKS	534.86
Total ALRO STEEL CORPORATION:			534.86
ALTORFER INDUSTRIES INC	GENERATOR FOR HOLIDAY LIGHTS	MANAGER'S OFFICE	1,550.24
Total ALTORFER INDUSTRIES INC:			1,550.24
AMERICAN LAWN CORP LLC	SHOPPING CARTS	FIRE DEPARTMENT	325.00
AMERICAN LAWN CORP LLC	SHOPPING CARTS	FIRE DEPARTMENT	575.00
AMERICAN LAWN CORP LLC	CLEAN UP VACANT LOT ON BRETZ DRIVE	FIRE DEPARTMENT	85.00
Total AMERICAN LAWN CORP LLC:			985.00
AMERICAN PRINTING TECHNO	MONTHLY ON LINE STICKER SALES FEE	MANAGER'S OFFICE	86.00
Total AMERICAN PRINTING TECHNOLOGIES INC:			86.00
ARC DOCUMENT SOLUTIONS	OCE PLOTTER PAPER USAGE	PUBLIC WORKS	24.55
Total ARC DOCUMENT SOLUTIONS:			24.55
AVALON PETROLEUM COMPAN	DIESEL FUEL INVENTORY	ASSETS	3,113.15
AVALON PETROLEUM COMPAN	FUEL INVENTORY GASOLINE	ASSETS	8,813.40
Total AVALON PETROLEUM COMPANY:			11,926.55
B ALLAN GRAPHICS	FD ENVELOPES	FIRE DEPARTMENT	340.00
Total B ALLAN GRAPHICS:			340.00
BARBARA OTTO	80% MEDICARE SUPPLEMENT REIMBURSEMENT	MANAGER'S OFFICE	502.40
Total BARBARA OTTO:			502.40
BATTERIES PLUS	BATTERIES FOR TRUCK	FIRE DEPARTMENT	123.49
BATTERIES PLUS	TRUCK BATTERY	FIRE DEPARTMENT	3.98
BATTERIES PLUS	TRUCK BATTERY	FIRE DEPARTMENT	36.68
Total BATTERIES PLUS:			164.15
BRIAN HANKEY (HSA)	SEMI-ANNUAL VILLAGE HSA CONTRIBUTION	ASSETS	500.00
Total BRIAN HANKEY (HSA):			500.00

Name	Description	DEPARTMENT	Net Invoice Amount
CHARLENE DYER	80% MEDICARE SUPPLEMENT REIMBURSEMENT	MANAGER'S OFFICE	197.99
Total CHARLENE DYER:			197.99
CHEVROLET OF HOMEWOOD	POLICE DEPT REPAIR PARTS	PUBLIC WORKS	218.87
CHEVROLET OF HOMEWOOD	POLICE DEPT REPAIR PARTS	PUBLIC WORKS	163.98
Total CHEVROLET OF HOMEWOOD:			382.85
CHRISTOPHER J. CUMMINGS, P	DOWNTOWN TOD GENERAL LEGAL EXPENSES	EXPENSES	3,096.31
CHRISTOPHER J. CUMMINGS, P	KEDZIE TIF LEGAL EXPENSES		57.34
CHRISTOPHER J. CUMMINGS, P	SOUTHGATE TIF LEGAL EXPENSES	PUBLIC WORKS	401.37
CHRISTOPHER J. CUMMINGS, P	WATER LEGAL SERVICES	PUBLIC WORKS	458.71
CHRISTOPHER J. CUMMINGS, P	PROSECUTIONS	MANAGER'S OFFICE	1,600.00
CHRISTOPHER J. CUMMINGS, P	GENERAL LEGAL SERVICES DECEMBER 2022	MANAGER'S OFFICE	8,012.43
Total CHRISTOPHER J. CUMMINGS, P.C.:			13,626.16
CITY OF CHICAGO HEIGHTS	WATER PURCHASED 11/1 - 11/30/2022	PUBLIC WORKS	106,305.00
CITY OF CHICAGO HEIGHTS	WATER PURCHASED 11/1 - 11/30/2022	PUBLIC WORKS	166,260.00
Total CITY OF CHICAGO HEIGHTS:			272,565.00
CIVIC SYSTEMS LLC	SEMI ANNUAL SUPPORT PAYMENT FINANCIAL SOFTWARE	PUBLIC WORKS	5,845.00
CIVIC SYSTEMS LLC	SEMI ANNUAL SUPPORT PAYMENT FINANCIAL SOFTWARE	MANAGER'S OFFICE	5,845.00
Total CIVIC SYSTEMS LLC:			11,690.00
CLEANING SPECIALISTS INC	BIO HAZARD CLEANING	POLICE DEPARTMENT	150.00
Total CLEANING SPECIALISTS INC:			150.00
COMED	UTILITIES	PUBLIC WORKS	5,112.76
COMED	UTILITIES	PUBLIC WORKS	3.44
COMED	UTILITIES	PUBLIC WORKS	936.57
COMED	UTILITIES	PUBLIC WORKS	461.29
COMED	UTILITIES	PUBLIC WORKS	86.52
COMED	UTILITIES	PUBLIC WORKS	865.31
COMED	UTILITIES	PUBLIC WORKS	68.98
COMED	UTILITIES	PUBLIC WORKS	1,395.38
COMED	UTILITIES	PUBLIC WORKS	43.52
COMED	UTILITIES	PUBLIC WORKS	2,751.75
COMED	UTILITIES	PUBLIC WORKS	1,254.82
COMED	UTILITIES	PUBLIC WORKS	98.58
Total COMED:			13,078.92
CONWAY SHIELD	QUARTERMASTER UNIFORMS - FD	FIRE DEPARTMENT	219.00
Total CONWAY SHIELD:			219.00
CORE & MAIN LP	WATER MAIN PARTS	PUBLIC WORKS	2,498.96
CORE & MAIN LP	WATER MAIN PARTS	PUBLIC WORKS	4,641.00
Total CORE & MAIN LP:			7,139.96
DANA ROBINSON	80% MEDICARE SUPPLEMENT REIMBURSEMENT	MANAGER'S OFFICE	133.60

Name	Description	DEPARTMENT	Net Invoice Amount
Total DANA ROBINSON:			133.60
DANIEL LAGONE	4TH QTR POLICE/FIRE DISPATCH	POLICE DEPARTMENT	30,959.30
Total DANIEL LAGONE:			30,959.30
DANIEL UHLMANN - HSA CONT	SEMI-ANNUAL VILLAGE HSA CONTRIBUTION	ASSETS	500.00
Total DANIEL UHLMANN - HSA CONTRIBUTION:			500.00
DARLENE LEONARD (HSA	SEMI-ANNUAL VILLAGE HSA CONTRIBUTION	ASSETS	500.00
Total DARLENE LEONARD (HSA:			500.00
DAVID VITOLKA (HSA)	SEMI-ANNUAL VILLAGE HSA CONTRIBUTION	ASSETS	1,500.00
Total DAVID VITOLKA (HSA):			1,500.00
DYNEGY ENERGY SERVIC	ENERGY	PUBLIC WORKS	3,704.28
DYNEGY ENERGY SERVIC	ENERGY	PUBLIC WORKS	3,580.59
Total DYNEGY ENERGY SERVIC:			7,284.87
EBELS ACE HARDWARE	KEYS	PUBLIC WORKS	11.96
Total EBELS ACE HARDWARE:			11.96
ECO CLEAN MAINTENANCE IN	JANITORIAL SERVICE	PUBLIC WORKS	3,473.35
Total ECO CLEAN MAINTENANCE INC:			3,473.35
EXPERT CHEMICAL	DISPOSABLE COMMODITIES	PUBLIC WORKS	1,011.81
EXPERT CHEMICAL	DISPOSABLE COMMODITIES	PUBLIC WORKS	769.33
EXPERT CHEMICAL	DISPOSABLE COMMODITIES	PUBLIC WORKS	988.38
EXPERT CHEMICAL	DISPOSABLE COMMODITIES	PUBLIC WORKS	642.69
EXPERT CHEMICAL	DISPOSABLE COMMODITIES	PUBLIC WORKS	91.52
Total EXPERT CHEMICAL:			3,503.73
FAIRMEADOWS HOME HEALTH	MEDICAL SUPPLIES - FD	FIRE DEPARTMENT	111.00
FAIRMEADOWS HOME HEALTH	MEDICAL SUPPLIES - FD	FIRE DEPARTMENT	125.15
Total FAIRMEADOWS HOME HEALTH CENTER:			236.15
FAIRVIEW REALTY GROUP	BACKGROUND CHECKS	MANAGER'S OFFICE	100.00
Total FAIRVIEW REALTY GROUP:			100.00
FIRE SERVICE INC	VEHICLE PARTS - FD	FIRE DEPARTMENT	154.13
Total FIRE SERVICE INC:			154.13
FORD OF HOMEWOOD	ADMIN REPAIR PARTS	PUBLIC WORKS	797.96
FORD OF HOMEWOOD	STREET DEPT REPAIR PARTS	PUBLIC WORKS	41.44
FORD OF HOMEWOOD	ADMIN REPAIR PARTS	PUBLIC WORKS	87.36
FORD OF HOMEWOOD	POLICE DEPT REPAIR PARTS	PUBLIC WORKS	135.53

Name	Description	DEPARTMENT	Net Invoice Amount
FORD OF HOMEWOOD	POLICE DEPT REPAIR PARTS	PUBLIC WORKS	13.25
FORD OF HOMEWOOD	POLICE DEPT REPAIR PARTS	PUBLIC WORKS	658.00
Total FORD OF HOMEWOOD:			1,733.54
FOSTER COACH SALES INC	VEHICLE PARTS - FD	FIRE DEPARTMENT	48.00
FOSTER COACH SALES INC	FREIGHT CHARGES	FIRE DEPARTMENT	13.16
Total FOSTER COACH SALES INC:			61.16
GRAINGER INC	BUILDING MAINTENANCE SUPPLIES	PUBLIC WORKS	93.20
Total GRAINGER INC:			93.20
HOMEWOOD DISPOSAL	OPERATING SUPPLIES	PUBLIC WORKS	75.00
HOMEWOOD DISPOSAL	TRASH DUMPING	PUBLIC WORKS	16.50
Total HOMEWOOD DISPOSAL:			91.50
HOMEWOOD ROTARY CLUB	MEMBERSHIP DUES 3RD QUARTER	MANAGER'S OFFICE	170.00
Total HOMEWOOD ROTARY CLUB:			170.00
HOUSEAL LAVIGNE ASSOCIATE	CONSULTANT FOR ZONING CODE UPDATE	MANAGER'S OFFICE	27,382.25
HOUSEAL LAVIGNE ASSOCIATE	CONSULTANT FOR ZONING CODE UPDATE	MANAGER'S OFFICE	10,711.39
Total HOUSEAL LAVIGNE ASSOCIATES, LLC:			38,093.64
HR GREEN INC	PLAN REVIEW SERVICES FOR NOVEMBER 2022	FIRE DEPARTMENT	11,007.30
Total HR GREEN INC:			11,007.30
ILLINOIS FIRE CHIEFS ASSN	MEMBERSHIP RENEWALS	FIRE DEPARTMENT	325.00
Total ILLINOIS FIRE CHIEFS ASSN:			325.00
INTERSTATE BATTERY	POLICE DEPT UTILITY BATTERY'S	PUBLIC WORKS	336.90
INTERSTATE BATTERY	L&M REPAIR PARTS	PUBLIC WORKS	259.90
INTERSTATE BATTERY	POLICE DEPT REPAIR PARTS	PUBLIC WORKS	120.95
INTERSTATE BATTERY	POLICE DEPT REPAIR PARTS	PUBLIC WORKS	120.95
Total INTERSTATE BATTERY:			838.70
IPBC	JANUARY INSURANCE PREMIUM	MANAGER'S OFFICE	1,524.31
IPBC	JANUARY INSURANCE PREMIUM	MANAGER'S OFFICE	2,791.38
IPBC	JANUARY INSURANCE PREMIUM	MANAGER'S OFFICE	5.18
IPBC	JANUARY INSURANCE PREMIUM	MANAGER'S OFFICE	1,625.46
IPBC	JANUARY INSURANCE PREMIUM	MANAGER'S OFFICE	1,879.46
IPBC	JANUARY INSURANCE PREMIUM	MANAGER'S OFFICE	978.37
IPBC	JANUARY INSURANCE PREMIUM	PUBLIC WORKS	153.33
IPBC	JANUARY INSURANCE PREMIUM	PUBLIC WORKS	4,626.15
IPBC	JANUARY INSURANCE PREMIUM	PUBLIC WORKS	1,703.78
IPBC	JANUARY INSURANCE PREMIUM	PUBLIC WORKS	2,540.83
IPBC	JANUARY INSURANCE PREMIUM	PUBLIC WORKS	2,393.57
IPBC	JANUARY INSURANCE PREMIUM	PUBLIC WORKS	1,182.04
IPBC	JANUARY INSURANCE PREMIUM	PUBLIC WORKS	3,577.06
IPBC	JANUARY INSURANCE PREMIUM	PUBLIC WORKS	8,578.03

Name	Description	DEPARTMENT	Net Invoice Amount
IPBC	JANUARY INSURANCE PREMIUM	PUBLIC WORKS	7,365.07
IPBC	JANUARY INSURANCE PREMIUM	FIRE DEPARTMENT	28,205.42
IPBC	JANUARY INSURANCE PREMIUM	FIRE DEPARTMENT	3,842.81
IPBC	JANUARY INSURANCE PREMIUM	FIRE DEPARTMENT	3,732.87
IPBC	JANUARY INSURANCE PREMIUM	POLICE DEPARTMENT	59,518.31
IPBC	JANUARY INSURANCE PREMIUM	POLICE DEPARTMENT	12,034.14
IPBC	JANUARY INSURANCE PREMIUM	POLICE DEPARTMENT	5,139.83
IPBC	JANUARY INSURANCE PREMIUM	POLICE DEPARTMENT	1,967.57
IPBC	JANUARY INSURANCE PREMIUM	MANAGER'S OFFICE	57,390.80
IPBC	JANUARY INSURANCE PREMIUM	PUBLIC WORKS	267.86
IPBC	JANUARY INSURANCE PREMIUM	PUBLIC WORKS	536.38
IPBC	JANUARY INSURANCE PREMIUM	PUBLIC WORKS	6,141.13
IPBC	JANUARY INSURANCE PREMIUM	PUBLIC WORKS	4,924.88
IPBC	JANUARY INSURANCE PREMIUM	PUBLIC WORKS	4,366.57
IPBC	JANUARY INSURANCE PREMIUM	PUBLIC WORKS	6,794.15
IPBC	JANUARY INSURANCE PREMIUM	POLICE DEPARTMENT	75.50-
IPBC	JANUARY INSURANCE PREMIUM	MANAGER'S OFFICE	95.01-
Total IPBC:			235,616.23
IRMA	2023 ANNUAL FEE - IRMA	MANAGER'S OFFICE	705,918.00
Total IRMA:			705,918.00
IWM CORPORATION INC	GEO THERMAL TESTING	PUBLIC WORKS	510.79
Total IWM CORPORATION INC:			510.79
JAMES ANDERSON (HSA)	SEMI-ANNUAL VILLAGE HSA CONTRIBUTION	ASSETS	1,500.00
Total JAMES ANDERSON (HSA):			1,500.00
JEFFREY C DAVIES	ANNUAL MAINTENANCE FEE - PD	MANAGER'S OFFICE	600.00
Total JEFFREY C DAVIES:			600.00
JONES PARTS & SERVICE INC	STREET DEPT REPAIR PARTS	PUBLIC WORKS	79.84
JONES PARTS & SERVICE INC	STREET DEPT REPAIR PARTS	PUBLIC WORKS	72.08
Total JONES PARTS & SERVICE INC:			151.92
KANKAKEE TRUCK EQUIPMEN	STREET DEPT REPAIR PARTS	PUBLIC WORKS	460.83
Total KANKAKEE TRUCK EQUIPMENT:			460.83
KATHERINE BECKER - HSA CO	SEMI-ANNUAL VILLAGE HSA CONTRIBUTION	ASSETS	500.00
Total KATHERINE BECKER - HSA CONTRIBUTION:			500.00
KEVIN W SHAUGHNESSY	POLICE APPLICANT POLYGRAPH	MANAGER'S OFFICE	230.00
Total KEVIN W SHAUGHNESSY:			230.00
KEVIN WAKE (HSA)	SEMI-ANNUAL VILLAGE HSA CONTRIBUTION	ASSETS	1,500.00
Total KEVIN WAKE (HSA):			1,500.00

Name	Description	DEPARTMENT	Net Invoice Amount
LAW OFFICE OF DENNIS G GIA	ADMINISTRATIVE ADJUDICATION	MANAGER'S OFFICE	525.00
Total LAW OFFICE OF DENNIS G GIANOPOLUS:			525.00
LEXIPOL LLC	CONTRACTUAL SERV-FD	FIRE DEPARTMENT	8,468.37
Total LEXIPOL LLC:			8,468.37
LOADRITE CENTRAL CORPORA	SALT SCALE	PUBLIC WORKS	10,676.75
Total LOADRITE CENTRAL CORPORATION:			10,676.75
M&M ROOFING	GUTTERS	PUBLIC WORKS	5,480.00
Total M&M ROOFING:			5,480.00
MACQUEEN EQUIPMENT LLC	VEHICLE PARTS -FD	FIRE DEPARTMENT	161.68
Total MACQUEEN EQUIPMENT LLC:			161.68
MARIAN KIEPURA	80% MEDICARE SUPPLEMENT REIMBURSEMENT	MANAGER'S OFFICE	288.00
Total MARIAN KIEPURA:			288.00
MELANIE HAMILTON	SEMI-ANNUAL VILLAGE HSA CONTRIBUTION	ASSETS	500.00
Total MELANIE HAMILTON:			500.00
MENARDS INC	OPERATING SUPPLIES	FIRE DEPARTMENT	59.82
MENARDS INC	BUILDING MAINT SUPPLIES	PUBLIC WORKS	103.29
MENARDS INC	BUILDING MAINT SUPPLIES	PUBLIC WORKS	18.81
MENARDS INC	OPERATING SUPPLIES	PUBLIC WORKS	45.94
MENARDS INC	OPERATING SUPPLIES	PUBLIC WORKS	49.91
MENARDS INC	VEHICLE MAINT OPERATING SUPPLIES	PUBLIC WORKS	9.99
MENARDS INC	BUILDING MAINT SUPPLIES	PUBLIC WORKS	83.94
MENARDS INC	RUBBER MATS	PUBLIC WORKS	119.90
MENARDS INC	OPERATING SUPPLIES	FIRE DEPARTMENT	202.07
MENARDS INC	PLATES	PUBLIC WORKS	12.76
MENARDS INC	BUILDING MAINT SUPPLIES	PUBLIC WORKS	167.17
MENARDS INC	OPERATING SUPPLIES	PUBLIC WORKS	65.61
MENARDS INC	PLUMBING SUPPLIES	PUBLIC WORKS	22.96
MENARDS INC	BUILDING MAINT SUPPLIES	PUBLIC WORKS	55.44
MENARDS INC	BUILDING MAINT SUPPLIES	PUBLIC WORKS	42.75
MENARDS INC	BUILDING MAINT SUPPLIES	PUBLIC WORKS	23.98
MENARDS INC	BUILDING MAINT SUPPLIES	PUBLIC WORKS	280.71
MENARDS INC	BUILDING MAINT SUPPLIES	PUBLIC WORKS	153.98
MENARDS INC	BUILDING MAINT SUPPLIES	PUBLIC WORKS	23.91
Total MENARDS INC:			1,542.94
METROPOLITAN INDUSTRIES I	SCADA CLOUD SERVICE	PUBLIC WORKS	250.00
Total METROPOLITAN INDUSTRIES INC:			250.00
MONARCH AUTO SUPPLY	UTILITY REPAIR PARTS	PUBLIC WORKS	623.44
MONARCH AUTO SUPPLY	VEHICLE MAINT OPERATING SUPPLIES	PUBLIC WORKS	67.60
MONARCH AUTO SUPPLY	VEHICLE MAINT OPERATING SUPPLIES	PUBLIC WORKS	137.76

Name	Description	DEPARTMENT	Net Invoice Amount
MONARCH AUTO SUPPLY	STREET DEPT REPAIR PARTS	PUBLIC WORKS	89.36
MONARCH AUTO SUPPLY	STREET DEPT REPAIR PARTS	PUBLIC WORKS	42.56
MONARCH AUTO SUPPLY	POLICE DEPT REPAIR PARTS	PUBLIC WORKS	93.01
MONARCH AUTO SUPPLY	VEHICLE MAINT DEPARTMENT SUPPLIES	PUBLIC WORKS	36.78
MONARCH AUTO SUPPLY	VEHICLE MAINT OPERATING SUPPLIES	PUBLIC WORKS	15.09
MONARCH AUTO SUPPLY	STREET DEPT REPAIR PARTS	PUBLIC WORKS	29.97
Total MONARCH AUTO SUPPLY:			1,135.57
NANCY ADAMS - HSA	SEMI-ANNUAL VILLAGE HSA CONTRIBUTION	ASSETS	1,000.00
Total NANCY ADAMS - HSA:			1,000.00
NICOR	UTILITIES	PUBLIC WORKS	9,915.17
NICOR	UTILITIES	PUBLIC WORKS	1,333.00
NICOR	UTILITIES	PUBLIC WORKS	399.63
NICOR	UTILITIES	PUBLIC WORKS	159.17
Total NICOR:			11,806.97
NIX NAX	QUARTERMASTER-UNIFORMS-PD	POLICE DEPARTMENT	80.00
Total NIX NAX:			80.00
OVERDOORS OF ILLINOIS INC	GARAGE BAY DOORS PW	PUBLIC WORKS	880.00
Total OVERDOORS OF ILLINOIS INC:			880.00
PATRICK MC ANENEY	SEMI-ANNUAL VILLAGE HSA CONTRIBUTION	ASSETS	1,500.00
Total PATRICK MC ANENEY:			1,500.00
QUILL CORPORATION	2022 1099 FORMS	MANAGER'S OFFICE	55.98
Total QUILL CORPORATION:			55.98
RA D'ORAZIO FORD INC	2022 FORD F450 DUMP TRUCK	PUBLIC WORKS	68,607.24
Total RA D'ORAZIO FORD INC:			68,607.24
RADIO TECHNOLOGY INC	OPERATING SUPPLIES - FD	FIRE DEPARTMENT	389.00
Total RADIO TECHNOLOGY INC:			389.00
RED WING BUSINESS ADVANT	WORK BOOTS	PUBLIC WORKS	191.24
Total RED WING BUSINESS ADVANTAGE:			191.24
RITTER TECHNOLOGY-IL	SHOP PRESS CYLINDER AND PUMP	PUBLIC WORKS	3,837.78
Total RITTER TECHNOLOGY-IL:			3,837.78
ROMEOVILLE FIRE ACADEMY	FULL TIME TRAINING	FIRE DEPARTMENT	375.00
Total ROMEOVILLE FIRE ACADEMY:			375.00
SHERWIN WILLIAMS	PAINT	PUBLIC WORKS	172.41

Name	Description	DEPARTMENT	Net Invoice Amount
Total SHERWIN WILLIAMS:			172.41
STANARD & ASSOCIATES INC.	FIRE LIEUTENANT TESTING	MANAGER'S OFFICE	3,633.52
Total STANARD & ASSOCIATES INC.:			3,633.52
T.P.I.	PLAN REVIEWS FOR NOVEMBER 2022	FIRE DEPARTMENT	2,296.52
Total T.P.I.:			2,296.52
TARGET	CART FEE REFUND	ASSETS	1,000.00
Total TARGET:			1,000.00
TERMINAL SUPPLY COMPANY	STREET DEPT REPAIR PARTS	PUBLIC WORKS	64.37
TERMINAL SUPPLY COMPANY	VEHICLE MAINT SHOP SUPPLIES	PUBLIC WORKS	136.69
Total TERMINAL SUPPLY COMPANY:			201.06
TERMINIX PROCESSING CNTR	PEST CONTROL SERVICE	PUBLIC WORKS	293.72
TERMINIX PROCESSING CNTR	PEST CONTROL SERVICE	PUBLIC WORKS	278.04
Total TERMINIX PROCESSING CNTR:			571.76
THE STUTTLEY GROUP LLC	ADMINISTRATIVE HEARING OFFICER	MANAGER'S OFFICE	525.00
Total THE STUTTLEY GROUP LLC:			525.00
THE TJCX COMPANIES INC	CART FEE REFUND	ASSETS	1,000.00
Total THE TJCX COMPANIES INC:			1,000.00
THIRD DISTRICT FIRE CHIEFS	DEC MEETING ASSESSMENT	FIRE DEPARTMENT	275.00
Total THIRD DISTRICT FIRE CHIEFS ASSN:			275.00
T-MOBILE	T-MOBILE CELL PHONES AND IPADS	MANAGER'S OFFICE	2,243.15
Total T-MOBILE:			2,243.15
TRAFFIC CONTROL & PROTEC	DELINEATORS	PUBLIC WORKS	690.00
Total TRAFFIC CONTROL & PROTECTION:			690.00
TS DESIGN STUDIO AND TREV	2066 RIDGE SECURITY DEPOSIT RETURN	MANAGER'S OFFICE	830.00
Total TS DESIGN STUDIO AND TREVELL SOUTHHALL:			830.00
TYLER SWYNDROSKI (HSA)	SEMI-ANNUAL VILLAGE HSA CONTRIBUTION	ASSETS	500.00
Total TYLER SWYNDROSKI (HSA):			500.00
US JETTING LLC	WATER DEPT REPAIR PARTS	PUBLIC WORKS	870.48
Total US JETTING LLC:			870.48

Name	Description	DEPARTMENT	Net Invoice Amount
VALERIE BERSTENE (HSA)	SEMI-ANNUAL VILLAGE HSA CONTRIBUTION	ASSETS	500.00
Total VALERIE BERSTENE (HSA):			500.00
WALTS FOOD CENTER	LUNCHEON	MANAGER'S OFFICE	6.94
Total WALTS FOOD CENTER:			6.94
WAREHOUSE DIRECT OFFICE	OFFICE SUPPLIES	FIRE DEPARTMENT	21.30
WAREHOUSE DIRECT OFFICE	OFFICE SUPPLIES - FD	FIRE DEPARTMENT	25.87
WAREHOUSE DIRECT OFFICE	OFFICE SUPPLIES - FD	FIRE DEPARTMENT	33.67
WAREHOUSE DIRECT OFFICE	OFFICE SUPPLIES	PUBLIC WORKS	24.39
Total WAREHOUSE DIRECT OFFICE PDTS:			105.23
WENTWORTH TIRE SERVICE INC	STREET DEPARTMENT LOADER TIRES	PUBLIC WORKS	11,138.88
Total WENTWORTH TIRE SERVICE INC:			11,138.88
WIEST CURT	QUARTERMASTER-UNIFORMS-PD	POLICE DEPARTMENT	119.35
Total WIEST CURT:			119.35
WINKLERS TREE SERVICE	CYCLIC TREE TRIMS	PUBLIC WORKS	12,604.00
WINKLERS TREE SERVICE	CYCLIC TREE TRIMS	PUBLIC WORKS	12,972.00
Total WINKLERS TREE SERVICE:			25,576.00
Grand Totals:			1,554,357.42

Dated: _____

Village Clerk: _____

VILLAGE OF HOMEWOOD



BOARD AGENDA MEMORANDUM

DATE OF MEETING: January 10, 2023

To: Village President and Board of Trustees

Through: Napoleon Haney, Village Manager

From: Denise McGrath, Chief of Police

Topic: Promotion of Officer Dennis Leaks to Sergeant

PURPOSE

Administer the Oath of Office to Dennis Leaks for the position of Police Sergeant in the Homewood Police Department.

PROCESS

With the retirement of Darren Easter, there is now an opening in the rank of Sergeant. On Monday, December 20, 2022, the Board of Fire and Police Commissioners met and approved the promotion of the next officer on the current eligibility list, Officer Dennis Leaks.

Officer Dennis Leaks began his career with the Homewood Police Department on October 5, 2015. During his career in Homewood, Officer Leaks has served as a Patrol Officer, Acting Watch Commander, and Field Training Officer. Officer Leaks previously served as a Patrol Officer with the South Holland Police Department from July 2012 to October 2015. Officer Leaks is currently a Captain in the United States Army Reserve. Officer Leaks holds a Bachelor of Arts in Political Science and a Master of Public Administration, both from Northern Illinois University.

OUTCOME

Officer Dennis Leaks is promoted to the rank of Sergeant in the Homewood Police Department.

FINANCIAL IMPACT

- **Funding Source:** No Financial Impact
- **Budgeted Amount:** N/A
- **Cost:** N/A

LEGAL REVIEW

Not required

VILLAGE OF HOMEWOOD



RECOMMENDED BOARD ACTION

Request the Village Clerk administer the Oath of Office to Dennis Leaks for the position of Sergeant in the Homewood Police Department.

ATTACHMENT(S)

None

***A Resolution Honoring
Paul R. Neitzel
on his retirement from the Village of Homewood***

WHEREAS, *Paul Neitzel* joined the Homewood Police Department on June 18, 2001, having previously been employed as a police officer with the Glenwood Police Department and the Sauk Village Police Department; and

WHEREAS, *Paul Neitzel* was assigned to the Criminal Investigations Unit for more than 9 years, first as a Tactical Officer from October, 2008 until May, 2010 when he was then assigned as a Detective where he remained until July, 2018; and

WHEREAS, *Paul Neitzel* was assigned as a member of the South Suburban Major Crimes Task Force (SSMCTF), a multi-jurisdictional homicide task force; and

WHEREAS, *Paul Neitzel* served as an Accident Investigator and was assigned to be a member of the Suburban Major Accident Reconstruction Team, a multi-jurisdictional accident investigation team which responds to accidents throughout the south suburbs; and

WHEREAS, *Paul Neitzel* has received numerous Letters of Appreciation and Commendations from the Homewood Police Department, private citizens, local businesses, and other police agencies in the course of his career; and

WHEREAS, *Paul Neitzel* is respected and held in high esteem by his friends, professional peers and members of the community for conducting himself and representing the Village of Homewood with the utmost concern for fairness, service, and professionalism; and

WHEREAS, *Paul Neitzel* retired on December 8, 2022, after twenty-one years of dedicated service to the Village of Homewood. His service to the police department and the citizens of Homewood is hereby recognized.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Homewood, Cook County, Illinois that

Paul R. Neitzel

be honored and commended for twenty years of outstanding, dedicated service to the citizens of Homewood. On behalf of the citizens of Homewood, the President and Board of Trustees hereby extend best wishes to Officer Neitzel as he enters his retirement.

This Resolution passed this 10th day of January, 2023.

Village President

ATTEST:

Village Clerk

Ayes: _____ Nays: _____ Absent: _____ Abstentions: _____

***A Resolution Honoring
Darren K. Easter
on his retirement from Village of Homewood***

- WHEREAS, *Darren Easter*** began his career in law enforcement in 2003 at the Crestwood Police Department as a Part Time Police Officer. He joined the Homewood Police Department on November 17, 2008, as a Full Time Police Officer; and
- WHEREAS, *Darren Easter*** served in the United States Army and Army Reserves from January, 1997 until January, 2003; and
- WHEREAS, *Darren Easter*** was assigned to the Criminal Investigations Unit as a Tactical Officer from November, 2012 until November, 2016; and
- WHEREAS, *Darren Easter*** was promoted to the rank of Police Sergeant on November 22, 2016; and
- WHEREAS, *Darren Easter*** passed his considerable knowledge and expertise on to other members of the department as an instructor for Firearms and served as the department's Range Master; and
- WHEREAS, *Darren Easter*** was also appointed as an instructor for ASP, O/C, Rapid Deployment and Use of Force, thus contributing to the future success and professionalism of the police department; and
- WHEREAS, *Darren Easter***, served as a moderator, instructor and point of contact for outside agencies on the VirTra Use of Force and De-Escalation Training Simulator; and
- WHEREAS, *Darren Easter***, while on an extended light duty assignment, stepped in to oversee the evidence room while the regular evidence custodian was on medical leave. During this time Sergeant Easter worked to update procedures and streamline operations; and
- WHEREAS, *Darren Easter*** has been a leader who is respected and held in high esteem by his friends, professional peers and members of the community for conducting himself and representing the Village of Homewood with the utmost concern for fairness, service and professionalism; and
- WHEREAS, *Darren Easter*** retired on December 12, 2022; after fourteen years of dedicated service to the Village of Homewood. His service to the police department and the citizens of Homewood is hereby recognized.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Homewood, Cook County, Illinois that

Darren K. Easter

be honored and commended for fourteen years of outstanding, dedicated service to the citizens of Homewood. On behalf of the citizens of Homewood, the President and Board of Trustees hereby extend best wishes to Officer Easter as he enters his retirement.

This Resolution passed this 10th day of January, 2023.

Village President

ATTEST:

Village Clerk

Ayes: _____ Nays: _____ Absent: _____ Abstentions: _____



BOARD AGENDA MEMORANDUM

DATE OF MEETING: January 10, 2023

To: Village President and Board of Trustees

Through: Napoleon Haney, Village Manager

From: John D. Schaefer, Director of Public Works

Topic: Sale of Surplus Equipment

PURPOSE

Semi-annually, the Village disposes of surplus property as equipment is replaced. An ordinance is required to dispose of the old equipment and this requires Board approval.

PROCESS

The vehicle listed below has been replaced and is to be disposed of either by intergovernmental sale or auction, trade-in, or private sale.

Squad #15	2017 Ford Utility	VIN: 1FM5K8AR9HGD58353
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LEGAL REVIEW

Not Required

RECOMMENDED BOARD ACTION

Approve an ordinance authorizing the Village Manager to sell or dispose of a 2017 Ford Utility Vehicle.

ATTACHMENT(S)

Ordinance

**AN ORDINANCE PROVIDING FOR
THE SALE OF CERTAIN PERSONAL PROPERTY OWNED BY
THE VILLAGE OF HOMEWOOD, COOK COUNTY, ILLINOIS**

WHEREAS, 65 ILCS5/11-76-4 authorizes a village to dispose items of personal property no longer deemed necessary or useful to that village; and

WHEREAS, the Village of Homewood, Cook County, Illinois owns certain items of personal property which it desires to dispose as therein provided.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Homewood, Cook County, Illinois, that:

SECTION ONE – DECLARATION OF SURPLUS PROPERTY:

The following personal property, presently owned by the Village of Homewood, Illinois is hereby deemed to be no longer necessary or useful to this Village and it is deemed in the best interest of this Village that such property be disposed.

Village Items

2017 Ford Utility VIN: 1FM5K8AR9HGD58353

SECTION TWO – METHOD OF DISPOSAL:

The Village Manager is hereby authorized to conduct the disposal or sale of the said personal property. With the assistance of his administrative staff, he shall sell or dispose the items, either together or separately, by intergovernmental sale or auction, trade-in, private sale or sealed bid. If by sealed bid, the proposed sale shall be advertised in a newspaper of general circulation within the Village. Should any such proposed sale not produce a buyer for in item of personal property, the Manager or his agent shall then be free to negotiate the sale of such item of personal property to obtain the best possible price for such item on behalf of the Village.

SECTION THREE – EFFECTIVE DATE:

This ordinance shall be in full force and effect from and after its passage and approval in accordance with law.

PASSED and APPROVED this 10th day of January, 2023.

Village President

ATTEST:

Village Clerk

AYES: _____ NAYS: _____ ABSTENTIONS: _____ ABSENCES: _____



BOARD AGENDA MEMORANDUM

DATE OF MEETING: January 10, 2023

To: Village President and Board of Trustees

Through: Napoleon Haney, Village Manager

From: Angela Mesaros, Director of Economic and Community Development

Topic: Sale of real estate at 2052-2066 Ridge Road and 18027 Harwood Avenue

PURPOSE

The Village purchased the commercial office building and parking lot at the northeast corner of Ridge Road and Harwood Avenue, 2052-2066 Ridge Road and 18027 Harwood Avenue as part of a contract to purchase 17900 Dixie Highway, which is needed for a new elevated water tank. The intent was to sell the building at Ridge and Harwood to a developer for future mixed-use redevelopment. GMA Capital LLC [YAN & Arp LLC] proposes to redevelop the property into a five-story mixed-use building with four floors of 55 residential units and commercial on the ground floor (small grocery store, restaurant with outdoor dining, and a tea & dessert café). Residential amenities would include a rooftop deck with seating, and a gym inside the building for residents.

PROCESS

In April 2022, the Village purchased the property with the intent to sell the building for renovation or redevelopment into a mixed-use residential and commercial development. The subject property was identified as a key transit-oriented development (TOD) site. In December 2022, the Village engaged Williams Architects to perform an architectural and structural assessment of the overall condition of the existing building and to determine if one to three stories could be added vertically to the building. The conclusion of the study was that the existing building could not structurally support additional stories and that demolition of the building would be the most cost-effective option.

The Village received a proposal from GMA to redevelop this property and staff is prepared to move forward to perform due diligence required to determine the feasibility of the redevelopment project. The property currently is tax-exempt. Redevelopment of this property benefits the community by placing it back on the tax rolls and increasing residential housing opportunities in the Central Business District.

Since the site is in the Downtown TOD TIF *Tax Increment Financing district*, the Village may sell the property to encourage the development of property. Before doing so, the Village must



provide an opportunity for other interested parties to submit alternate development proposals. To initiate this process, the Village Board must pass an ordinance soliciting alternate proposals for the development of the property.

Alternate proposals for the sale and development of the property must be submitted to the Village by 5:00 p.m. on Tuesday, February 14, 2023. If any alternate bids and proposals are received, they will be submitted to the Village Board at its February 14, 2023 meeting, 7:00 pm in the Village Hall.

OUTCOME

The redevelopment of the building at 2066 Ridge Road will result in the revitalization of the property within close proximity of the Metra station, which is consistent with the Village's transit-oriented development plan. The sale of this property also benefits the community through property tax revenue. The building is located within the Downtown Transit-Oriented Development (TOD) Tax Increment Financing District (TIF). The sale of the property provides additional economic development opportunities in the Downtown TOD area.

FINANCIAL IMPACT

- **Funding Source:** N/A
- **Budgeted Amount:** N/A
- **Cost:** N/A

LEGAL REVIEW

Completed

RECOMMENDED BOARD ACTION

Pass an ordinance directing the solicitation of alternate proposals for the development of the property at 2066 Ridge Road in the Downtown TOD Redevelopment Project Area.

ATTACHMENT(S)

- Ordinance
- Proposal

ORDINANCE NO. M -2235

AN ORDINANCE DIRECTING THE SOLICITATION OF ALTERNATE PROPOSALS FOR REAL ESTATE OWNED BY THE VILLAGE OF HOMEWOOD AND LOCATED AT THE NORTHEAST CORNER OF RIDGE ROAD AND HARWOOD AVENUE IN THE VILLAGE OF HOMEWOOD

WHEREAS, the Village of Homewood (“Village”) is contemplating the sale of real estate owned by the Village and described in Section One of this Ordinance in the Downtown TOD Redevelopment Project Area to GMA Capital and Management LLC [YAN & Arp, LLC] (“GMA”); and

WHEREAS, the Village of Homewood has received a proposal (the “Proposal”) from GMA for redevelopment of the property, including acquisition of the real estate; and

WHEREAS, Section 11-74.4-4(c) of the Illinois Municipal Code (65 ILCS 5/11-74.4-4(c)) authorizes a municipality to convey municipally-owned real estate within a redevelopment project area in the manner and at such price the municipality determines is reasonably necessary to achieve the objectives of the redevelopment plan and project; and

WHEREAS, before agreeing to sell the real estate as contemplated in the Proposal, Section 11-74.4-4(c) requires that the Village provide a reasonable opportunity for any other person to submit an alternate proposal or bid for the sale and redevelopment of this property.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Homewood, Cook County, Illinois that:

SECTION ONE - SOLICITATION OF ALTERNATE BIDS AND PROPOSALS:

The Village Manager and staff are directed to solicit alternate proposals for the sale and redevelopment of the following property owned by the Village:

All of Lot 4 and Lots 5 and 6 (except the Easterly 50 feet of Lots 5 and 6) and the North 45 feet of Lot 10 in Block “B” in the Village of Hartford now called Homewood, a subdivision of the Northeast 1/4 of the Southwest 1/4 of Section 31, Township 36 North, Range 14, East of the Third Principal Meridian, in Cook

County, Illinois.

Parcel Identification Nos. 29-31-307-005-0000; 29-31-307-004-0000; and 29-31-307-015-0000

Address: 2052-2066 Ridge Rd. and 18027 Harwood Ave., Homewood, IL. The property is 0.4534 acres. It contains an office building and parking lot and is zoned B-1 Central Business District.

The Village Manager or his designee shall publish the legal notice on the last page of this ordinance in a newspaper of general circulation within the Village of Homewood no later than January 14, 2023.

SECTION TWO - PROPOSAL AVAILABLE FOR INSPECTION

The Village Manager or his designee shall make the Proposal available for public review in the Village Clerk’s office during regular business hours, and on the Village website.

SECTION THREE - DUE DATE FOR ALTERNATE BIDS AND PROPOSALS:

Alternate bids and proposals for the sale and development of the property described in Section One above shall be submitted to the Village by 5:00 p.m. on Tuesday, February 14, 2023, at the Village Clerk’s office in the Homewood Village Hall, 2020 Chestnut Road, Homewood, Illinois. Alternate proposals will be presented at the Village Board meeting beginning at 7:00 p.m. on February 14, 2023, at the Homewood Village Hall.

SECTION FOUR - EFFECTIVE DATE:

This Ordinance shall be in full force and effect after its passage, approval, and publication under law.

PASSED and APPROVED this 10th day of January, 2023.

Village President

ATTEST:

Village Clerk

AYES: ____ NAYS: ____ ABSTENTIONS: ____ ABSENCES: ____

**LEGAL NOTICE
VILLAGE OF HOMEWOOD**

**SOLICITATION OF ALTERNATE PROPOSALS FOR THE SALE
AND DEVELOPMENT OF PROPERTY IN A TAX INCREMENT
REDEVELOPMENT PROJECT AREA**

Notice is given that the Village of Homewood is soliciting alternate bids and proposals for the sale and development of the following described municipally owned property within the Downtown TOD Redevelopment Project Area:

All of Lot 4 and Lots 5 and 6 (except the Easterly 50 feet of Lots 5 and 6) and the North 45 feet of Lot 10 in Block "B" in the Village of Hartford now called Homewood, a subdivision of the Northeast 1/4 of the Southwest 1/4 of Section 31, Township 36 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

Parcel Identification Nos. 29-31-307-005-0000; 29-31-307-004-0000; and 29-31-307-015-0000.

Address: 2052-2066 Ridge Rd. and 18027 Harwood Ave., Homewood, IL. The property is 0.4534 acres. It contains an office building and parking lot and is zoned B-1 Central Business District.

GMA Capital and Management LLC proposes to redevelop the property by construction of a five-story mixed use commercial and residential building on the site.

Copies of the proposal are available for public review in the Village Clerk's office at the Homewood Village Hall, 2020 Chestnut Road, Monday through Friday, 8:00 a.m. to 5:00 p.m. and on the village website: village.homewood.il.us. The proposal includes provisions for developer to acquire the land provided it redevelops the property.

Alternate proposals must be received at the Village Clerk's office in the Homewood Village Hall, 2020 Chestnut Road, Homewood, Illinois, by 5:00 p.m. on Tuesday, February 14, 2023. All such proposals will be publicly opened and read at the Village Board meeting beginning at 7:00 p.m. on February 14, 2023.

Persons with questions may contact Director of Economic & Community Development Angela Mesaros at (708) 206-3387.

Marilyn Thomas, Village Clerk

-HOMWOOD-
DEVELOPMENT PROPOSAL



2066 Ridge Rd, Homewood, IL

GMA Capital LLC

About Us

GMA Capital LLC is a Real Estate Investment company,
For the past 12 years, GMA has rehabbed over 100
projects, now owning and managing over 300 units in
Chicago land. We specializes on urban rehabilitation and
has been always seeking development opportunities. Our
specialties are fastest construction time and economical
costs





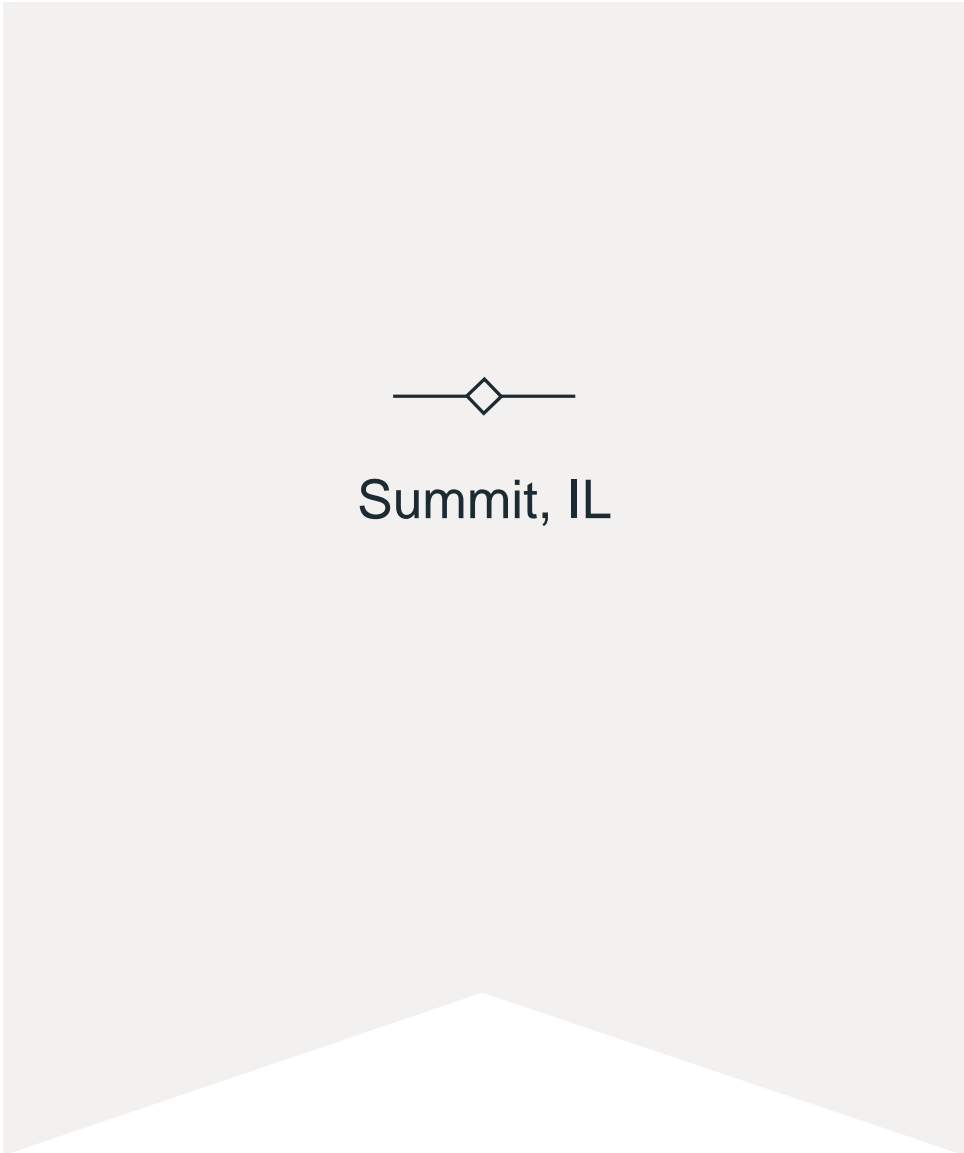
Chicago, IL





Berwyn, IL





—◆—
Summit, IL

—◆—
Thornton, IL

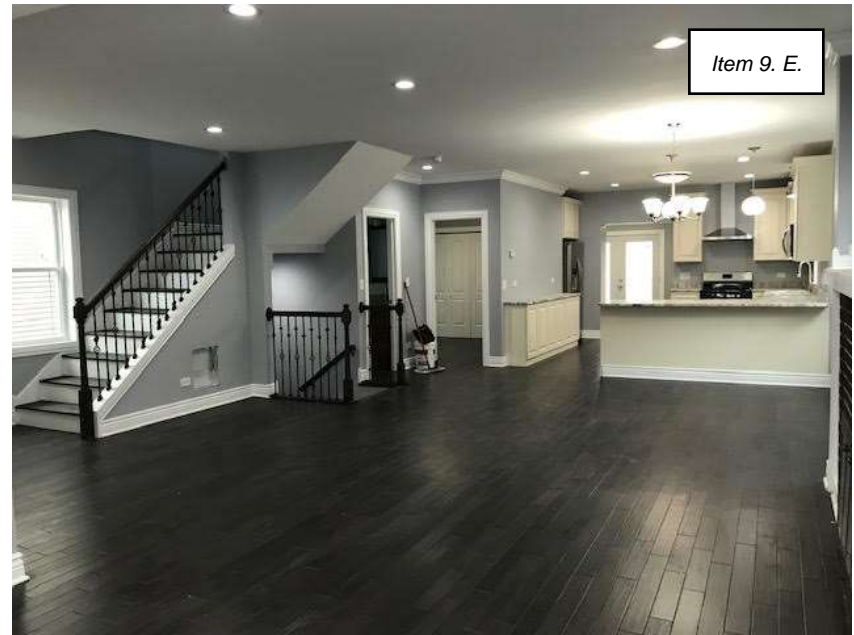


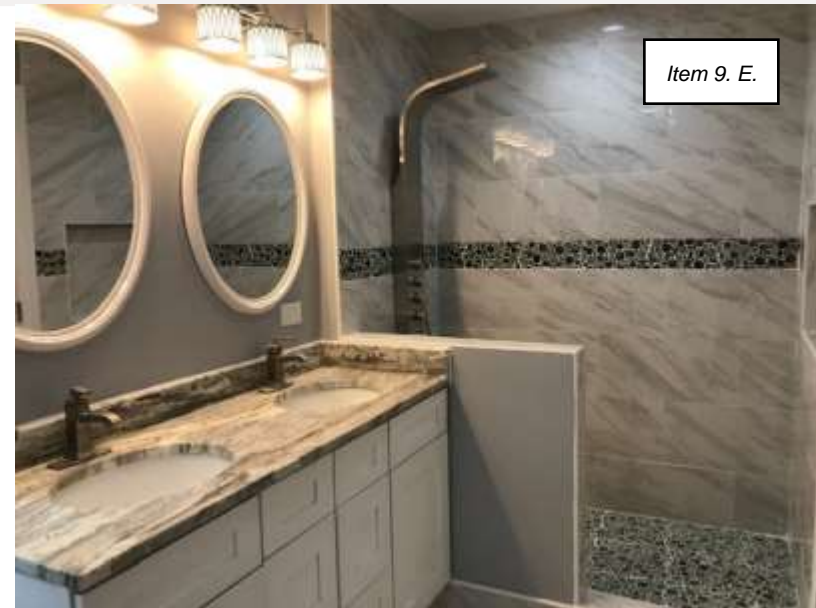
Item 9. E.



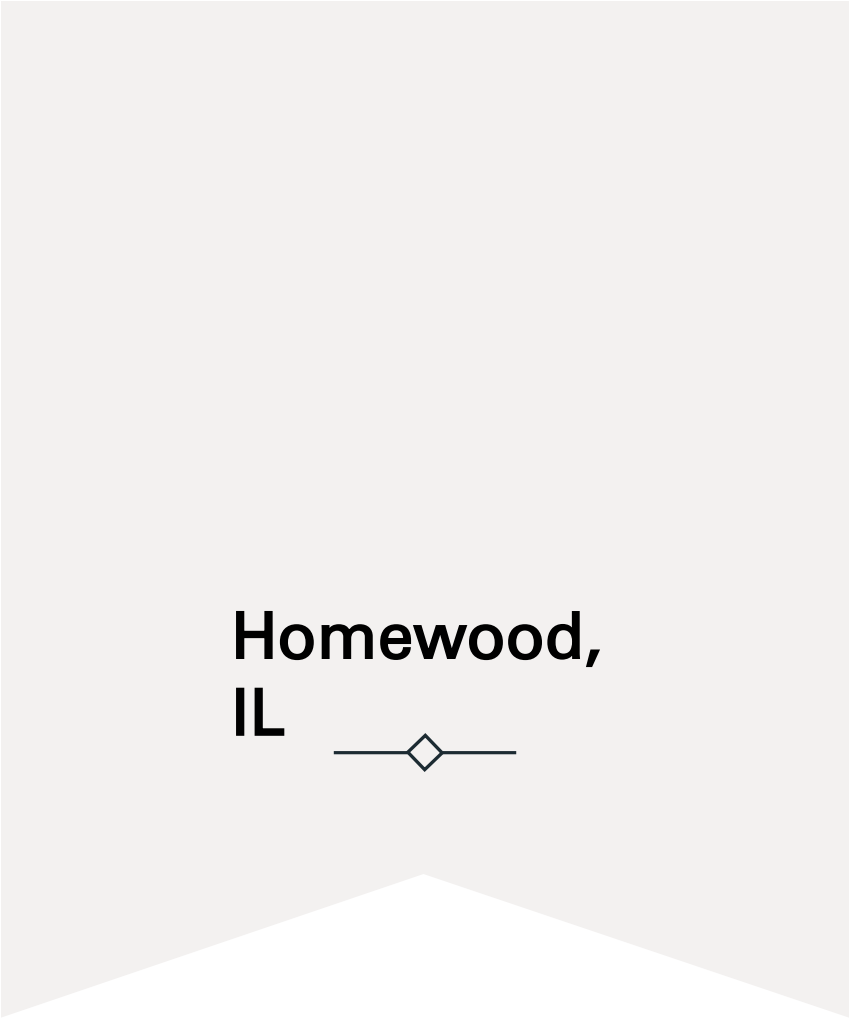
Item 9. E.







What brought us to Homewood?



* Vision of Future

* City Business Friendly

* Location & Transportation
(Highway, 88,57,294)

* Household Income
\$72,000

2066 Ridge Rd



Is a 54,680 sq ft Class-A Mix-use new development. It contains 55 residential units and 4 commercials. First floor is designed to be 4 commercial space with restaurant, grocery store, sweets shop, and Meat shop. The entire project is planning to build up within 18 months.





Residential Utility



Rooftop activity share space:



Commercial Space
(5,120 Sqft)

—◇—

Japanese Ramen Restaurant
Boba Store
Grocery Store
Liquor Store

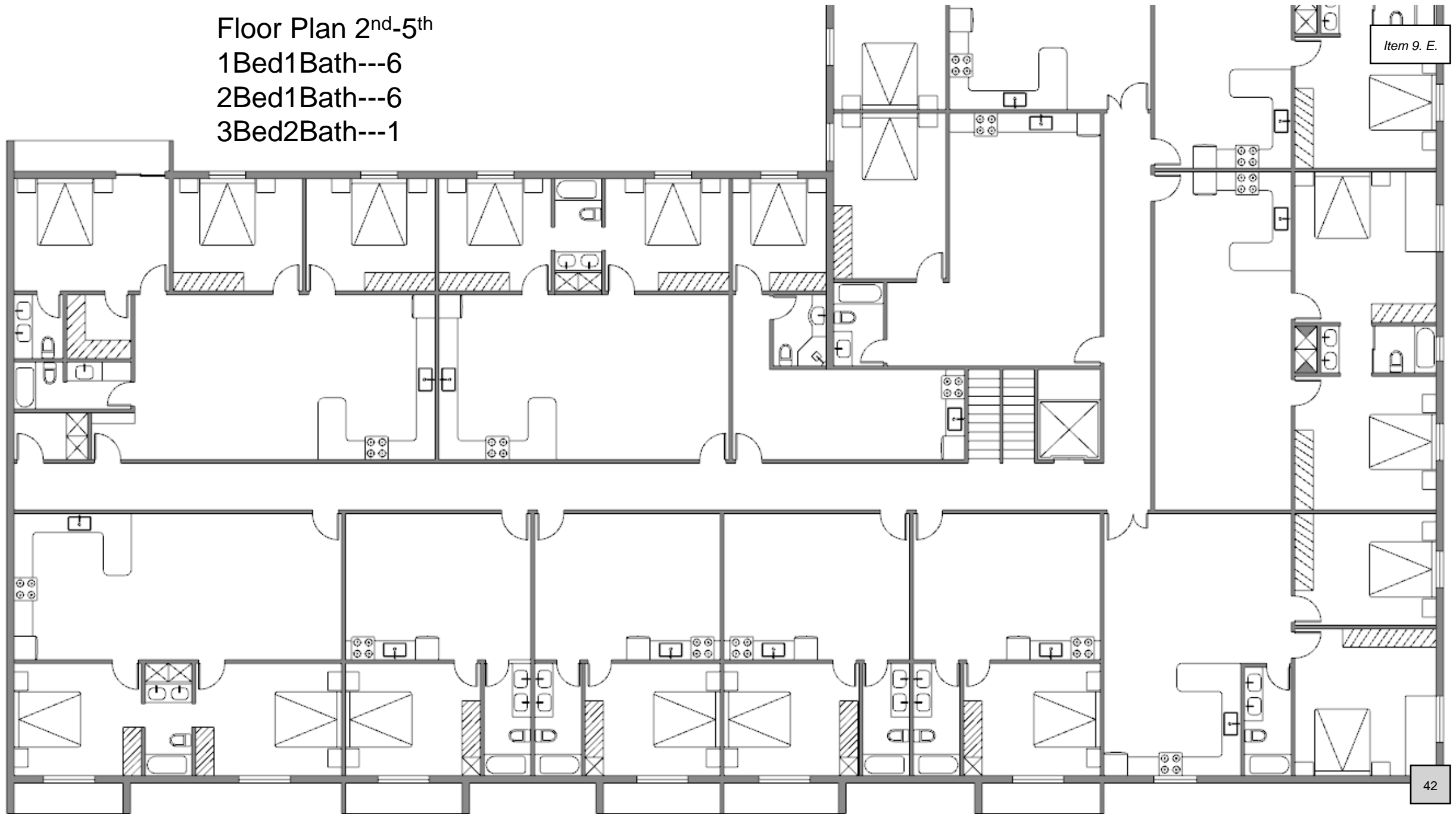


Floor Plan 2nd-5th

1Bed1Bath---6

2Bed1Bath---6

3Bed2Bath---1



Total Cost \$13,670,000

The total cost of this project with acquisition and construction costs will be over \$13M. GMA will raise a cash fund of 3M along with a construction loan of 5M dollars to start, going to need cooperation from the village on parking spaces, available grants and loans on the construction.



H O M E

sweet

H O M E



BOARD AGENDA MEMORANDUM

DATE OF MEETING: January 10, 2023

To: Village President and Board of Trustees

Through: Napoleon Haney, Village Manager

From: Dennis Bubenik, Director of Finance

Topic: Contingency Fund Transfers

PURPOSE

Good government procedures require realistic estimates of revenues and expenses for the yearly budget of the government body. However, since the budget is built on estimates, there can be situations during the actual budget year that could not have been anticipated when the budget was approved. Many municipalities have contingency policies in place to handle these unexpected challenges to the budget.

The contingency fund can be used to cover costs for critical items that were either not budgeted for, or items that increased in cost above what was budgeted. There are four accounts that experienced unanticipated expenses since the current budget was passed, and require a transfer of funds from the Contingency Account to the respective line items. The transfer of these funds requires Board approval.

PROCESS

The Village of Homewood created a contingency fund that became operational during the current FY2022-2023 budget year. The contingency fund appears as a line item in the Finance Department's budget and is budgeted each year. The budget is equal to 1% of the total general fund expenses. The general fund is where we find the day-to-day operating expenses required to provide local government services.

This contingency fund is not to be used to circumvent the budget process and fund those expenses that did not make it through the approval of the budget. Attached is the Homewood Contingency policy, which clearly defines when and how funding can be utilized.

At the six-month point of the 2022-23 budget year, four accounts have experienced expense levels that could not have been anticipated at the approval of our 2022-23 budget back in April 2022. The four line item expenses are detailed on the attached document.



OUTCOME

Transferring funds from the Contingency Account will supplement the budget line items that have been affected by unanticipated expenses after the budget was passed in April 2022.

FINANCIAL IMPACT

- **Funding Source:** General Fund (*Contingency Fund Line Item*)
- **Budgeted Amount:** \$230,000

LEGAL REVIEW

Not required

RECOMMENDED BOARD ACTION

Approve the transfer of \$120,000 from Contingency Account - Finance Department as follows:

- \$20,000 to Labor Relations *Manager's Office* - litigation costs
- \$60,000 to Accident Repairs *Police Department* - vehicles repairs
- \$20,000 to Fuel *Police Department* - increases in fuel costs
- \$20,000 to Fuel *Public Works Streets Department* – increases in fuel costs

ATTACHMENT(S)

- Budget Policy on Contingency Account
- Recommended use of Contingency account January 2023

Budget Policy

Contingency Fund – The Village of Homewood recognizes that there are instances during the fiscal year operations where expenses are incurred that could not have been anticipated during the time of the budget talks and budget approval. With this in mind the Village will attempt to budget each year a contingency fund in the Finance Department budget equal to 1% of total general fund expenses.

A list of expenses appropriate for use of this contingency fund are:

- Equipment Failure
- Unplanned Legal
- Costs for example Overtime, in community disruption
- Spikes in fuel and energy costs
- Excess costs for example recruitment due to unforeseen position openings
- Information Technology Service over runs
- Risk Management (IRMA) Insurance over runs

The process to request an allocation of the 1% Contingency Fund is

1. Department Head email to the Director of Finance with details of what unbudgeted expense has occurred requiring dollars from the contingency funds.
2. The Finance Director, Assistant Finance Director, and Finance Assistant will review and make a recommendation to the Village Manager.
3. Village Manager will confirm or over rule Finance decision.
4. Department Head will be notified of the decision.

Expenses using contingency fund dollars will follow current Purchasing Policy thresholds:

- A. Village Board if over \$20,000
- B. Village Manager if expense is \$5,000 to \$20,000
- C. EXCEPT No contingency Fund dollars will be approved under \$5,000. These smaller items can be funded by finding current budgeted dollars in the department and redirecting those dollars to the unbudgeted expense.

	2022-23	6 Months	Remaining	Board	Adjusted	
	<u>Budget</u>	<u>2022-23</u>	<u>6 Months</u>	<u>Item</u>	<u>Remaining</u>	<u>Notes</u>
		<u>Actual</u>	<u>2022-23</u>	<u>1/10/2023</u>	<u>2022-23</u>	
Labor Relations	\$ 40,000	\$ 35,753	\$ 4,247	\$ 20,000	\$ 24,247	1 case in police and 1 in fire got expensive
Accident Repairs PD	\$ 7,000	\$ 60,094	\$ (53,094)	\$ 60,000	\$ 6,906	4 major expensive police squad accidents in 2022
Fuel Police	\$ 85,000	\$ 51,231	\$ 33,769	\$ 20,000	\$ 53,769	price hikes all across USA in 2022
Fuel Streets	\$ 61,500	\$ 36,632	\$ 24,868	\$ 20,000	\$ 44,868	winter coming plus the price hikes
Finance Contingency	\$ 230,000	\$ -	\$ 230,000	\$ (120,000)	\$ 110,000	these 4 items above meet policy requirements



BOARD AGENDA MEMORANDUM

DATE OF MEETING: January 10, 2023

To: Village President and Board of Trustees

Through: Napoleon Haney, Village Manager

From: Angela Mesaros, Director of Economic and Community Development

Topic: Amendment to Economic Development Incentives – 18676 Dixie Highway

PURPOSE

The Façade and Property program is an integral component of the Tax Increment Financing Districts (TIFs), created by the Village to leverage private investment with public funds. The program provides financial assistance for the improvement and maintenance of existing commercial buildings to increase the assessed valuation and marketability of the area. One of the goals of this program is to promote the revitalization of properties and assist with upgrades to buildings.

PROCESS

In 2000, the Village established the Southgate Tax Increment Financing District (TIF). The funds available in the Southgate TIF District fund balance are \$169,888. A large portion of this balance is dedicated to incentives for the Maple Tree Inn and improvements to the Village-owned public parking lot. The remaining fund balance amount that is not committed to specific projects is \$22,901.

In October 2022, the owner of the building at 18676 Dixie Highway, EMA Building Corporation applied for incentives to offset the cost of improvements for the re-occupancy of tenant space. The applicant obtained three bids for incentives to make improvements, which included replacing flooring, doors, and signage. The lowest bid was estimated to be \$22,500.

The Village Board agreed to reimburse the owner of the property 50% of the estimated rehabilitation costs (\$11,250). During construction, the actual cost incurred by the Owner exceeded the estimate by \$2,000. This program allows for reimbursement of up to 50% of the eligible costs with a maximum reimbursement of \$25,000.

OUTCOME

Staff is recommending approval of an amendment to the incentive agreement to reimburse the owner \$12,250 from the Southgate TIF Incentive Program to cover 50% of the actual cost incurred.



FINANCIAL IMPACT

- **Funding Source:** Southgate Tax Increment Financing (TIF) Fund
- **Budgeted Amount:** \$72,000
- **Cost:** \$12,250

LEGAL REVIEW

Completed

RECOMMENDED BOARD ACTION

Authorize an amendment to the agreement with EMA Building Corporation to provide financial assistance from the Southgate TIF Façade and Property Improvement Program in the amount of \$12,250 for building improvements at 18676 Dixie Highway.

ATTACHMENT(S)

First Amendment to the Agreement to reimburse eligible expenses at 18676 Dixie Highway

**FIRST AMENDMENT TO THE AGREEMENT DATED OCTOBER 25, 2022
TO REIMBURSE ELIGIBLE EXPENSES FOR REHABILITATION
OF COMMERCIAL PROPERTY AT 18676 DIXIE HIGHWAY
IN THE SOUTHGATE TAX INCREMENT FINANCING DISTRICT
OF THE VILLAGE OF HOMEWOOD, ILLINOIS**

WHEREAS, Paul Henke, President of E.M.A. Building Corporation, (“Building Owner”), and the Village of Homewood, an Illinois municipal corporation (“Village”) entered into an agreement on October 25, 2022, for the Village to provide financial assistance to upgrade an existing space within a multi-tenant commercial building at 18676 Dixie Highway; and

WHEREAS, the Building Owner obtained bids with the lowest bids for replacing flooring, doors, and signage, totaling \$22,500; and

WHEREAS, the Village agreed to reimburse the Owner \$11,250, representing 50% of estimated rehabilitation costs; and

WHEREAS, during construction, the actual cost incurred by the Owner was \$2,000 above the estimate: and

WHEREAS, the Village is willing to reimburse the owner \$12,250, representing 50% of the actual cost incurred.

NOW, THEREFORE, in exchange for the mutual promises and considerations set forth herein, the Building Owner and Village agree as follows:

1. The last sentence of paragraph 2 of the agreement is amended as follows: “The Village agrees to reimburse Building Owner \$12,250.00, representing fifty percent (50%) of the actual cost of said Work.”
2. All other provisions of the agreement approved by the Village Board on October 25, 2022, not modified by this agreement remain in full force.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment on January 10, 2023.

VILLAGE OF HOMEWOOD

E.M.A. Building Corporation

By: _____
Village President

By: _____
Paul Henke, President

ATTEST:

Signed and sworn to before me on
_____, 2023

Village Clerk

Notary Public

VILLAGE OF HOMEWOOD



BOARD AGENDA MEMORANDUM

DATE OF MEETING: January 10, 2023

To: Village President and Board of Trustees

Through: Napoleon Haney, Village Manager

From: Angela Mesaros, Director of Economic and Community Development

Topic: Special Use Permit for a Salon/Spa Establishment in B-1 Central Business District for “bbHOLISTIC, LLC” at 18203 Dixie Highway

PURPOSE

The applicant, Benita Best, is requesting a Special Use Permit to operate a Salon/Spa in the B-1 Central Business District for her business, “bbHOLISTIC, LLC”. The proposed business will occupy a 2,173 s.f. tenant space of the existing 19,540 s.f. multi-tenant building. The Homewood Zoning Ordinance classifies salon/spa uses as a special use in the B-1 Central Business District. The special use permit process allows for careful evaluation of each requested permit individually to consider the impact of the proposed use on neighboring properties and the public need for the proposed use at the subject location.



PROCESS

The proposed space is currently vacant, formerly occupied by a dental office. Other uses on the property include a restaurant (Park’s Pastries), two professional offices, a child care center, and a vacant tenant space. The applicant requests a special use for a salon/spa establishment to operate a holistic wellness center. Her services will include a wide range of treatments and services, including massage, acupuncture, holistic skin care, non-toxic natural nail treatments, meditation, mind-body exercise such as yoga and tai chi, small group events, and educational workshops. The establishment will consist of six treatment rooms, an infrared sauna room, a meditation/relaxation room, a multi-purpose room capable of hosting a maximum of 12 people, a reception/waiting area, and a break room for treatment providers. All personal services will be by appointment scheduled directly with the provider. Use of the multi-purpose room for small group gatherings will be scheduled on off-peak hours so as not to conflict with other services.

The proposed business will have six treatment rooms. The zoning ordinance requires three parking spaces per chair or treatment room for a salon/spa establishment. Therefore, the requested special use permit will require 18 parking spaces. All tenants share the 62-space parking lot located on the property,

VILLAGE OF HOMEWOOD



as well as utilizing nearby on-street spaces and public parking lots to meet the collective parking demand.

On December 8, 2022, the Planning and Zoning Commission considered the request for a special use permit in a public hearing. All seven commission members were present and voted 6-1 to recommend approval of the special use permit for bbHOLISTIC, LLC at 18203 Dixie Highway.

OUTCOME

The Planning and Zoning Commission reviewed the application, heard testimony by the applicant, and considered the applicant's response to the Standards for a Special Use. The following Findings of Fact were incorporated into the record:

1. The subject property is located at 18203 Dixie Highway, in the B-1 Central Business District.
2. The applicant, Benita Best, is the business owner and the property owner, David Albrecht, has consented to the application.
3. A salon/spa is a special use in the B-1 Central Business District and the proposed holistic wellness business is classified as a salon/spa by the Definitions (Sec 44-04) of Homewood Zoning Ordinance.
4. The subject property is within the Downtown Overlay District, as identified in the 2005 Village of Homewood Downtown Master Plan.
5. The applicant requests a Special Use Permit for a Salon/Spa Establishment in the B-1 Central Business District to operate a business providing massage therapy and other personal services.
6. The proposed establishment will be approximately 2,173 sf and include six treatment rooms.

FINANCIAL IMPACT

- **Funding Source:** N/A
- **Budgeted Amount:** N/A
- **Cost:** N/A

LEGAL REVIEW

Completed

RECOMMENDED BOARD ACTION

Pass an ordinance granting a Special Use Permit for a Salon/Spa Establishment in B-1 Central Business District for "bbHOLISTIC, LLC" at 18203 Dixie Highway.

ATTACHMENTS

Ordinance

ORDINANCE NO. M-2236

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT
TO ALLOW THE OPERATION OF A SALON/SPA ESTABLISHMENT FOR
“bbHOLISTIC, LLC”
AT 18203 DIXIE HIGHWAY, HOMEWOOD, COOK COUNTY, ILLINOIS**

WHEREAS, 65 ILCS 5/11-13-1.1 authorizes the granting of a special use by passage of an Ordinance; and

WHEREAS, Benita Best, proprietor of “bbHOLISTIC, LLC” has requested a special use permit for a salon/spa establishment to operate a holistic wellness establishment at 18203 Dixie Highway; and

WHEREAS, David Albrecht of Unchecked Capital, LLC, owner of the subject property has authorized such request for a special use; and

WHEREAS, this business is classified in the Homewood Zoning Ordinance as a special use in the B-1 Central Business District; and

WHEREAS, the Homewood Planning and Zoning Commission reviewed and considered the request at its regular meeting on December 8, 2022 and by a vote 6-1 recommended approval of the requested special use; and

WHEREAS, the President and Board of Trustees of the Village of Homewood, Cook County, Illinois deem it appropriate and are willing to grant a special use permit, subject to the terms and provisions hereof.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Homewood, Cook County, Illinois, that:

SECTION ONE - INCORPORATION OF RECITALS:

The above recitals are incorporated into this ordinance as if fully restated here.

SECTION TWO - FINDINGS OF FACT:

1. The subject property is located at 18203 Dixie Highway, in the B-1 Central Business District.
2. The applicant, Benita Best, is the business owner and the property owner, David Albrecht, has consented to the application.
3. A salon/spa is a special use in the B-1 Central Business District and the proposed holistic wellness business is classified as a salon/spa by the Definitions (Sec 44-04) of Homewood Zoning Ordinance.
4. The subject property is within the Downtown Overlay District, as identified in the 2005 Village of Homewood Downtown Master Plan.
5. The applicant requests a Special Use Permit for a Salon/Spa Establishment in the B-1 Central Business District to operate a business providing massage therapy and other personal services.
6. The proposed establishment will be approximately 2,173 sf and include 6 treatment rooms.

SECTION THREE - LEGAL DESCRIPTION:

The subject property is legally described as follows:

The North 265 feet (except the North 100 feet thereof) of that part of the West 1/2 of the SE 1/2 of Section 31, Township 36 North, Range 14, bounded and described as follows: Beginning at the Northeast corner of Lot 1 in the subdivision of Lot 6 County Clerk’s Division of the West 1/2 of the SE 1/4 of said Section 31; thence West along the North line of Lot 1 extended 297 feet to a point 33 feet East of the West line of said SE 1/4; thence North parallel to said West line, 346 feet; thence East parallel to said North line of Lot 1, 297 feet; thence South parallel to said West line of said SE 1/4; 346 feet to place of beginning, in Cook County, Illinois.

Permanent Index Number: 29-31-409-056-0000

Common Address: 18203 Dixie Highway
Homewood, IL 60430

SECTION FOUR - ISSUANCE OF SPECIAL USE PERMIT:

A special use permit is hereby granted to Benita Best to operate a salon/spa establishment “bbHOLISTIC, LLC” for holistic wellness at the above-described property.

SECTION FIVE - DOCUMENTS TO BECOME A PART OF THIS ORDINANCE:

The following documents are hereby made part of this Ordinance:

1. Homewood Planning and Zoning Commission minutes of December 8, 2022, as they relate to the subject zoning.
2. Homewood Village Board minutes of January 10, 2023, as they relate to this ordinance.

SECTION SIX - RECORDING:

The Village Attorney shall cause this Ordinance without attachments to be recorded in the Office of the Cook County Clerk - Recording Division.

PASSED and APPROVED this 10th day of January 2023.

Village President

Village Clerk

AYES: _____ NAYS: _____ ABSTENTIONS: _____ ABSENCES: _____



BOARD AGENDA MEMORANDUM

DATE OF MEETING: January 10, 2023

To: Village President and Board of Trustees

Through: Napoleon Haney, Village Manager

From: Robert Grabowski, Fire Chief

Topic: MABAS Illinois Master Agreement

PURPOSE

The Homewood Fire Department requires mutual aid from time to time, as do all towns. The Village of Homewood has been a part of MABAS (Mutual Aid Box Alarm System) Illinois for over thirty years. The system is designed to facilitate all levels of mutual aid from day-to-day automatic aid responses to major incidents and disasters requiring significant deployment of resources. The renewal of the agreement with MABAS requires Board approval.

PROCESS

MABAS Illinois is requiring all Fire Departments in the State to update the current agreement between each department and MABAS statewide. Homewood is in Division 24, which includes twenty (20) towns from Tinley Park to the Indiana State line.

Every MABAS participant agency has signed the same contract with their 1,200 plus counterpart MABAS agencies. MABAS agencies agree to: standards of operation, incident command, minimal equipment staffing, fireground safety, and on-scene terminology. MABAS agencies are able to work together seamlessly on any emergency scene.

Without a formal written mutual aid agreement (such as MABAS,) a request for mutual aid assistance becomes a legal quandary. A Fire Chief and his employing community sends resources at great risk should equipment be damaged or a firefighter is injured or killed in the line of duty.

This agreement confirms our participation in the program, which means that the Village of Homewood Fire Department will help other municipalities in our division when needed, and in turn, our neighboring communities, both local and statewide, will help us when the need should arise.



OUTCOME

Approval of the attached agreement will ensure our continued participation in the Mutual Aid Box Alarm System Illinois and secure the benefits of mutual aid in fire protection, firefighting, rescue, emergency medical services, and other activities for the protection of life and property from an emergency or disaster.

FINANCIAL IMPACT

- **Funding Source:** N/A
- **Budgeted Amount:** N/A
- **Cost:** N/A

LEGAL REVIEW

Completed

RECOMMENDED BOARD ACTION

Pass a resolution authorizing the Village President to enter into a Mutual Aid Box Alarm System Master Agreement (intergovernmental agreement) for participation in the Mutual Aid Box Alarm System (MABAS) Illinois.

ATTACHMENT(S)

- Resolution
- MABAS Master Agreement

RESOLUTION NO. 3135**A RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT FOR PARTICIPATION IN THE MUTUAL AID BOX ALARM SYSTEM (MABAS MASTER AGREEMENT 2022)**

WHEREAS, the Mutual Aid Box Alarm System (MABAS) was organized beginning in 1968 in the northwest and western suburbs of Chicago, Illinois to coordinate and automate fire department mutual aid, based roughly on the Chicago Fire Department's box alarm system of predetermined resources assigned to respond to a specific incident or area. Since 1968, MABAS has grown into a multi-state organization to coordinate responses to fires, emergency medical calls, hazardous material, technical rescue and other emergencies and disasters through prearranged mutual aid and dispatch agreements. The system is designed to facilitate all levels of mutual aid from day-to-day automatic aid responses to major incidents and disasters requiring significant deployment of resources. MABAS member Units include the gambit from all-volunteer fire departments to major cities like Chicago, Milwaukee and St. Louis; and

WHEREAS, since the last revision of the master MABAS intergovernmental agreement in about 1988, MABAS has grown exponentially to its current composition of almost 1200 Illinois Units and 2200 total Units in Illinois and several adjoining States; and

WHEREAS, it is the express intent of member Units that the MABAS Agreement be in a form which can be adopted by Units in different States where

Units may lawfully enter into agreements providing for their mutual aid and protection. Thus, even if the MABAS Agreement does not specifically cite the applicable current legal authority for a particular State and its member Units, the lack of such citation shall not be construed in any manner as an impediment to or prohibition of Units from other States from joining MABAS. It is also the express intent of the member Units that all Units adopt this same Intergovernmental Agreement without modification; and

WHEREAS, the Constitution of the State of Illinois, 1970, Article VII, Section 10, authorizes units of local government to contract or otherwise associate among themselves, with the State, with other States and their units of local government, and with the United States to obtain and share services and to exercise, combine, or transfer any power or function in any manner not prohibited by law or ordinance; and to further contract or otherwise associate with individuals, associations, and corporations in any manner not prohibited by law or ordinance; and

WHEREAS, the “Intergovernmental Cooperation Act”, 5 ILCS 220/1 et seq., provides that any power or powers, privileges or authority exercised or which may be exercised by a unit of local government may be exercised and enjoyed jointly with any other unit of local government including units of local government from another state; and

WHEREAS, Section 5 of the “Intergovernmental Cooperation Act”,

5 ILCS 220/5, provides that any one or more public agencies may contract with any one or more public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the contract is authorized by law to perform, provided that such contract shall be authorized by the governing body of each party to the contract; and

WHEREAS, the Village President and Board of Trustees of the Village of Homewood have determined that it is in the best interests of this unit of local government and its residents to enter into a Mutual Aid Box Alarm System Agreement to secure to each the benefits of mutual aid in fire protection, firefighting, rescue, emergency medical services and other activities for the protection of life and property from an emergency or disaster and to provide for communications procedures, training and other necessary functions to further the provision of said protection of life and property from an emergency or disaster.

NOW, THEREFORE, BE IT RESOLVED by the Village President and Board of Trustees of the Village of Homewood, Cook County, Illinois as follows:

Section One: Incorporation of Recitals: The recitals set forth above are incorporated here by reference.

Section Two: Approval of Agreement: The Mutual Aid Box Alarm System Master Agreement, (Approved by the MABAS Executive Board October 19, 2022) is hereby approved, and the Village President and Village Clerk are authorized and directed to execute the Mutual Aid Box Alarm System Master Agreement,

attached as Exhibit A and made a part hereof.

Section Three: Repealer: All prior ordinances, resolutions or motions, or parts of ordinances, resolutions, or motions in conflict with any of the provisions of this Resolution shall be, and the same are hereby repealed to the extent of the conflict.

Section Four: Severability: This Resolution and every provision thereof shall be considered severable. If any section, paragraph, clause, or provision of this Resolution is declared by a court of law to be invalid or unconstitutional, the invalidity or unconstitutionality thereof shall not affect the validity of any other provisions of this Resolution.

Section Five: Effective Date: This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED and APPROVED this 10th day of January, 2023

Village President

ATTEST:

Village Clerk

AYES: _____ NAYS: _____ ABSTENTIONS: _____ ABSENCES: _____



MUTUAL AID BOX ALARM SYSTEM MASTER AGREEMENT

**As Approved by the MABAS Executive Board:
October 19, 2022**

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This Agreement by and among the units of federal, state and local government, and other non-governmental emergency response organizations, subscribed hereto, hereafter referred to as "Units", or "Parties" is made and entered into the date set forth next to the signatures of those authorized to execute this Agreement on behalf of the respective Parties, each Party having approved this Agreement and adopted same pursuant to their state's constitutional and statutory authority and in a manner provided by law. In order to provide efficient and effective management of this Agreement, groups of the Parties may be established as "Chapters" on a state-by-state basis and Chapters may include Parties from adjoining states.

WHEREAS, the Mutual Aid Box Alarm System (MABAS) was formally organized beginning in 1968 in the northwest and western suburbs of Chicago, Illinois to coordinate and automate fire department mutual aid based roughly on the Chicago Fire Department's box alarm system, whereby predetermined resources of personnel and fire equipment were assigned to respond to a specific incident or area; and

WHEREAS, MABAS has grown into a multi-state organization through prearranged mutual aid and dispatch agreements that coordinate responses to emergencies and disasters including fires, emergency medical calls, hazardous material incidents, water related rescues, and technical rescues, and MABAS is designed to facilitate all levels of mutual aid from day-to-day automatic aid responses to major incidents and disasters requiring significant deployment of resources; and

WHEREAS, since the last revision of the master MABAS intergovernmental agreement circa 1988, MABAS has grown exponentially to its current composition of almost 1,200 Illinois Units and 2,200 total Units in Illinois and several nearby States with Units ranging from all-volunteer fire departments to major cities like Chicago, Milwaukee, and St. Louis; and

WHEREAS, the Constitution of the State of Illinois, 1970, Article VII, Section 10, authorizes units of local government to contract or otherwise associate among themselves , with the State, with other States and their units of local government, and with the United States to obtain and share services and to exercise, combine, or transfer any power or function in any manner not prohibited by law or ordinance; and to further contract or otherwise associate with individuals, associations, and corporations in any manner not prohibited by law or ordinance; and to further contract or otherwise associate with individuals, associations, and corporations in any manner not prohibited by law; and

WHEREAS, the Illinois “Intergovernmental Cooperation Act”, 5 ILCS 220/1 et seq., provides that any power or powers, privileges or authority exercised, or which may be exercised by a unit of local government may be exercised and enjoyed jointly with any other unit of local government including units of local government from another state; and

WHEREAS, Section 5 of the Illinois “Intergovernmental Cooperation Act”, 5 ILCS 220/5, provides that any one or more public agencies may contract with any one or more public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the contract is authorized by law to perform, provided that such contract shall be authorized by the governing body of each party to the contract; and

WHEREAS, the Indiana Code at Section 36-1-7 (IC 36-1-7) authorizes an Indiana political subdivision to enter into a mutual aid agreement with political subdivisions of states other than Indiana, provided the agreement contains the necessary terms and conditions set out in IC 36-7-3, is approved by the Indiana Attorney General as required under IC 36-1-7-4, is recorded with the county recorder and filed with the Indiana State Board of Accounts as required under IC 36-1-7-6; and

WHEREAS, for the purposes of Chapter 3 of Indiana Emergency Management and Disaster law, the term “political subdivision” means city, town, township, county, school corporation, library district, local housing authority, public transportation corporation, local building authority, local hospital or corporation, local airport authority or other separate local governmental entity that may sue and be sued. (See IC 10-14-3-6, IC 36-1-2-13, IC 36-1-2-10, IC 36-1-2-11, IC 36-1-2-18); and

WHEREAS, the Indiana Code at Section 10-14-6.5 (IC 10-14-6.5) authorizes the State of Indiana and local units of government to enter into agreements to provide interstate mutual aid for emergency responses that do not rise to the level requiring a state or local declaration of a state of emergency or disaster; and

WHEREAS, Chapter 28E of the State Code of Iowa provides that any powers, privileges or authority exercised or capable of exercise by a public agency of the State of Iowa may be exercised and enjoyed jointly with any public agency of any other state or of the United States to the extent that laws of such other state or of the United States permit such joint exercise or enjoyment (See 28E.3); and

WHEREAS, the State Code of Iowa, in Chapter 28E, authorizes any one or more public agencies to contract with any one or more other public agencies to perform any governmental service, activity, or undertaking which any of the public agencies entering into the contract is

authorized by law to perform, provided that such contract shall be authorized by the governing body of each party to the contract (See 28E.12); and

WHEREAS, for the purposes of Chapter 28E of the State Code of Iowa, the term “public agency” means any political subdivision of the State of Iowa; any agency of Iowa’s government or of the United States; and any political subdivision of another state (See 28E.2); and

WHEREAS, the Constitution of the State of Michigan, 1963, Article VII, Section 28, authorizes units of local government to contract as provided by law; and

WHEREAS, the Urban Cooperation Act of 1967, 1967 PA 7, MCL 124.501, *et seq.*, provides that any political subdivision of Michigan or of another state may enter into interlocal agreements for joint exercise of power, privilege, or authority that agencies share in common and might each exercise separately; and

WHEREAS, Minnesota Statute 471.59 authorizes two or more governmental units, by agreement entered into through action of their governing bodies, to jointly or cooperatively exercise any power common to the contracting parties or any similar powers, including those which are the same except for the territorial limits within which they may be exercised; and

WHEREAS, the term “governmental unit” in Minnesota Statute 471.59 includes every city, county, town, school district, and other political subdivision of this or another state; another state; the University of Minnesota; licensed nonprofit hospitals; and any agency of the state of Minnesota or the United States. The term also includes any instrumentality of a governmental unit if that unit has independent policy-making and appropriating authority; and

WHEREAS, Article VI, Section 16 of the Constitution of Missouri and Sections 70.210, 70.320, and 70.220.1, of the Revised Statutes of Missouri, provide that any municipality or political subdivision of the state of Missouri may contract and cooperate with other municipalities or political subdivisions thereof, or with other states or their municipalities or political subdivisions, or with the United States, to provide a common service as provided by law so long as the subject and purpose of such are within the scope of the powers of such municipality or political subdivision; and

WHEREAS, for the purposes of Sections 70.210, 70.320, and 70.220.1 of the Revised Statutes of Missouri, “municipality” means municipal corporations, political corporations, and other public corporations and agencies authorized to exercise governmental functions; and “political subdivision” means counties, townships, cities, towns, villages, school, county library, city library, city-county library, road, drainage, sewer, levee and fire districts, soil and water conservation districts, watershed subdistricts, county hospitals, and any board of control of an art museum, and any other public subdivision or public corporation having the power to tax; and

WHEREAS, Title LV, Section 5502.291 of the Ohio Revised Code authorizes the governor to enter into mutual aid arrangements for reciprocal emergency management aid and assistance with other states and to coordinate mutual aid plans between political subdivisions, between the State of Ohio and other states, or between the State of Ohio and the United States; and

WHEREAS, Sections 66.0301 and 66.0303, Wisconsin Statutes, authorize municipalities to contract with municipalities of another state for the receipt or furnishing of services or the joint exercise of any power or duty required or authorized by statute to the extent that laws of the other state or of the United States permit the joint exercise; and, jointly exercise powers delegated to them and, thereby, to make certain agreements concerning boundary lines between themselves; and

WHEREAS, for the purposes of Subchapter III of Chapter 66 of the Wisconsin Statutes, the term "municipality" includes political subdivisions, which refers to any city, village, town, or county in this state or any city, village, town, county, district, authority, agency, commission, or other similar governmental entity in another state; (See Wis. Stat. 66.0303(1), 66.0304(1)(f)); and

WHEREAS, similar provisions providing for intergovernmental cooperation exist in the other states in which any Party to this Agreement resides, and which provide legal authority for each respective Party to enter into the Agreement; and

WHEREAS, the Parties have determined that it is in their best interests to enter into this Agreement to secure to each the benefits of mutual aid in fire protection, suppression, provision of rescue and emergency medical assistance, hazardous materials control, technical rescue, training and any other emergency support for the protection of life and property in the event of an Emergency, Disaster, or other Serious Threat to Public Health and Safety, and to engage in Training and other preparedness activities in furtherance of the foregoing mutual aid activities; and

NOW, THEREFORE, in consideration of the mutual covenants and understandings set forth in this Agreement, and pursuant to the authority bestowed upon the Parties set forth above, it is agreed by, among and between the Parties as follows:

SECTION ONE - PURPOSE

It is recognized and acknowledged that leveraging collective resources from other Units to provide effective, efficient response to Emergencies, Disasters, or Serious Threats to Public Safety is desired. Further, it is acknowledged that the closest, available Unit(s) that can render aid may be outside of a requesting Unit's or Chapter's jurisdiction. Accordingly, it is the express intent of the

Parties that this agreement be in a standardized form which can be adopted by Units in different States, notwithstanding this Agreement may not specifically cite the applicable current legal authority for a particular State and its member Units to join MABAS, the lack of such citation herein shall not be construed in any manner as an impediment to or prohibition of Units within other States from joining MABAS, it being the express intent of the Parties that each Unit desiring to join MABAS may become additional Parties hereto by adopting this Intergovernmental Agreement without modification; In this fashion by way of this Agreement, the Parties will have created a mutual aid agreement that incorporates emergency response disciplines from federal, state and local governmental units, as well as non-governmental organizations and corporations that provide emergency response functions and services that support the mission of MABAS and its member Units;

SECTION TWO – RULES OF CONSTRUCTION AND DEFINITIONS

1. The language in this Agreement shall be interpreted in accordance with the following rules of construction: (a) The word "may" is permissive and the word "shall" is mandatory; and (b) except where the context reveals the contrary: The singular includes the plural and the plural includes the singular, and the masculine gender includes the feminine and neuter.
2. When the following words in bold font with the first letter in the upper case are used in this Agreement, such words shall have the meanings ascribed to them in this Subsection:
 - A. **"Agreement"** means this Master Mutual Aid Box Alarm System Agreement.
 - B. **"Aiding Unit"** means any Unit furnishing equipment, Emergency Responders, or Emergency Services to a Requesting Unit under this Agreement.
 - C. **"Automatic Mutual Aid"** or **"Auto-Aid"** means the provision of mutual aid through a prearranged plan between Units whereby assistance is provided at the time of dispatch without a specific request from an Incident Commander.
 - D. **"Box Alarm"** means a prearranged plan for an Emergency or Disaster that uses a defined process for implementation, dispatch and response.
 - E. **"Chapter"** means a group of Divisions, established on a state-by-state basis, and whose members may include Units from other States.
 - F. **"Chapter Governing Board"** means the governing body of a Chapter which is composed of a representative of each member Division or Region within a Chapter as provided by the Chapter's Bylaws.

- G. **“Chapter President”** means a person elected as the President of each state Chapter;
- H. **“Chief Officer”** means the Fire Chief or agency head of a Unit, or a designee of the Unit’s Fire Chief or agency head.
- I. **“Council of Chapter Presidents”** means the council or board whose members shall be the elected President of each State’s Chapter, as set forth in this Agreement.
- J. **“Disaster”** means an occurrence or threat of widespread or severe damage, injury, or loss of life or property resulting from a natural or human-made cause, including fire, severe weather event, environmental contamination, utility failure, radiological incident, structural collapse, explosion, transportation accident, hazardous materials incident, epidemic, pandemic, or similar calamity.
- K. **“Division”** means geographically associated Units which have been grouped for operational efficiency and representation within a State and may include Units from adjoining States.
- L. **“Emergency”** means any occurrence or condition which results in a situation where assistance is requested to supplement local efforts and capabilities to save lives, protect property and protect the public health and safety, or to lessen or avert the threat of a catastrophe or Disaster or other Serious Threat to Public Health and Safety.
- M. **“Emergency Responder”** includes any person who is an employee or agent of an Unit. An Emergency Responder includes, without limitation, the following: firefighters (including full time, part time, volunteer, paid-on -call, paid on premises, and contracted personnel, as well as hazardous materials, specialized rescue, extrication, water rescue, and other specialized personnel), emergency medical services personnel, support personnel and authorized members of non-governmental response Units.
- N. **“Emergency Services”** means provision of personnel and equipment for fire protection, suppression, provision of rescue and emergency medical services, hazardous materials response, technical rescue and recovery, and any other emergency support for the protection of life and property in the event of an Emergency, Disaster, or other Serious Threat to Public Health and Safety, and includes joint Training for the provision of any such services by the Units.
- O. **“Incident Commander”** is the individual responsible for all incident activities, including the development of strategies and tactics and the ordering and the release of resources in the provision of Emergency Services, has overall authority and

- responsibility for conducting incident operations, and is responsible for the on-scene management of all incident operations.
- P. **“Incident Command System”** means a standardized management system such as the National Incident Management System (NIMS), designed to enable effective and efficient incident management by integrating a combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure.
- Q. **“MABAS”** means the Mutual Aid Box Alarm System described in the Agreement, and is an intergovernmental agency formed pursuant to the authority of the Illinois Intergovernmental Cooperation Act and similar intergovernmental cooperation authority of other states in which Units reside.
- R. **“Mutual Aid”** is assistance from an Aiding Unit to a Requesting Unit as the result of an Emergency or other event and may precede the request for a Box Alarm and includes Automatic Mutual Aid.
- S. **“Requesting Unit”** means any Unit requesting assistance of another Unit under this Agreement.
- T. **“Serious Threats to Public Health and Safety”** means threats, incidents or planned events of sufficient magnitude that the adequate public safety response requires mutual aid or other assistance.
- U. **“Training”** means the instruction and/or assessment of Emergency Services during non-emergency drills and instruction whether in the field or classroom.
- V. **“Unit”** (also “Member Unit”) means components of federal, state or local government, or other non-governmental emergency response organizations who have become Parties to this Agreement.

SECTION THREE – AUTHORITY AND ACTION TO EFFECT MUTUAL AID

The Parties hereby authorize and direct their respective Chief Officer, or designee, to take reasonably necessary and proper action to render and request Mutual Aid to and from the other Parties to the Agreement, and to participate in Training activities, all in furtherance of effective and efficient provision of Mutual Aid pursuant to this Agreement.

In accordance with a Party’s policies and within the authority provided to its Chief Officer, upon an Aiding Unit’s receipt of a request from a Requesting Unit for Emergency Services, the Chief

Officer, or the Chief Officer's designee such as the ranking officer on duty, may commit the requested Mutual Aid in the form of equipment, Emergency Responders, and Emergency Services to the assistance of the Requesting Unit. All aid rendered shall be to the extent of available personnel and equipment taking into consideration the resources required for adequate protection of the territorial limits of the Aiding Unit. The decision of the Chief Officer, or designee, of the Aiding Unit as to the personnel and equipment available to render aid, if any, shall be final.

SECTION FOUR – JURISDICTION OVER PERSONNEL AND EQUIPMENT

Emergency Responders dispatched to aid a Requesting Unit pursuant to this Agreement shall, at all times, remain employees or agents of the Aiding Unit, and are entitled to receive any benefits and compensation to which they may otherwise be entitled under the laws, regulations, or ordinances of the United States of America, their respective States, and their respective political subdivisions. This includes, but is not limited to, benefits for pension, relief, disability, death, and workers' compensation. If an Emergency Responder is injured or killed while rendering assistance under this Agreement, benefits shall be afforded in the same manner and on the same terms as if the injury or death were sustained while the Emergency Responder was rendering assistance for or within the Aiding Unit's own jurisdiction.

Emergency Responders of the Aiding Unit will come under the operational control of the Requesting Unit's Incident Commander, or other appropriate authority, until released. The Aiding Unit shall, at all times, have the right to withdraw any and all aid upon the order of its Chief Officer, or designee. The Aiding Unit shall notify the Incident Commander of the extent of any withdrawal, and coordinate the withdrawal to minimize jeopardizing the safety of the operation or other Emergency Responders.

If for any reason an Aiding Unit determines that it cannot respond to a Requesting Unit, the Aiding Unit shall promptly notify the Requesting Unit of the Aiding Unit's inability to respond; however, failure to promptly notify the Requesting Party of such inability to respond shall not be deemed to be noncompliance with the terms of this Section and no liability may be assigned. No liability of any kind shall be attributed to or assumed by a Party, for failure or refusal to render aid, or for withdrawal of aid.

SECTION FIVE – COMPENSATION FOR AID

Nothing herein shall operate to bar any recovery of funds from any third party, state or federal agency under any existing statutes, or other authority. Each Aiding Unit is responsible for the compensation of its Emergency Responders providing Mutual Aid and for any additional costs incurred to ensure its jurisdiction has adequate resources during the rendering of Mutual Aid.

Day-to-day Mutual Aid should remain free of charge and the administrative requirements of reimbursement make it infeasible to charge for day-to-day Mutual Aid. However, the following exceptions may be applied:

1. **Third Party Reimbursement - Expenses for Emergency Services recoverable from third parties** shall be proportionally distributed to all participating Units by the Unit recovering such payment from a third party. The Unit responsible for seeking payment from a third party shall provide timely notice to Aiding Units of a date by which submission of a request for reimbursement must be received. Reimbursement shall be based on the accurate and timely submission of allowable costs and documentation attributable to the incident by each Aiding Unit. These costs include manpower, use of equipment and materials provided, and damage or loss of equipment. The Unit recovering payment from a third party shall notify Aiding Units that such payment has been made and will reimburse the other Units. If the third-party payment is less than the full amount of all Units' cost submittals, the funds shall be proportionally distributed based on each Unit's submitted costs compared to the total of all costs submitted. **Intrastate Emergency Management Agency Tasking - Expenses recoverable related to a response to an emergency or disaster at the request of a state's emergency management agency or authority.** Reimbursement shall be based on the accurate and timely submission of allowable costs and documentation attributable to the response by each Aiding Unit. These costs include manpower, use of equipment and materials provided, and damage or loss of equipment. The Unit recovering payment from a state shall notify Aiding Units that such payment has been made and will reimburse the other Units. If the payment is less than the full amount of all Units' cost submittals, the funds shall be proportionally distributed based on each Unit's submitted costs compared to the total of all costs submitted.
2. **Interstate Emergency Management Assistance Compact ("EMAC") Response – Expenses recoverable related to a response to an emergency or disaster at the request of a state's emergency management agency or authority to another state.** Reimbursement shall be

based on the accurate and timely submission of allowable costs and documentation attributable to the response by each Aiding Unit. These costs include manpower, use of equipment and materials provided, and damage or loss of equipment. If these payments are not made directly to the participating Units, the Unit recovering payment from a state shall notify Aiding Units that such payment has been made and will reimburse the other Units. If the payment is less than the full amount of all Units' cost submittals, the funds shall be proportionally distributed based on each Unit's submitted costs compared to the total of all costs submitted.

3. Emergency Medical Services Billing – Member Units providing Mutual Aid under this Agreement may bill patients for emergency medical services in accordance with applicable federal, state, and local ambulance billing regulations.

SECTION SIX - INSURANCE

Each Party shall procure and maintain, at its sole and exclusive expense, insurance coverage, including comprehensive liability, personal injury, property damage, workers' compensation, auto, and, if applicable, watercraft, aircraft, drones or, emergency medical service professional liability, with minimum policy limits of:

Auto liability: \$1,000,000 combined single limit

General Liability: \$1,000,000 per occurrence

Emergency Medical Service Professional Liability: \$1,000,000 per occurrence

Workers' Compensation: Statutory limits

The obligations of this Section may be satisfied by a Party's membership in a self-insurance pool, a self-insurance plan, or arrangement with an insurance provider approved by the state of jurisdiction. To the extent permitted by governing law of the state in which a Party resides, each Party agrees to waive subrogation rights it may acquire, and to require any insurer to waive subrogation rights they may acquire, by virtue of the payment of claims, suits, or other loss arising out of this Agreement, and shall, as to any insurer, obtain any endorsement necessary to effectuate such waiver of subrogation.

SECTION SEVEN - LIABILITY

Each Party will be solely responsible for the acts of its own governing body, officers, employees, agents, and subcontractors, expressly including, but not limited to, all of its Emergency Responders, the costs associated with those acts, and the defense of those acts. No Party shall be responsible to another Party for any liability or costs arising from the act of an employee or agent of another Party. Each Party hereto shall hold other Parties hereto harmless for any liability or costs arising from the act of an employee or agent of another Party. The Provisions of this Section shall survive the termination of this Agreement by any Party.

Any Party responding under this Agreement to another state shall be considered agents of the Requesting Unit in the other state for tort liability and immunity purposes related to third-party claims to the extent permissible under the laws of both states. Nothing in this Section shall be deemed a waiver by any Party of its right to dispute any claim or assert statutory and common law immunities as to third parties.

SECTION EIGHT - CHAPTERS

For operational efficiency and representation of Units and Divisions, Chapters are hereby created on a state-by-state basis. Chapters shall elect a President to the Council of Chapter Presidents. When a Division forms within a state that does not have a Chapter, that Division will be affiliated with another state Chapter. When three Divisions within a state become organized, a Chapter for that state shall automatically be created, and Divisions within that state shall be transitioned to the new Chapter, unless prohibited by state statute(s).

Chapters shall have their own governing Board selected by the Units, Divisions, or Regions, and shall determine the number and role of Chapter officers. Chapters shall develop bylaws that provide for their governance and operations within the framework of this Agreement and the direction of the Council of Chapter Presidents. Chapters shall maintain authority to establish Divisions or Regions, to the assignment of Units to Divisions or Regions, and to establish emergency response procedures, protocols, resources, and training requirements. Chapters and their Divisions may fix and assess dues, secure appropriate insurance, own and maintain facilities, vehicles, apparatus and equipment, employ and provide benefits for personnel, operate specialized response teams, participate in EMAC activities, enter into agreements with other

governmental and non-governmental entities, and administer the affairs of their Chapter, to facilitate the purposes of MABAS.

SECTION NINE – COUNCIL OF CHAPTER PRESIDENTS

A Council of Chapter Presidents is hereby created that consists of the elected President of each state Chapter. The Council of Chapter Presidents shall facilitate coordination among state Chapters, adopt bylaws for the operation of the Council of Presidents, ensure compliance with this Agreement, recommend common operating procedures and practices, recommend changes to this Agreement, and promote unity to facilitate the purposes of MABAS. MABAS and the Council of Chapter Presidents shall be hosted by the founding Chapter of MABAS, Illinois, and shall be based therein. As the Council is hosted in Illinois, all issues and questions concerning the construction, validity, enforcement and interpretation of this Agreement shall be governed by, and construed in accordance with, the laws of the State of Illinois.

SECTION TEN - DIVISIONS

For operational efficiency and representation of Member Units, Divisions are hereby authorized on a Chapter-by-Chapter basis in accordance with procedures established by their Chapter. When a Division forms within a state that does not have a Chapter, that Division will be affiliated with another state Chapter in accordance with procedures established by that other state's Chapter.

Divisions shall have their own governing Board, shall determine the number and role of Division officers, and shall develop bylaws that govern their operations within the framework of this Agreement and direction of the Chapter and Council of Chapter Presidents. Divisions shall maintain authority to establish emergency response procedures, protocols, resources, and training requirements within the framework of this Agreement and the direction of the Chapter and Council of Chapter Presidents. Divisions may fix and assess dues, secure appropriate insurance, own and maintain facilities, vehicles, apparatus and equipment, employ and provide benefits for personnel, operate specialized response teams, enter into agreements with other governmental and non-governmental entities, and administer the affairs of their Division, to facilitate the purposes of MABAS.

SECTION ELEVEN - TERM

This Agreement shall be in effect for a term of one year from the date of signature hereof and shall automatically renew for successive one-year terms unless terminated in accordance with this Section. Any Party may terminate their participation within this Agreement, at any time, for any reason, or for no reason at all, upon ninety (90) days written notice to the applicable state Chapter. A Unit that terminates this Agreement must return any asset that is owned by, or provided from, a Chapter or its Divisions prior to the termination of the Agreement, unless agreed to otherwise in writing by the Chapter or Division. Costs associated with the recovery or replacement of said asset if it is not voluntarily returned after written notice has been given shall be borne by the departing Unit, including reasonable legal fees.

SECTION TWELVE - MISCELLANEOUS

- A. Entire Agreement. This Agreement sets forth the entire agreement between the Parties. The language of this Agreement shall be construed as a whole according to its fair meaning and not construed strictly for or against any Party. By signing this agreement, each of the Parties affirm that they have taken all actions and secured all local approvals necessary to authorize and sign this Agreement.
- B. Binding Effect. This Agreement shall be binding upon and inure to the benefit of any successor entity which may assume the obligations of any Party hereto.
- C. Severability of Provisions. If a Court of competent jurisdiction finds any provision of this Agreement invalid or unenforceable, then that provision shall be deemed severed from this Agreement. The remainder of this Agreement shall remain in full force.
- D. Captions. The captions, headings, and titles in this Agreement are intended for the convenience of the reader and not intended to have any substantive meaning and are not to be interpreted as part of this Agreement.
- E. Terminology. All terms and words used in this Agreement, regardless of the numbers or gender in which they are used, are deemed to include any other number and any other gender as the context may require.

- F. Recitals. The Recitals shall be considered an integral part of this Agreement.
- G. No Third-Party Beneficiaries. Except as expressly provided herein, this Agreement does not create, by implication or otherwise, any direct or indirect obligation, duty, promise, benefit, right of indemnification (i.e., contractual, legal, equitable, or by implication), right of subrogation as to any Party's rights in this Agreement, or any other right of any kind in favor of any individual or legal entity.
- H. Counterpart Signatures. This Agreement may be signed in multiple counterparts. The counterparts taken together shall constitute one (1) agreement.
- I. Permits and Licenses. Each Party shall be responsible for obtaining and maintaining, throughout the term of this Agreement, licenses, permits, certificates, and governmental authorizations for its employees and/or agents necessary to perform their obligations under this Agreement.
- J. No Implied Waiver. Absent a written waiver, no fact, failure, or delay by a Party to pursue or enforce any rights or remedies under this Agreement shall constitute a waiver of those rights with regard to any existing or subsequent breach of this Agreement. No waiver of any term, condition, or provision of this Agreement, whether by conduct or otherwise, in one or more instances shall be deemed or construed as a continuing waiver of any term, condition, or provision of this Agreement. No waiver by either Party shall subsequently affect its right to require strict performance of this Agreement.
- K. Notices. Notices given under this Agreement shall be in writing and shall be delivered by one or more of the following processes: personally delivered, sent by express delivery service, certified mail, or first-class U.S. mail postage prepaid to the head of the governing body of the participating agency.

SECTION THIRTEEN - AMENDMENT

An amendment may be proposed by any Party, Division or Chapter, and be presented to the Council of Chapter Presidents for review, comment, and modification. The Council of Chapter Presidents shall, after consideration, recommend final amendatory language to all Parties for adoption and execution. The Agreement may be amended only upon written agreement and approval of the governing bodies of two-thirds (2/3) of the Parties. All Amendments to this Agreement shall comply with the applicable laws of the respective states.

SECTION FOURTEEN – REVOCATION OF PRIOR AGREEMENTS

This Agreement shall replace all prior Mutual Aid Box Alarm System agreements effective at 12:01 a.m. Central Standard Time on January 1, 2024, and in accordance with the laws of their respective states. Any member Unit that has not become a Party to this Agreement by 12:01 a.m. Central Standard Time on January 1, 2024, shall no longer be affiliated with MABAS in any capacity, shall not continue to benefit from its prior association with MABAS, and shall not rely on the MABAS system for emergency responses, until subsequently rejoining MABAS by the adoption of an approving ordinance or resolution and entering into this Agreement, as may be amended from time to time. The effective date for any new Member Unit joining after January 1, 2024, shall be the date set forth next to the signature of that new Member Unit.

Any MABAS owned assets in the possession of a Unit that fails to execute this Agreement shall return said assets to MABAS no later than January 31, 2024. Costs associated with the recovery or replacement of said asset shall be borne by the Unit failing to execute this Agreement, including reasonable legal fees.

SECTION FIFTEEN - APPROVAL

This Agreement may be executed in multiple originals. The undersigned attests that they have the authority to execute this Agreement which has been approved by appropriate ordinance, resolution or authority and is hereby adopted by the _____, (Unit) this ___ day of _____, 202___. A certified copy of approving ordinance, resolution or authority, along with the executed Agreement shall be forwarded to the applicable state Chapter, and a master list of Parties shall be kept by the Council of Chapter Presidents.

By: _____

Title: _____

Attest: _____

Title: _____

*



BOARD AGENDA MEMORANDUM

DATE OF MEETING: January 10, 2023

To: Village President and Board of Trustees

Through: Napoleon Haney, Village Manager

From: Angela Mesaros, Director of Economic and Community Development

Topic: Comprehensive Zoning Text and Map Amendments

PURPOSE

The current Homewood Zoning Ordinance and zoning map last underwent a comprehensive amendment in early 2002. In the 20 years since its adoption, approximately 40 amendments have been made. These amendments were in response to requests by specific property owners, and policy changes to expand to include new uses and limit others.

In July 2021, the Village Board adopted an updated Municipal Code. At that time, it was noted that the zoning ordinance would be fully reviewed separately. This is the culmination of that review. The Village engaged the consulting firm of Houseal Lavigne & Associates to perform a comprehensive update of the Village's zoning code.

The scope of work for the zoning code update includes the following:

- Modernize the zoning code to improve and simplify outdated processes and procedures associated with the code.
- Update to enhance the usability and understanding of the code with visual representations, charts, tables, matrices, sketches, etc.
- Update terminology and definitions that are obsolete or add new clarifying definitions.
- Identify and update any uses that are missing, unclear, or need to be improved.
- Add or remove permitted and special uses that are outdated.
- Amend permitted and special use lists.
- Review the current zoning districts' purposes and boundaries for legitimacy.
- Identify and remove inconsistencies with best practices and trends.
- Ensure compliance with federal, state, and local legislation.

At the outset of the process, the zoning consultant met with Village staff and elected/appointed officials to identify preliminary issues in the existing ordinance to be addressed. Eight primary topics for policy discussion and six additional directives were identified. Below is a list of the topics and a synopsis of how they have been addressed in the new ordinance (*in italics*):



1. Better regulate event spaces and multi-use facilities.
Proposed: Create a new use for commercial places of assembly in the use table (article 3) and definitions (Article 9)
2. Create a review process for subletting offices.
Proposed: Establish a zoning compliance certificate and certificate of occupancy for new uses (Article 7).
3. Limit personal services and professional and medical office uses in the downtown.
Proposed: Create new use types for personal services and offices with specific permitting by district and corresponding definitions (Article 3, Article 9).
4. Consider regulations for short-term rentals.
This topic has been removed from the proposed ordinance for continued further review. The Planning & Zoning Commission has requested Village Board and legal direction on this topic for future consideration.
5. Clarify home-based businesses and distinguish them from remote work/work-from-home.
Proposed: Update definitions and use-specific standards for home-based businesses (Article 4, Article 9).
6. Allow existing two- and three-flats to facilitate the sale and insurance of this building stock.
Proposed: Establish a new use category of “existing” housing to continue legally (Article 3).
7. Allow accessory dwelling units (ADU) with use-specific standards.
Proposed: Added to the use table with corresponding use-specific standards and definitions (Article 3, Article 4, Article 9).
8. Require sustainable design in developments and open space preservation.
Proposed: Create new impervious surface limitations in the business districts; allow community gardens, establish a review process for environmental impacts; implement new landscaping and tree preservation, electric vehicle charging stations, and solar panel regulations (Article 2, Article 5, Article 6, Article 7).
9. Additional Topics:
 - a. Compliance with the Religious Land Use and Institutionalized Persons Act of 2000 (*throughout*)
 - b. Allow six-foot fences on corner lots with use-specific standards including a setback and landscaping (*Article 5*)
 - c. Allow parking pads for residences with one-car garages and narrow lots (*Article 5*)
 - d. Create a use category for co-working spaces (*Article 3, Article 9*)
 - e. Integrate the Halsted Street Corridor Landscape Plan into the other commercial districts (*Article 5*)
 - f. Standardize intake and review processes for zoning applications (*Article 6, Article 7*)



The proposed ordinance has a new organizational structure, broken into nine articles:

- Article 1: General Provisions
- Article 2: Establishment of Districts
- Article 3: District Standards
- Article 4: Use-Specific Standards
- Article 5: Development Standards
- Article 6: Planned Development Standards and Procedures
- Article 7: Zoning Procedures
- Article 8: Nonconformities
- Article 9: Definitions

This new format functions both in printed hard copy and is integrated with the numbering structure/format of the online municipal code host platform (Municode). The restructuring achieves the objective of a more user-friendly and cohesive format.

The primary change to the zoning map is within the business districts. The existing B-1 Central Business District will be modified to concentrate in a smaller area within the few central blocks of downtown and has been renamed to “B-1 Downtown Core”. This area will primarily focus on retail and restaurant uses to activate the downtown and create a vibrant destination.

The remaining areas currently in the B-1 Central Business District will be renamed “B-2 Downtown Transition”. This is consistent with the boundaries of the Village’s 2005 Downtown Master Plan.

Several shopping center areas currently zoned as B-2 will be rezoned to B-3. These areas include Southgate (Dixie Highway south of 187th Street), Northgate (Dixie Highway at 175th Street), and properties along 183rd Street between the viaduct and the Governors Highway, including Walt’s and the Cherry Creek Plaza shopping center.

PROCESS

In May 2021, the Village engaged the planning firm, Houseal Lavigne Associates, to assist in the comprehensive update to the zoning ordinance and zoning map. In June 2021, the Village and consultant began the public review process. Over 15 months, community members, consultants, Village staff, and elected and appointed officials worked to identify key policy directions, analyze the existing regulations and the built environment, and develop a document of comprehensive text and map amendments.

The Village hosted four public meetings (July 22, 2021; September 23, 2021; January 27, 2022; June 23, 2022); a 2-part public workshop to review the draft zoning ordinance (September 22, 2022; October 5, 2022); and a public open house (October 27, 2022). All meetings were held in-person and virtually via Zoom. In addition to the meetings, community members were invited to contribute to an online survey and an interactive online map, and to submit comments via email or the



physical drop box outside of Village Hall at any time. A full report detailing the process and notice made to the public is attached.

These efforts culminated with a public hearing before the Planning and Zoning Commission, begun on November 10, 2022 and continued to December 8, 2022. All seven commission members were present and voted unanimously to recommend approval of both the proposed comprehensive update to the Village of Homewood zoning ordinance, and the update to the zoning map.

The recommendation was subject to several conditions of approval that included revisions to the allowable locations of *Salon and Spa Establishments*, references to, definition, and parking for *Manufactured Homes*, and inclusive gender terminology. The revisions have been incorporated into the final draft that is now before the Village Board for adoption.

OUTCOME

The Planning and Zoning Commission reviewed the application, heard public testimony, and considered the applicant's response to the standards. The following Findings of Fact may be entered into the record:

1. The applicant, the Village of Homewood, requests a comprehensive amendment to the zoning text and zoning map.
2. Municipal Code Section 44-80 of the current Zoning Ordinance authorizes that zoning text and map may be amended, from time to time, with a public hearing at the Planning and Zoning Commission and in accordance with state statutes.
3. The proposed amendments are in alignment with the Village's 1999 Comprehensive Plan.
4. The current zoning ordinance was comprehensively adopted in 2002. Changes in land use patterns, the economy, and market conditions necessitate revisions to the zoning ordinance, from time to time.
5. In light of the time since the Comprehensive Plan was updated, the Village undertook efforts to engage the community to participate in the update process. The Village held seven public meetings; advertised for the meetings; posted all materials on a dedicated page of the Village website; and spread the news of the update through local newsletters, publications, and community events.

FINANCIAL IMPACT

- **Funding Source:** N/A
- **Budgeted Amount:** N/A
- **Cost:** N/A

LEGAL REVIEW

Completed

VILLAGE OF HOMEWOOD

Item 10. A.



RECOMMENDED BOARD ACTION

Pass an ordinance adopting a comprehensive amendment to the Village of Homewood Zoning Ordinance; and, pass an ordinance adopting a comprehensive amendment to the Village of Homewood Zoning Map.

ATTACHMENT(S)

- Report detailing public process and notifications
- Ordinance adopting a comprehensive amendment to the Homewood Zoning Ordinance
- Ordinance adopting a comprehensive amendment to the Homewood Zoning Map

ORDINANCE NO. MC-1068

**AN ORDINANCE ADOPTING A COMPREHENSIVE AMENDMENT
TO THE HOMEWOOD ZONING ORDINANCE AND REPEALING
THE EXISTING ZONING ORDINANCE**

WHEREAS, Section 11-13-1 of the Illinois Municipal Code (65 ILCS 5/11-13-1) authorizes the corporate authorities enact zoning regulations, including dividing the entire municipality into districts of such number, shape, area, and of such different classes (according to use of land and buildings, height and bulk of buildings, intensity of the use of lot area, area of open spaces, or other classification) as may be deemed best suited to promote public health, safety, comfort, morals, and welfare, conserve the taxable value of land and buildings throughout the municipality, lessen congestion, and for other authorized purposes; and

WHEREAS, the last comprehensive amendment to the Homewood Zoning Ordinance and map occurred 20 years ago;

WHEREAS, the President and Board of Trustees of the Village of Homewood have determined that a comprehensive amendment of the Village’s Zoning Ordinance is necessary and appropriate in order to promote the health, safety, and general welfare of the residents of the Village and to carry out the goals, objectives, and policies of the 1999 Comprehensive Plan and the 2005 Downtown Master Plan; and

WHEREAS, for the previous 15 months, community members, consultants, Village staff, and elected and appointed officials worked to identify key policy directions, analyze existing regulations and the built environment, and develop a document of comprehensive text and map amendments; and

WHEREAS, during this period, the Village hosted four public meetings, a two-part public workshop, and a public open house to review the draft zoning ordinance, as well as soliciting comments via an online survey and an interactive online zoning map; and

WHEREAS, the Village extensively publicized the above public meetings, workshops, open house, online survey and interactive zoning map, including multiple social media

postings, inclusion in the Village's weekly e-mail newsletter, and stories in local news media; and

WHEREAS, after completion of the public meetings, workshops, and open house, the Village on October 26, 2022 published notice of a public hearing before the Planning and Zoning Commission to consider such changes as required by Section 11-13-2 of the Illinois Municipal Code (65 ILCS 5/11-12-7); and

WHEREAS, the Planning and Zoning Commission conducted a public hearing on November 10, 2022 and December 8, 2022, before voting 7-0 to unanimously recommend approval of the text amendments and revised zoning map; and

WHEREAS, the President and Board of Trustees find it to be in the best interests of the citizens and businesses within the Village of Homewood to amend the Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Homewood, Cook County, Illinois, that:

SECTION ONE – FINDINGS OF FACT:

In connection with this ordinance and based upon the record of public hearing before the Planning and Zoning Commission, and based upon evidence presented at said public hearing, the President and Board of Trustees make the following findings of fact:

1. The applicant, the Village of Homewood, requests a comprehensive amendment to the zoning text and zoning map.
2. Section 44-80 of the current Zoning Ordinance authorizes that zoning text and map may be amended, from time to time, with a public hearing at the Planning and Zoning Commission and in accordance with state statutes.
3. The proposed amendments are in alignment with the Village's 1999 Comprehensive Plan.
4. The current zoning ordinance was comprehensively adopted in 2002. Changes in land use patterns, the economy, and market conditions necessitate revisions to the zoning ordinance, from time to time.
5. In light of the time since the Comprehensive Plan was updated, the Village undertook efforts to engage the community to participate in the update process. The Village held seven public meetings; advertised for the meetings; posted all materials on a dedicated page of the Village website; and spread news of the update through local newsletters, publications, and community events, all as documented in the attached memorandum entitled "Zoning Ordinance Summary of Public Process" (Exhibit A).

SECTION TWO – ZONING ORDINANCE TEXT AMENDMENT:

The existing Village of Homewood Zoning Ordinance is deleted in its entirety and replaced by the new Zoning Ordinance attached as Exhibit B. Ordinance M-1514 adopting the 2002 Zoning Ordinance and all amendments to that ordinance made prior to January 10, 2023, are hereby repealed.

SECTION THREE – ADDITIONAL MATERIALS TO BECOME PART OF ORDINANCE:

The following documents are hereby made a part of this ordinance:

1. Homewood Planning and Zoning Commission minutes of November 10, 2022 and December 8, 2022, as they relate to the subject text amendment.
2. Homewood Village Board minutes of January 10, 2023, as they relate to the subject text amendment.

SECTION FOUR – EFFECTIVE DATE:

This Ordinance shall be effective from and after its passage, approval, and publication in accordance with law.

PASSED and APPROVED this 10th day of January 2023.

Village President

Village Clerk

AYES: _____ NAYS: _____ ABSTENTIONS: _____ ABSENCES: _____

VILLAGE OF HOMEWOOD

**MEMORANDUM****DATE: December 8, 2022****To:** Village of Homewood Board of Trustees**Through:** Angela Mesaros, Director of Economic and Community Development**From:** Valerie Berstene, Village Planner**Topic:** Zoning Ordinance Summary of Public Process**PUBLIC PROCESS AND NOTIFICATIONS**

The purpose of this memo is to catalog the numerous opportunities given to the public to contribute and take part in the process of updating the zoning ordinance. In the July 16, 2021 memo from Houseal Lavigne Associates to the Village, Jackie Wells wrote:

“Illinois municipalities are required by state statute to use adopted plans as the basis for their zoning ordinance. However, the Village’s comprehensive plan was adopted in 1999 and its Downtown Master Plan in 2005, making additional engagement with the public and community leaders essential to determine if the policy direction set forth in the plans continues to be applicable and to establish new or updated policy items for the Village to address through the zoning ordinance update.”

Upon this recommendation, Village Staff and the consultant team established a project schedule with numerous opportunities to collect input from the public and elected/appointed officials, and publicized these events through popular channels of communications. This memo contains a timeline of community engagement events and publications informing the public of opportunities to engage in the process. Below is a brief introduction to each of the primary platforms.



Village Staff shared information, collected feedback at Fall Fest.



October 27, 2022 Open House inviting residents to preview the proposed changes and provide feedback.

Project Website - Village Staff launched a website specific to the zoning ordinance update project at the URL: <https://www.village.homewood.il.us/government-departments/community-development/planning-zoning/2021-2022-zoning-code-update-project>. The website was regularly maintained throughout the life of the project, posting memos, meeting summaries, and draft documents. The website also included means for collecting feedback from members of the public via email, physical dropbox at Village Hall, an online survey, and an interactive map.

Village of Homewood eNews (“eNews”) - A weekly digital newsletter informing residents of upcoming events and happenings around town, distributed to approximately 3,300 subscribers.

Homewood Village Key - A quarterly print publication edited by the Village to share information about Village events, governance, and operations. The Village Key is distributed to all residents and businesses in the Village.

Homewood-Flossmoor Chronicle (H-F Chronicle) - A local newspaper distributed in print monthly to approximately 10,000 subscribers, and published daily online to approximately 50,000 paid subscribers.

Public Meetings - All meetings related to the Zoning Ordinance update were held at the Planning and Zoning Commission. Meetings were conducted in several different formats, from open house, to workshop, to public hearing. All meetings were open to the public and provided the opportunity for members of the community and elected or appointed officials to ask questions, raise concerns, and share perspectives on the proposed changes.

Open Meetings Act - Illinois statute (5 ILCS 120/) establishes minimum requirements for informing the public of business conducted by a public body. The statute includes requirements for publishing notice of upcoming meetings, providing the public with access to the meeting, and providing access to formal minutes of public meetings. In compliance with the requirements, every public meeting was published on the Village’s online calendar and agenda posted on Village Hall doors. Each meeting’s agenda and packet were available on the Village website.

In advance of the public hearing, notice was published within the 15-30 day window in the Daily Southtown, and notice was mailed to 44 property owners identified for rezoning from R-2 or R-3 to the new B-2 district.

Public Document Archives - Starting in March 2022, the Village’s Community Development Staff migrated all web-hosted meeting materials to the Municode Meetings platform, used for other Village commissions and boards. The agenda and packet for the June 23, 2022 meeting, and subsequent Planning and Zoning Commission meetings, were posted for the public through this platform and remain available at <https://homewood-il.municodemeetings.com/bc-pz/page/planning-and-zoning-commission-2>.

Materials from meetings hosted prior to the March 2022 migration can still be found on the Village website, here: <https://www.village.homewood.il.us/government-departments/commissions-committees/planning-zoning-commission/-folder-175/-npage-2>.

TIMELINE

2021	MAY	11 Village Board awards Houseal Lavigne Associates contract to update Village zoning ordinance
	JUNE	15 Village Staff Launch Project Website
		17 Facebook post of process overview
		24 Facebook post for survey and map input
		29 Facebook post for July 22, 2021 public meeting
	JULY	07 eNews includes Zoning Ordinance updates
		21 H-F Chronicle article published
		22 Public Meeting: Initial Policy Direction Workshop
		24 H-F Chronicle article published
		29 H-F Chronicle article published
	SEPTEMBER	17 eNews includes Zoning Ordinance updates
		23 Public Meeting: Diagnostic Workshop

2022	JANUARY	14 eNews includes Zoning Ordinance updates
		27 Public Meeting: Draft Articles 1-5
	FEBRUARY	9 H-F Chronicle article published
	JUNE	16 eNews includes Zoning Ordinance updates
		22 H-F Chronicle article published
		23 Public Meeting: Draft Articles 6-8
	SEPTEMBER	16 eNews includes Zoning Ordinance updates
		21 Social media post (Facebook, Instagram)
		22 Public Meeting: Workshop (continued)
		24 Fall Fest On-Site Engagement
	OCTOBER	5 Public Meeting: Workshop, Continuation
		12 Village Hall digital message board for open house started, through October 27
		20 Open House Facebook post
		21 eNews includes Zoning Ordinance updates
		25 Open House Facebook post
		26 Public Hearing notice published in Daily Southtown
		27 Public Meeting: Open House
	NOVEMBER	7 Notice mailed to property owners to be rezoned
		11 Public Hearing (continued)
		15 Winter 2022 Village Key distributed
	DECEMBER	8 Public Hearing, Continuation

eNews Notifications

A screen capture of all eNews newsletters referenced below are included at the end of this document.

July 16, 2021 - Weekly newsletter exclusively highlighting the Zoning Ordinance update sent out, including:

- email address to submit comments any time;
- notice of the upcoming July 22, 2021 Public Meeting, January 27, 2022 Public Meeting, and future meetings exact dates TBD;
- links to documents for the 7/22/2021 meeting;
- link to participate in online survey; and
- link to participate in interactive map.

September 17, 2021 - Weekly newsletter sent out, including:

- notice of the upcoming September 23, 2021 public meeting;
- links to documents for the meeting;
- invitation to submit comments via email or physical dropbox;
- link to participate in online survey;
- link to participate in interactive map; and
- future meeting dates.

January 14, 2022 - Weekly newsletter exclusively highlighting the Zoning Ordinance update sent out, including:

- notice of the upcoming January 27, 2022 public meeting;
- links to documents for the meeting;
- instructions to join the meeting virtually;
- invitation to submit comments via email or physical dropbox;
- tentative upcoming meetings, specific date/time TBD;
- link to participate in online survey; and
- link to participate in interactive map.

June 16, 2022 - Weekly newsletter exclusively highlighting the Zoning Ordinance update sent out, including:

- notice of the upcoming June 23, 2022 public meeting;
- links to documents for the meeting;
- instructions for participating virtually;
- invitation to submit comments via email or physical dropbox;
- tentative upcoming meetings, specific date/time TBD;
- link to participate in online survey; and
- link to participate in interactive map.

September 16, 2022 - Weekly newsletter sent out, including:

- notice of the upcoming September 22, 2022 workshop-style public meeting;
- a link to draft materials on the project website; and
- a link to the online meeting agenda.

October 21, 2022 - Weekly newsletter sent out, including:

- notice of October 27, 2022 meeting;
- a paragraph describing the process and pending changes that might interest or impact residents; and
- email address to reach the Village Planner with questions.

Homewood Village Key

Mid-November, 2022 - In the Winter 2022 edition of the quarterly publication Staff provided a summary of pending changes to the zoning ordinance. The article highlighted accessory dwelling units, short term rentals, corner lot fences, parking pad, sustainability, landscape requirements, design standards, and improved procedures.

Social Media Posts

June 17, 2021 - The Village of Homewood Facebook account shared an overview of the objectives of the zoning ordinance update process and prepped residents to participate in the pending online survey and interactive mapping exercise.

June 24, 2021 - In a follow-up to the previous post, the Village of Homewood Facebook account shared the link to contribute to the online survey and interactive map.

June 29, 2021 - The Village of Homewood Facebook account shared information about the July 22, 2021 public meeting, shared ways for residents to provide feedback at any time in the process, and shared the dates for two future public meetings in January and November 2022.

September 21, 2022 - The Village of Homewood Facebook and Instagram accounts shared information about the upcoming September 22, 2022 public meeting, inviting members of the public to attend this review and discussion of the draft ordinance.

October 20, 2022 - The Village of Homewood Facebook account shared information about October 27, 2022 meeting, a paragraph describing the process and pending changes that might interest or impact residents, and an email address to reach the Village Planner with questions.

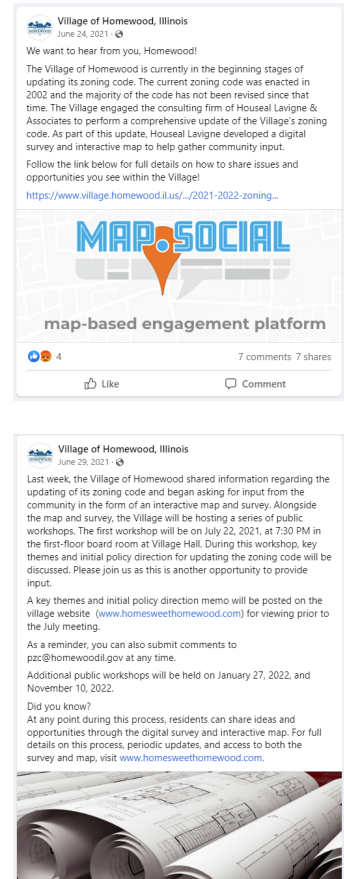
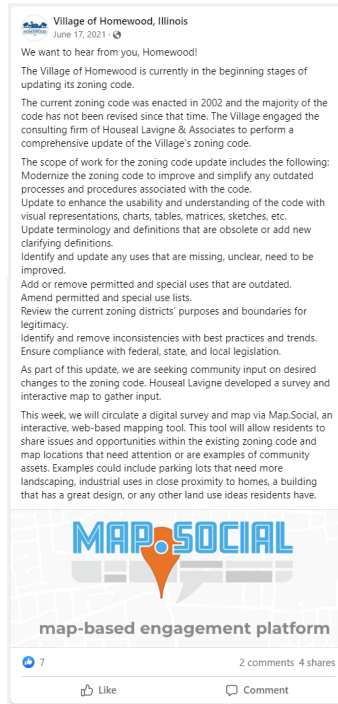
October 25, 2022 - The Village of Homewood Facebook account re-shared the same post as October 20, 2022 as a reminder to the public about the upcoming meeting.

Digital Message Board

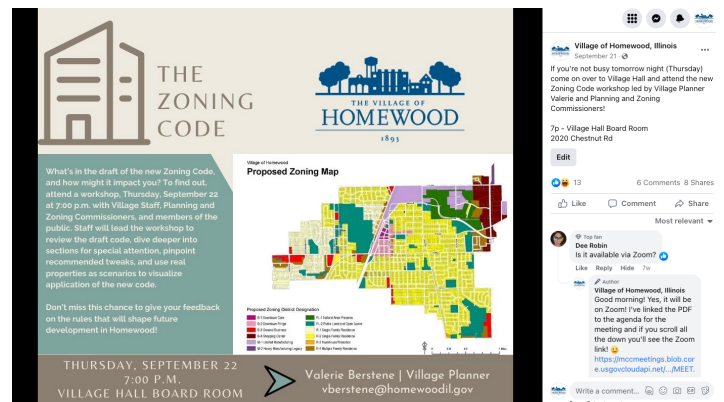
The culminating October 27, 2022 Open House was advertised on the Village digital message board at the corner of Chestnut Street and Dixie Highway. The message displayed the date, time, and subject of the meeting and was part of the rotating display for 15 days leading up to the meeting.



Digital message board display for October 27, 2022 open house.



Social media posts from June 2021, clockwise from top left: June 17, June 24, and June 29.



Social media post for September 22, 2022 workshop.



Social media post for October 27, 2022 open house.

Homewood-Floosmoor Chronicle News Coverage

July 21, 2021 - The H-F Chronicle reported on the zoning update initiative in an article titled “Homewood revisits zoning code, seeks residents’ input.” The article provided a brief overview of the project and a summary of the consultant’s July 16, 2021 memo to the Planning and Zoning Commission for the July 22, 2021 meeting. The article included links to the project schedule and July 16, 2021 memo, and provided information on: how to attend the upcoming meeting in-person or virtually; how to submit comments or questions; a link to the digital survey; a link to the interactive map; and following scheduled meetings for 2022.

July 22, 2021 - The H-F Chronicle highlighted the Zoning Ordinance workshop in its daily debrief titled “What You Need to Know Today.”

July 24, 2021 - The H-F Chronicle reported on the July 22, 2022 Planning and Zoning Commission meeting for the zoning ordinance update. The article summarized the presentation and attendance by the local environmental advocacy group South Suburbs for Greenspace. The article included methods for community members to get involved, through submitting comments and questions in the drop box or via email, and the next meeting scheduled for September 2022.

On the same day, the H-F Chronicle published a separate news story reporting on demonstrations by citizen activists with the group South Suburbs for Greenspace. The article states that “SSG members have talked to city planners and researched code in other towns. Several attended the workshop after the rally [July 22, 2021] and spoke during the public comment portion.”

July 29, 2021 - The H-F Chronicle reported on the advocacy work of a group named South Suburbs for Greenspace (SS4G) in light of the proposed zoning ordinance update. The article reports that the group “listed its interest in the Homewood zoning code update as a top priority. They applauded residents for their more than 150 responses to the village’s survey on the zoning code and thanked them for calling for a greener Homewood.” The article concluded by calling on the community to remain involved in the zoning update process, through filling out the online survey (link provided), attending Planning and Zoning Commission meetings, and emailing the commission and the Village’s consultant.

February 9, 2022 - The H-F Chronicle reported on the January 27, 2022 public meeting with a short summary of the materials presented and ensuing discussion. The article included a link to the online survey and mention of the next upcoming meeting for a date to-be-determined in June.

June 22, 2022 - The H-F Chronicle reported on the upcoming public meeting for the zoning ordinance update, providing readers with the information to attend the meeting in person or virtually. The news article also included a link to the online survey and interactive map where communities members could provide feedback.

September 11, 2022 - The H-F Chronicle summarized the on-going ordinance revision process, linking to the project website, and providing information about the upcoming September 22 meeting.

September 18, 2022 - The H-F Chronicle posted meeting information and a link to the project website in a bi-weekly round-up of news for the concluding week and the week ahead, titled “The Weeks.”

October 23, 2022 - The H-F Chronicle posted meeting information with a link to the agenda in a bi-weekly round-up of news for the concluding week and the week ahead, titled “The Weeks.”

November 6, 2022 - The H-F Chronicle posted meeting details with links to the agenda, packet, and Zoom virtual meeting information in the bi-weekly column “The Weeks.” The news blurb highlights: “The 15-month process of completely revising the village zoning code is nearing completion. The community was involved in the process through a survey, an interactive online map and seven public meetings devoted to providing updates and getting questions and suggestions.”

December 4, 2022 - The H-F Chronicle posted meeting details with links to the agenda and Zoom virtual meeting information in the bi-weekly column “The Weeks.”

December 6, 2022 - The H-F Chronicle shared information on that continuation of the public hearing on the comprehensive zoning amendments in its daily segment titles “What You Need to Know Today.”

Public Meetings

July 22, 2021 - The consultant team led a public meeting to kick-off the ordinance update process. In addition to in-person participation, members of the public were able to participate virtually through Zoom, or watch the meeting on-demand and provide feedback through the channels established on the project website. Eighteen members of the public attended the meeting. At the time of the meeting, there were 150 responses to the online survey.

September 23, 2021 - The consultant team led a public meeting to present their analytical findings and present planning best practices for consideration in amending policy and regulations. In addition to in-person participation, members of the public were able to participate virtually through Zoom, or watch the meeting on-demand and provide feedback through the channels established on the project website. Prior to the start of the meeting, in-person attendees were invited to contribute ideas to three specific prompts. Thirteen members of the public attended.

January 27, 2022 - Having completed the initial community engagement and diagnostic analysis, the consultant led a meeting to present drafts of the revised ordinance articles 1-5 and the proposed revised zoning map. In addition to in-person participation, members of the public were able to participate virtually through Zoom, or watch the meeting on-demand and provide feedback through the channels established on the project website. Eleven members of the public attended in-person. The consultant reported 205 responses to the questionnaire.

June 23, 2022 - Similar to the January 27, 2022 meeting, the consultant presented drafts of the revised ordinance articles 6-8. In addition to in-person participation, members of the public were able to participate virtually through Zoom, or watch the meeting on-demand and provide feedback through the channels established on the project website.

September 22, 2022 - Village Staff led a discussion consisting of a review of the initial objectives for the update; assignment to review the new materials provided by the consultant; and in-depth discussion around topics unresolved in previous meetings or identified by Staff for further input. All members of the commission and the public were invited to contribute input or bring topics for review. Attendees included all members of the Planning and Zoning Commission, two members of the Appearance Commission, one Village Trustee, and one member of the public attended the meeting.

October 5, 2022 - The September 22 meeting was continued to a special meeting on October 5, 2022 in order to cover all the identified topics in great detailed discussion.

October 13, 2022 - The final topic of the agenda from September 22 was discussed at the regular meeting of the Planning and Zoning Commission on October 13, after completing Regular Business for the meeting.

October 27, 2022 - The Open House was a culmination of the Zoning Ordinance update process. Orchestrated by the consultant, the Open House displayed major themes and proposed changes on boards and offered printed copies of the current and proposed text for community members and elected/appointed officials to move through at their own pace. Village Staff and the consultant were available to answer questions and collect input.

November 10, 2022 - To finalize the proposed revisions to the zoning text and map, a public hearing was held at the Planning and Zoning Commission to make a recommendation to the Village Board. The consultant team led the discussion, bringing topics from the Open House to fine-tune, and a list of open questions from Planning and Zoning Commission members to address. The Commission requested further revisions from the consultant and continued the public hearing to December 8, 2022.

December 8, 2022 - The public hearing for the comprehensive amendments continued from November 10, 2022. The Planning and Zoning Commission moved to unanimously recommend approval of both text and map amendments to the Village Board.

On-Site Engagement

September 24, 2022 - Fall Fest

Village Staff participated in the 2022 Fall Fest to share information, gather input, and answer questions related to the proposed Zoning Ordinance revisions. Residents were invited to put a dot sticker on a poster of the proposed zoning map and learn about proposed changes to the ordinance that might impact them. In particular, Staff highlighted regulations related to parking pads, short term rentals, accessory dwelling units, corner lot fences, and sustainability initiatives included in the draft ordinance.

eNews July 16, 2021

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**VILLAGE OF HOMEWOOD
2021 ZONING CODE UPDATE
OPPORTUNITIES FOR PUBLIC INPUT**

The Village of Homewood is currently in the process of updating its zoning code. As part of this process, the Village is offering several opportunities to encourage residents to provide input.

- Email: pzc@homewoodil.gov

Submit comments and input at any time using the email above.

- **Public Meetings**
 - Thursday, July 22, 2021 @ 7:30 PM
 - [Key themes and policy direction memo](#)
 - [7/22/2021 Agenda](#)
 - Thursday, January 27, 2022 @ 7:00 PM
- **Planning & Zoning Commission Public Hearing**
 - November 2022 (specific date and time TBD)
- **Village Board Meeting**
 - November 2022 (specific date and time TBD)
- **DIGITAL SURVEY** As part of this update, Houseal Lavigne developed a digital survey to help gather community input. Please note, the survey can only be taken once and will be open until November 2022. [Click here](#) or the link above to access the survey.
- **INTERACTIVE MAP** This tool will allow residents to share issues and opportunities within the existing zoning code and map locations that need attention or are examples of community assets. Examples could include parking lots that need more landscaping, industrial uses in close proximity to homes, a building that has a great design, or any other land use ideas residents have. To help get started, please view this [quick tutorial](#). We encourage residents to log in and create an account to be able to save and make future edits to their map. [Click here](#) or the link above to access the map.

For more details on the process of updating the zoning code, please click here or visit www.homesweethomewood.com.

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VILLAGE OF HOMEWOOD ZONING CODE UPDATE



eNews September 17, 2021

Planning & Zoning Commission Public Meeting 9/23/2021

The Village of Homewood will once again be hosting a public meeting at Village Hall to share progress on the current zoning code update on Thursday, September 23 at 7:00 pm.

A Diagnostic Report & Preliminary Recommendations Framework will be presented by the Village's consultant, Houseal Lavigne Associates. This report includes a proposed new structure along with preliminary recommendations for updates to the zoning ordinance. [Please click here](#) to view.

Additional public meetings will be held on January 27, 2022, and November 10, 2022.

Did you know?

As a friendly reminder, below is the list of opportunities the Village has put in place to encourage residents to provide input during this process.

EMAIL: PZC@HOMEWOODIL.GOV

- Submit comments and input at any time using the email above.

DROPBOX

- Place written comments in the dropbox outside village Hall.

PUBLIC MEETINGS

- **Thursday, September 23, 2021 @ 7:00 PM**
- Thursday, January 27, 2022 @ 7:00 PM

PLANNING & ZONING COMMISSION PUBLIC HEARING

- November 2022 (specific date and time TBD)

VILLAGE BOARD MEETING

- November 2022 (specific date and time TBD)

PAPER SURVEY

- Paper surveys are available at Village Hall, 2020 Chestnut Road.

[DIGITAL SURVEY](#)

- Click the link above to fill out a digital survey to provide valuable input.

[INTERACTIVE MAP](#)

- Click the link above to share issues and opportunities within the existing zoning code and map locations that need attention or are examples of community assets

VILLAGE OF HOMEWOOD 2022 ZONING CODE UPDATE OPPORTUNITIES FOR PUBLIC PARTICIPATION

The Village of Homewood will again be hosting a public meeting at Village Hall to share progress on the current zoning code update on Thursday, January 27 at 7:00 pm.

Proposed amendments to the zoning code and the zoning map will be presented by the Village's consultant, Houseal Lavigne Associates. A Memorandum summarizing the major changes proposed for each chapter, the proposed zoning map, and the DRAFT zoning ordinance, formatted in both redline and clean pdfs for each chapter are available on the website. [Please click here](#) to view.

The Planning & Zoning Commission Public Workshop will be held both in-person and by webinar. Attendees must wear a mask properly covering their nose and mouth.

- To View the Meeting via Computer or Smartphone- Please [CLICK HERE](#) to join the webinar

or

- Type in: [Zoom.us](#) into any internet browser.
 - Select: JOIN A MEETING from the menu at the top right of the page.
 - Meeting I.D.: 991 8481 1606
 - Meeting Password: 573 812
 - Enter an email address (required)

or

- To Listen to the Meeting via Phone
 - Dial: (312) 626-6799
 - Enter above "Meeting I.D. and Meeting Password" followed by "#" sign

Did you know?

In addition to public comments during the meeting, below is the list of opportunities the Village has put in place to encourage residents to provide input during this process.

- **Email:** pzc@homewoodil.gov
 - Submit comments and input at any time using the email above.
- **Dropbox**
 - Place written comments in the dropbox outside village Hall.
- **Planning & Zoning Commission Public Hearing**
 - November 2022 (specific date and time TBD)
- **Village Board Meeting**
 - November 2022 (specific date and time TBD)
- **[SURVEY](#)** As part of this update, Houseal Lavigne developed a digital survey to help gather community input. Please note, the survey can only be taken once and will be open until November 2022. [Click here](#) or the link above to access the survey. Paper surveys are available at Village Hall, 2020 Chestnut Road.
- **[INTERACTIVE MAP](#)** This tool will allow residents to share issues and opportunities within the existing zoning code and map locations that need attention or are examples of community assets. Examples could include parking lots that need more landscaping, industrial uses in close proximity to homes, a building that has a great design, or any other land use ideas residents have. To help get started, please view this [quick tutorial](#). We encourage residents to log in and create an account to be able to save and make future edits to their map. [Click here](#) or the link above to access the map.

eNews January 14, 2022

VILLAGE OF HOMEWOOD 2022 ZONING CODE UPDATE PUBLIC MEETING

The Village of Homewood will host a public meeting at Village Hall to share progress on the current zoning code update on Thursday, June 23, at 7:00 pm.

Proposed amendments to the zoning code chapters 6-8 will be presented by the Village's consultant, Houseal Lavigne Associates. More information is available on the website. [Please click here](#) to view.

The Planning & Zoning Commission Public Workshop will be held both in-person and by webinar.

- To View the Meeting via Computer or Smartphone- Please [CLICK HERE](#) to join the webinar

or

- Type in: [Zoom.us](#) into any internet browser.
 - Select: JOIN A MEETING from the menu at the top right of the page.
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Did you know?

Additional opportunities are available to provide input during this process:

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 - Place written comments in the dropbox outside village Hall.
- **Planning & Zoning Commission Public Hearing**
 - November 2022 (specific date and time TBD)
- **Village Board Meeting**
 - November 2022 (specific date and time TBD)

Did you know?

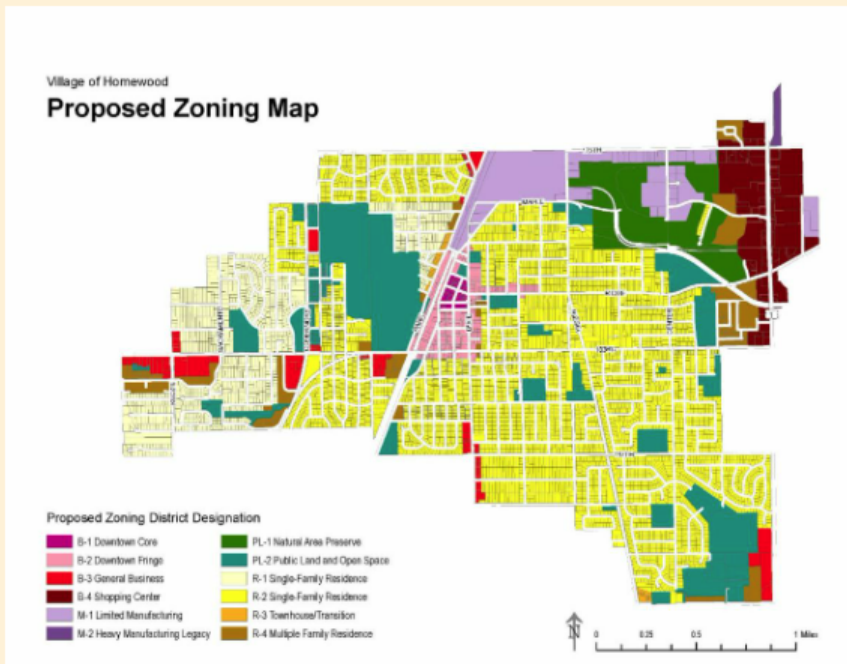
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 - Submit comments and input at any time using the email above.
- **Dropbox**
 - Place written comments in the dropbox outside village Hall.
- **Planning & Zoning Commission Public Hearing**
 - November 2022 (specific date and time TBD)
- **Village Board Meeting**
 - November 2022 (specific date and time TBD)
- **SURVEY** As part of this update, Houseal Lavigne developed a digital survey to help gather community input. Please note, the survey can only be taken once and will be open until November 2022. [Click here](#) or the link above to access the survey. Paper surveys are available at Village Hall, 2020 Chestnut Road.
- **INTERACTIVE MAP** This tool will allow residents to share issues and opportunities within the existing zoning code and map locations that need attention or are examples of community assets. Examples could include parking lots that need more landscaping, industrial uses in close proximity to homes, a building that has a great design, or any other land use ideas residents have. To help get started, please view this [quick tutorial](#). We encourage residents to log in and create an account to be able to save and make future edits to their map. [Click here](#) or the link above to access the map.

eNews June 16, 2022

eNews September 16, 2022

Participate in a Zoning Code Workshop!



What's in the draft of the new Zoning Code, and how might it impact you? To find out, attend a workshop, Thursday, September 22 at 7:00 p.m. with Village Staff, Planning and Zoning Commissioners, and members of the public. Staff will lead the workshop to review the draft code, dive deeper into sections for special attention, pinpoint recommended tweaks, and use real properties as scenarios to visualize application of the new code.

Don't miss this chance to give your feedback on the rules that will shape future development in Homewood!

When: Thursday, September 22

Time: 7:00 p.m.

Where: Village Hall Board Room

Check out the current draft materials online:

<https://www.village.homewood.il.us/business-development/planning-zoning/2021-2022-zoning-code-update-project>

Find the meeting agenda on the public meeting portal: <https://homewood-il.municodemeetings.com>

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2021-2022 Zoning Ordinance Update

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The Village of Homewood is currently in the process of updating its zoning ordinance. The current zoning ordinance was enacted in 2002 and the majority of the code has not been revised since that time. Much has changed in the last 19 years in land use, economy, and the law. The Village engaged the consulting firm of Houseal Lavigne & Associates to perform a comprehensive update of the Village's zoning ordinance.

Provide input anytime:

- **Email:** pzcc@homewood.il.gov
- **Dropbox:** located just outside Village Hall at 2020 Chestnut Road, Homewood, IL 60430.

Participate in public meetings:

All meetings are held in the Board Room at Village Hall, 2020 Chestnut Road, Homewood, IL 60430.

UPCOMING

ADOPTION: Tuesday, January 10, 2023 @ 7:00 at Village Board of Trustees (tentative)

PAST

PUBLIC HEARING CONTINUED: Thursday December 8, 2022 @ 7:00 at Planning and Zoning Commission

- Meeting Packet
- Draft Zoning Ordinance (rev 11/18/2022)
- Draft Zoning Map
- Zoom Recording

PUBLIC HEARING: Thursday, November 10, 2022 @ 7:00 at Planning and Zoning Commission

- Meeting Packet
- Draft Zoning Ordinance (rev 11/09/2022)
- Draft Zoning Map

OPEN HOUSE: Thursday October 27, 2022 @ 7:00 - 8:30 pm

- Meeting Packet
- Draft Zoning Ordinance (rev 10/27/2022)
- Draft Zoning Map
- Open House Boards

WORKSHOP: Thursday, September 22, 2022 @ 7:00 PM; continued October 5, 2022 @ 7:00 PM

- Meeting Packet for 09/22/2022
- Presentation
- Zoom Recording 09/22/2022
- Zoom Recording 10/05/2022

Working Draft of Ordinance:

- 1 - General Provisions
- 2 - Establishment of Districts
- 3 - District Standards
- 4 - Use-Specific Standards
- 5 - Development Standards
- 6 - Planned Development Standards and Procedures
- 7 - Zoning Procedures
- 8 - Nonconformities
- 9 - Definitions

• MEETING: June 23, 2022 @ 7:00 PM

- Draft Articles 6-9 Overview Memo
- 6 - Planned Development Standards and Procedures - DRAFT
- 6 - Planned Development Standards and Procedures - REDLINE
- 7 - Zoning Procedures - DRAFT
- 7 - Zoning Procedures - REDLINE
- 8 - Nonconformities - DRAFT
- 8 - Nonconformities - REDLINE

• MEETING: January 27, 2022 @ 7:00 PM

- 1/27/2022 Agenda
- Overview of Proposed Changes Memo
- Proposed Zoning Map
- Post Planning & Zoning Commission Meeting Chapter Summary
 - Draft and redlined version of each chapter to help you identify all proposed changes:
 - General Provisions - DRAFT
 - General Provisions - REDLINE
 - Establishing of Districts - DRAFT
 - Establishing of Districts - REDLINE
 - District Standards - DRAFT
 - District Standards - REDLINE
 - Use-Specific Standards - DRAFT
 - Use-Specific Standards - REDLINE
 - Development Standards - DRAFT
 - Development Standards - REDLINE

• MEETING: September 23, 2021 @ 7:00 PM

- Diagnostic Preliminary Recommendations Memo
- 9/23/2021 Agenda
- 9/23/2021 Zoom Recording
- Diagnostic Preliminary Recommendations Presentation
- Nonconformity Analysis Maps - Homewood
- Post Planning & Zoning Commission Meeting Diagnostic Memo

• MEETING: July 22, 2021 @ 7:30 PM

- 7/22/2021 Agenda
- 7/22/2021 Zoom Recording
- Key Themes and Initial Policy Direction Memo
- Key Themes and Initial Policy Direction Summary

• MEETING: July 22, 2021 @ 7:30 PM

- 7/22/2021 Agenda
- 7/22/2021 Zoom Recording
- Key Themes and Initial Policy Direction Memo
- Key Themes and Initial Policy Direction Summary

Take the survey:

As part of this update, Houseal Lavigne developed a digital survey to help gather community input. **We encourage residents to click the link below to share input.** Please note, the survey can only be taken once and will be open until November 2022.

- [DIGITAL SURVEY](#)

Contribute to the map:

This tool will allow residents to share issues and opportunities within the existing zoning code and map locations that need attention or are examples of community assets. **We encourage residents to click the link below to share input.** Examples could include parking lots that need more landscaping, industrial uses in close proximity to homes, a building that has a great design, or any other land use ideas residents have. To help get started, please view the [quick tutorial](#). We encourage residents to log in and create an account to be able to save and make future edits to their map.

- [INTERACTIVE MAP](#)

If the map is accessed as a "guest user", other users will have the option to edit and/or delete other "guest user" comments.

Please note, map social (the interactive map platform) collects user information to record, support, and facilitate user participation on the site, as well as prevent fraud and abuse. While the input users provide will be presented to the Village of Homewood, it may also be displayed on the site for viewing by the general public. map social will NOT disclose personal information to the Village of Homewood or to the public.

Zoning Ordinance Update Process Details

The current zoning ordinance was enacted in 2002 and the majority of the code has not been revised since that time. The Village engaged the consulting firm of Houseal Lavigne & Associates to perform a comprehensive update of the Village's zoning code.

The scope of work for the zoning code update includes the following:

- Modernize the zoning code to improve and simplify any outdated processes and procedures associated with the code
- Update to enhance the usability and understanding of the code with visual representations, charts, tables, matrices, swatches, etc.
- Update terminology and definitions that are obsolete or add new clarifying definitions.
- Identify and update any uses that are missing, unclear, need to be improved.
- Add or remove permitted and special uses that are outdated.
- Amend permitted and special use lists.
- Review the current zoning districts' purposes and boundaries for legitimacy.
- Identify and remove inconsistencies with best practices and trends.
- Ensure compliance with federal, state, and local legislation.

For a complete timeline of the project, please [click here](#).

Village of Homewood

ZONING ORDINANCE

Effective January 10, 2023

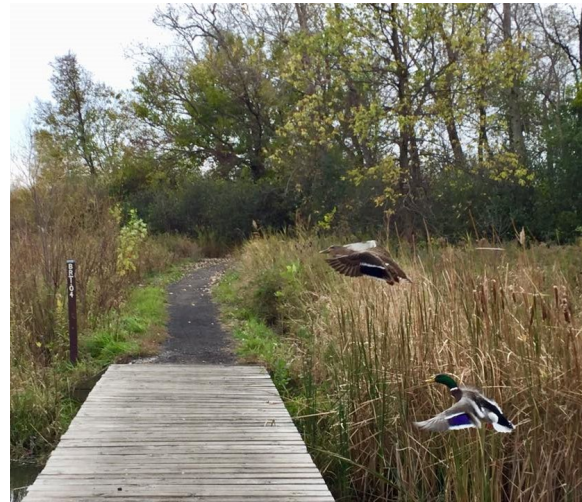


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Article 1. General Provisions

44-01-01. Title..... 1
 44-01-02. Purpose and Intent 1
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 44-01-05. Transition Rules..... 3
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 44-01-07. Effective Date 4
 44-01-08. Repeal of Previous Ordinance..... 4

44-01-01. Title

This ordinance shall be known, cited and referred to as the “Village of Homewood Zoning Ordinance” or “this ordinance”.

44-01-02. Purpose and Intent

This ordinance is adopted to regulate and control the use and development of land within the Village of Homewood and for the following purposes:

- A. To protect and promote the public health, safety, comfort, and welfare.
- B. To secure adequate natural light, pure air, clean water, privacy, and safety from fire, explosion and noxious fumes and other dangers, and conserve and preserve open space land, which is a limited and valuable resource.
- C. To conserve the taxable value of land and improvements in the Village.
- D. To establish a sensible pattern of land uses and encourage the most appropriate use of individual parcels of land throughout the Village.
- E. To encourage compatibility between land uses and prevent the overcrowding of land and development that is out of scale or character with existing densities.
- F. To minimize traffic congestion on public streets, to ensure efficient traffic circulation, to provide adequate off-street parking and loading, and to include all modes of transportation.
- G. To lessen or avoid the hazards to persons and damage to property resulting from the accumulation or runoff of stormwater.
- H. To facilitate efficient use of existing and planned public facilities and utilities.
- I. To ensure and facilitate the preservation of sites, areas, and structures of historical, environmental, architectural, and aesthetic importance.
- J. To provide for orderly and rational growth and development that is beneficial to the Village and consistent with the Comprehensive Plan and the Village’s other adopted plans and studies.

- K. To divide the entire Village into districts of such number, shape, area, and different classifications (according to use of land and buildings, height and bulk of buildings, intensity of use, or other classification) as may be deemed best suited to carry out the purpose of this ordinance.
- L. To classify, regulate, and restrict the location and intensity of use of land, structures, and buildings designed for specified industrial, business, residential, and other uses.
- M. To establish, regulate, and limit building or setback lines on, or along, the street, highway, lot line or stormwater runoff channel or basin.
- N. To prohibit land uses incompatible with each district's character.
- O. To regulate and limit the intensity of use of lot areas and to regulate and determine the area of open spaces within, and surrounding, such buildings.
- P. To fix reasonable standards to which buildings or structures shall conform.
- Q. To provide for the gradual elimination of nonconforming uses that adversely affect the value of permitted development.
- R. To prevent additions to, and alterations or remodeling of, existing buildings or structures in such a way as to avoid the restrictions and limitations lawfully imposed.
- S. To prescribe penalties for violation, and methods for enforcement, of the provisions of this ordinance.
- T. To designate and define the powers and duties of the officials and bodies administering this ordinance.

44-01-03. Authority

This ordinance is adopted pursuant to the authority granted to the Village by the Illinois Municipal Code. The Planning and Zoning Commission is empowered to give final administrative interpretations of any provisions of this ordinance as provided in Section 44-07-13.

44-01-04. Applicability

- A. **General Application.** This ordinance shall apply to all land, uses, buildings, and structures in the Village of Homewood, including that owned by other municipal corporations and government bodies
- B. **Required Conformance.**
 - 1. All lots of record created after the effective date of this ordinance, by subdivision or otherwise, shall conform to the requirements of this ordinance for the zoning district in which the land is located, except as otherwise provided by this ordinance.
 - 2. All buildings, structures or land shall be used or occupied, and all buildings, structures or part thereof shall be constructed, moved, enlarged, or altered in conformance with the provisions of this ordinance governing the zoning district in which it is located, except as otherwise provided by this ordinance.
 - 3. All buildings, structures, and required improvements shall not cross lot lines unless specifically allowed in this ordinance or approved as a Planned Development as provided in Article 6.
- C. **Interpretation.**
 - 1. Where standards or requirements imposed by any provision of this ordinance are either more restrictive or less restrictive than comparable requirements or standards imposed by any other provision of this ordinance or any other laws, ordinances, rules or regulations, the provisions which are more restrictive, or which impose higher standards shall govern.

2. In their interpretation and application, the provisions of this ordinance are held to be the minimum requirements for the promotion and protection of the public health, safety and general welfare, and shall be construed to achieve the purposes for which this ordinance was adopted.
3. This ordinance is not intended to repeal any easement, covenant, or other private agreement except that where the regulations of this ordinance are more restrictive or impose higher standards than such easements, covenants, or other private agreements, the requirements of this ordinance shall govern.

44-01-05. Transition Rules

- A. **Building Permits Issued Prior to Effective Date.** When a Building Permit has been lawfully issued prior to the effective date of this ordinance and construction has begun within six (6) months of the date of issue and is being diligently pursued to completion, the building or structure may be complete, and a certificate of occupancy may be issued, in accordance with the plans for which the Building Permit was issued.
- B. **Pending Applications.** Where a complete application for a planned development or zoning action is pending action by the Village on the effective date of this ordinance, the provisions in effect when the application was filed shall govern the review and approval.
- C. **Existing Special Uses, Variance, and Planned Developments.** All Special Use Permits, Variances, and Planned Development granted by the Board of Trustees prior to the effective date of this ordinance shall remain in full force and effect. The recipient of the Special Use Permit, Variance, or Planned Development may proceed to develop the property in accordance with the plans approved by the Board of Trustees and any conditions attached thereto. Property owners shall continue to be obligated to conform to all such conditions and requirements even if the property is rezoned. However, if the recipient has failed to begin construction within six (6) months of the date of adoption of this ordinance, then the provisions of this ordinance shall govern.
- D. **Existing Permitted Uses.** When a lot is used for a purpose that was classified as a permitted use prior to the effective date of this ordinance, and such use is classified as a special use by this ordinance, such use is hereby deemed a lawful special use. Any addition, enlargement, or expansion of such use shall conform to the requirements of Article 3.
- E. **Uses, Structures, Buildings, and Lots Rendered Nonconforming.** Existing uses, structures, buildings, and lots that do not comply with the regulations of this ordinance shall be subject to Article 8 of this ordinance relating to nonconformities.
- F. **Existing Unlawful Uses, Structures, and Buildings.** No building, structure, or use, which was unlawful at the time of the adoption of this ordinance, shall become or be made lawful solely due to adoption of this ordinance. To the extent, and in any manner, that said unlawful building, structure, or use is in conflict with the requirements of this ordinance, said building, structure, or use remains unlawful.

44-01-06. Severability

It is hereby declared the intention of the Homewood Village Board that the several provisions of this ordinance are severable, in accordance with the following:

- A. If any court of competent jurisdiction adjudges any provisions of this ordinance to be invalid, such judgement shall not affect the validity and continued enforcement of any other provisions of this ordinance.
- B. If any court of competent jurisdiction adjudges the application of any provision of this ordinance to any property, structure, building, or use to be invalid, such judgement shall not affect the application of that provision to any other property, building, structure, or use not specifically included in that judgement.

44-01-07. Effective Date

This ordinance shall take effect immediately upon, and its effective date shall be the date of, its passage, approval, and publication by the Village Board of Trustees. The effective date of each amendment to this ordinance shall be the date of adoption of such amendment unless otherwise provided in the ordinance adopting such amendment. When any such amendment creates any new nonconformity, references in this ordinance to the effective date of this ordinance, for purpose of determining the legality of such new nonconformity, shall be deemed the effective date of such amendment.

44-01-08. Repeal of Previous Ordinance

After the effective date of this ordinance, all provisions of the Zoning Ordinance of the Village of Homewood adopted on 01/10/2023, and as amended from time to time, are expressly repealed in their entirety.

Article 2. Establishment of Districts

44-02-01. Establishment of Zoning Districts 1
 44-02-02. District Purpose and Intent 2
 44-02-03. Zoning Map..... 3
 44-02-04. Interpretation of Boundaries 3
 44-02-05. Annexed Land 4

44-02-01. Establishment of Zoning Districts

In order to carry out the purposes and intent of this Section, the Village shall be divided into the following districts:

A. Residential Districts.

- 1. R-1 Single-Family Residence District
- 2. R-2 Single-Family Residence District
- 3. R-3 Townhouse/Transition District
- 4. R-4 Multiple Family Residence District

B. Business Districts.

- 1. B-1 Downtown Core District
- 2. B-2 Downtown Transition District
- 3. B-3 General Business District
- 4. B-4 Shopping Center District

C. Manufacturing Districts.

- 1. M-1 Limited Manufacturing District
- 2. M-2 Heavy Manufacturing Legacy District

D. Special Districts.

- 1. PL-1 Natural Area Preserve District
- 2. PL-2 Public Land and Open Space District

44-02-02. District Purpose and Intent

- A. **R-1 Single-Family Residence District.** The purpose of the R-1 Single-Family Residence District is to protect and maintain single-family detached residential development and limited other public and institutional uses compatible with the surrounding residential neighborhoods. The standards are intended to preserve the low-density characteristic of the current development pattern.
- B. **R-2 Single-Family Residence District.** The purpose of the R-2 Single-Family Residence District is to protect and maintain detached single-family residential development and limited other public and institutional uses compatible with the surrounding residential neighborhoods. The standards are intended to maintain the mid-density characteristic of the current development pattern.
- C. **R-3 Townhouse/Transition District.** The purpose of the R-3 Townhouse/Transition District is to promote and maintain duplex and townhouse residential development, legally established single-family detached residences, and to allow limited commercial uses appropriate to the residential context of the area. The standards are intended to provide a mix of uses and to encourage alternative forms of housing at low-mid densities that buffer the surrounding single-family neighborhoods from more intense land uses.
- D. **R-4 Multiple Family Residence District.** The purpose of the R-4 Multiple Family Residence District is to promote and maintain the development of multiple-family dwelling units, attached single-family dwelling units, legally established single-family detached residences, and limited other public and institutional uses that are compatible with the surrounding residential neighborhoods. The standards are intended to provide for convenient living at higher densities characteristic of mid-rise buildings.
- E. **B-1 Downtown Core District.** The purpose of the B-1 Downtown Core District is to establish a destination for retail, dining, and entertainment in the Village. The district is intended to have a pedestrian-oriented environment and accommodate development at all scales. It is the intent and purpose of this district to protect areas for commercial development and the generation of property tax revenue from the encroachment of nontaxable bodies including non-commercial places of assembly as defined in this Ordinance.
- F. **B-2 Downtown Transition District.** The purpose of the B-2 Downtown Transition District is to accommodate the variety of residential and nonresidential uses on the periphery of the Downtown Core. The district is intended to support the adaptive reuse of existing buildings for a mix of residential and non-residential uses as well as contextually sensitive infill development in a pedestrian-oriented environment that supports the vibrancy of the Downtown Core. It is the intent and purpose of this district to protect areas for commercial development and the generation of property tax revenue from the encroachment of nontaxable bodies including non-commercial places of assembly as defined in this Ordinance.
- G. **B-3 General Business District.** The purpose of the B-3 General Business District is to accommodate commercial areas that primarily provide goods and services for the residents of Homewood. Since these uses may be adjacent to residential areas and affect the overall character of the Village, the district is intended to provide appropriate transitions and maintain and enhance the appearance of major thoroughfares. It is the intent and purpose of this district to protect areas for commercial development and the generation of property tax revenue from the encroachment of nontaxable bodies including non-commercial places of assembly as defined in this Ordinance.
- H. **B-4 Shopping Center District.** The purpose of the B-4 Shopping Center District is to provide retail uses that serve the residents of the Village and the surrounding areas. The district allows for medium-scale development that generates a significant amount of traffic. It is the intent and purpose of this district to protect areas for commercial development and the generation of property tax revenue from the encroachment of nontaxable bodies including non-commercial places of assembly as defined in this Ordinance.

- I. **M-1 Limited Manufacturing District.** The purpose of the M-1 Limited Manufacturing District is to provide suitable locations for limited manufacturing, assembly, warehousing, distribution and related activities conducted primarily indoors and having minimal external impacts. Due to the intensity of land use associated with the M-1 District, the district should not be located adjacent to residentially zoned property. Where M-1 zoned property is currently located adjacent to residentially zoned property, adequate screening and buffering should be provided to mitigate negative impacts.
- J. **M-2 Heavy Manufacturing Legacy District.** The purpose of the M-2 Heavy Manufacturing Legacy District is to account for those quarry and mining related properties that have been previously zoned M-2 Heavy Manufacturing. Properties zoned in the M-2 Heavy Manufacturing Legacy District will continue to operate under the applicable standards established in this Ordinance. No property may be rezoned to the M-2 Heavy Manufacturing Legacy District after the date of adoption of this Ordinance.
- K. **PL-1 Natural Area Preserve District.** The purpose of the PL-1 Natural Area Preserve District is to support the continued existence, maintenance, conservation, and protection of the major open space, natural areas, and passive recreational areas that are publicly and privately owned.
- L. **PL-2 Public Land and Open Space District.** The purpose of the PL-2 Public Land and Open Space District is to protect and maintain public properties owned by the Village, the park district, school districts, non-profit organizations, and non-commercial places of assembly.

44-02-03. Zoning Map

- A. **Map Incorporated.** The location and boundaries of the districts established by this Ordinance are set forth in the Zoning Map, which is incorporated into, and made an integral part of, this Ordinance. All notations, references, and amendments to the Zoning Map shall be as much a part of this Ordinance as if specifically set forth and literally described in this Ordinance.
- B. **Omitted Land.** It is the intent of this Ordinance that the entire area of the Village, including all land and water areas, be included in the districts established by this Ordinance. Any land lying within the Village, but not shown on the Zoning Map as being included within a district, shall be deemed to be classified as within the R-1 Single Family Residence District.
- C. **Maintenance of Official Zoning Map.** The Zoning Map shall be prepared by, and filed with, the Director of Economic and Community Development and shall be available for public reference during normal business hours. The Zoning Map shall be updated annually as is required by state law. Any amendment to zoning district boundaries shall be indicated on the Zoning Map.
- D. **Availability of Zoning Map.** A revised, current copy of the Zoning Map, certified as being inclusive of all amendments and drawn to a convenient scale, shall be published on the Village website. However, it shall be the responsibility of those obtaining zoning maps to verify the current status of the map with the Director of Economic and Community Development.

44-02-04. Interpretation of Boundaries

- A. The Zoning Map shall be drawn to scale so that close approximations to dimensions of zoning districts can be ascertained. When uncertainty exists with respect to the boundaries of the various districts, the following rules shall apply:
 1. Unless otherwise indicated, district boundary lines are either the centerlines of railroads, highways, streets, alleys, tract, or lot lines, or such lines extended.
 2. When a district boundary line divides a lot of record in single ownership, the use authorized on, and the district requirements applying to, the most restricted portion of the lot shall be considered as applying to the entire lot.
- B. The Director of Economic and Community Development shall hear and decide all interpretations of any district boundary lines as shown on the Zoning Map. The Director of Economic and Community Development shall have the authority to interpret such boundary lines but does not have the authority to amend those lines, which shall be done in accordance with the procedures in Section 44-07-10.

44-02-05. Annexed Land

All territory, which may be annexed to the Village after the effective date of this Ordinance, shall be classified into the R-1 Single-Family Residence District, unless otherwise provided in the annexation agreement or until changed in accordance with the procedures established in Section 44-07-10.

Article 3. District Standards

44-03-01. Bulk and Dimensional Standards 1
 44-03-02. Calculating Dimensional Standards..... 2
 44-03-03. Permitted Encroachments in Required Yards For Residential Uses 5
 44-03-04. Permitted Limited and Special Uses..... 6

44-03-01. Bulk and Dimensional Standards

A. Table 44-03-01 establishes the requirements applicable to development or use of a lot in the Village of Homewood by district.

Table 44-03-01. Bulk and Dimensional Standards										
Standard	R-1	R-2	R-3	R-4	B-1	B-2	B-3	B-4	M-1	M-2
<i>Lot Standards (Minimum)</i>										
Lot Area (sqft)	10,400	7,500	4,300	3,100	n/a	n/a	n/a	n/a	n/a	n/a
Lot Width (ft)	80	50	45	n/a	n/a	n/a	n/a	n/a	n/a	n/a
<i>Yard Setbacks (Minimum)</i>										
Front (ft)	30	25	25	25	n/a	n/a	n/a	n/a	40	40
Front, Maximum (ft)	n/a	n/a	n/a	n/a	5	n/a	n/a	n/a	n/a	n/a
Exterior Side (ft)	25	20	20	20	(2)	(2)	(2)	(2)	40	40
Interior Side (ft)	8	5	5 (1)	5 (1)	(2)	(2)	(2)	(2)	25	25
Combined Interior Side (ft)	16	16	16	16	(2)	(2)	(2)	(2)	n/a	n/a
Rear (ft)	40	30	25	30	(2)	(2)	(2)	(2)	40 (3)	40 (3)
<i>Building Standards (Maximum)</i>										
Height (ft)	30	30	35	50	55	45	30	40	40	40
Building Coverage	30%	50%	60%	60%	n/a	n/a	n/a	n/a	n/a	n/a
Impervious Surface Coverage	40%	60%	70%	80%	100%	80%	70%	70%	70%	70%
<i>Notes</i>										
(1) If party wall exists, setback shall be 0 feet.										
(2) Requirements specified in Section 44-03-01(B)										
(3) If adjacent to an alley or railroad right-of-way, required setback shall be 20 feet.										

B. **Side and Rear Setbacks in Business Districts.** The interior, exterior, side, and rear setbacks in the B-1 Downtown Core, B-2 Downtown Transition, B-3 General Business, and B-4 Shopping Center Districts shall be required as follows.

1. **Side Yard Setbacks.**

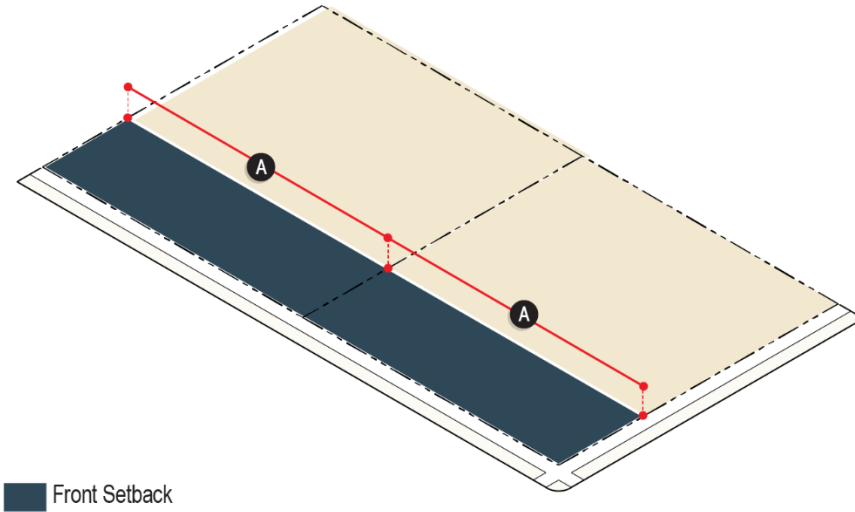
- a. For a lot with an interior or exterior lot line abutting a residential district, the required interior or exterior side yard setback required for the adjacent residential district shall be required for that individual yard setback.
- b. For a lot with two (2) interior side lot lines where at least one (1) interior side lot line abuts a residential district, the combined interior side yard setback required for the adjacent residential districts shall be required.

2. **Rear Yard Setbacks.** For a lot with a rear yard abutting a residential district, a rear yard setback of sixteen feet (16') shall be required.

44-03-02. Calculating Dimensional Standards

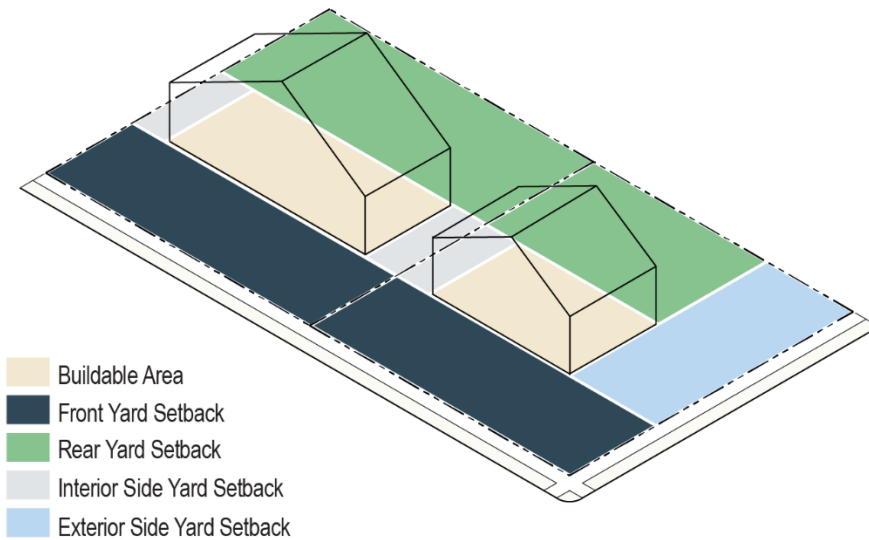
A. **Lot Width.** The distance between the two (2) side lot lines, as measured at the required front yard setback line.

Figure 3.1. Lot Width



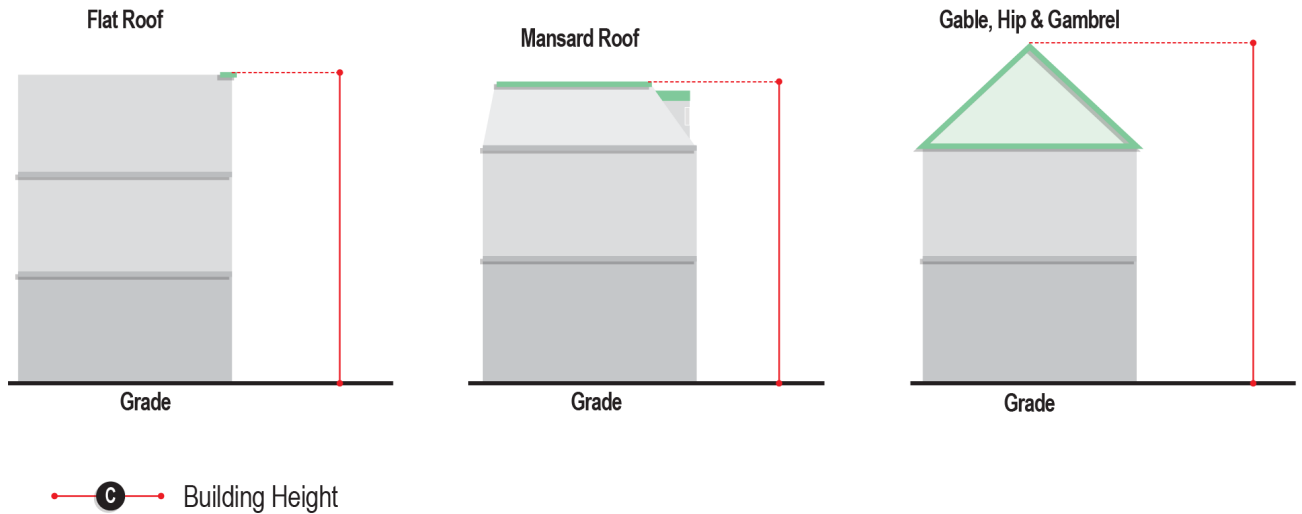
B. **Yard Setbacks.** The shortest distance between the exterior wall of the principal building and the applicable lot line.

Figure 3.2. Yard Setbacks



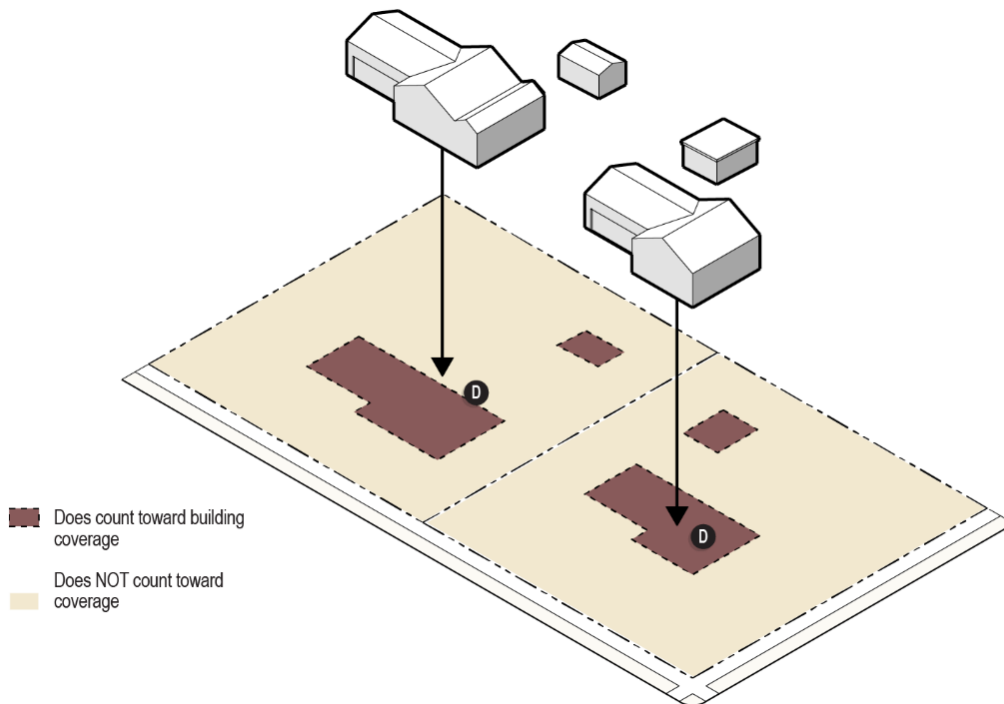
C. **Building Height.** The vertical distance from grade to the highest point of the roof of the building or the highest point of the structure. Building height shall not include mechanical equipment and screening, elevator override or stair access, and any amenity space with a gross area of less than twenty-five percent (25%) of the total floor plate.

Figure 3.3. Building Height



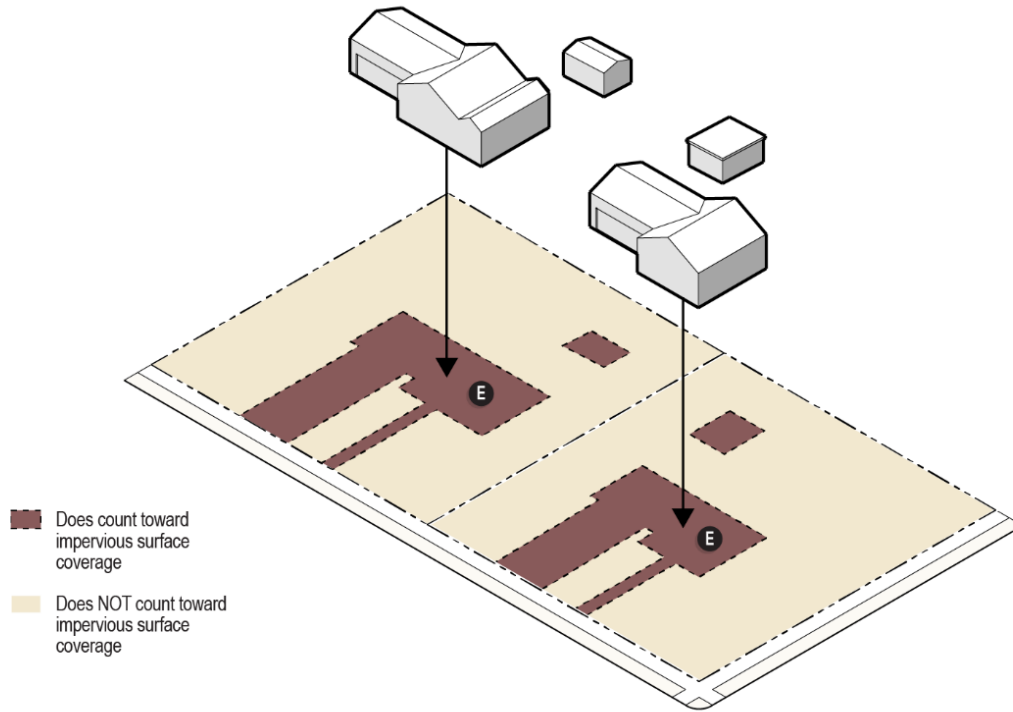
D. **Building Coverage.** The percentage of the lot occupied by principal and accessory buildings.

Figure 3.4. Building Coverage



E. **Impervious Surface Coverage.** The portion of a lot that is not covered with soil or natural vegetation. Such surfaces include areas covered by buildings, porches, decks, patios, terraces, and swimming pools, and also include surfaces constructed of asphalt, concrete, gravel composite, brick, stone, tile or any other paving material used for parking, driveways and walkways.

Figure 3.5. Impervious Surface Coverage



44-03-03. Permitted Encroachments in Required Yards For Residential Uses

- A. Table 44-03-03 establishes the types of structures and uses allowed to encroach in required yard setbacks for residential uses as established in Table 44-03-01.

Table 44-03-03. Permitted Encroachments in Required Yards For Residential Uses					
Type of Structure or Use Encroachment	Yard(s) Where Encroachment Permitted				Additional Regulation
	Front	Ext. Side	Int. Side	Rear	
Accessible steps or ramps and associated landings not exceeding the height of street level of the building	Y	Y	Y	Y	44-04-14(B)(3)
Accessory buildings or structures	N	N	Y	Y	44-04-14(B)
Arbors and trellises	N	N	N	Y	
Awnings at least 3 feet from front lot line and 5 feet from side and rear lot	Y	Y	Y	Y	
Balconies	N	N	N	Y	
Basketball equipment, at least 5 feet from interior side lot line and 10 feet	Y	Y	Y	Y	
Bay windows which are no more than 1 story in height, not projecting more than 3 feet into a required yard and not occupying more than 33% of the exterior length of the adjoining wall	Y	Y	Y	Y	
Chimneys at least 3 feet from lot lines	Y	Y	Y	Y	
Compost pile/structures	N	N	N	Y	
Eaves/gutters at least 3 feet from lot lines	Y	Y	Y	Y	
Fixed outdoor fireplaces at least 3 feet from lot lines	N	N	N	Y	44-04-14(B)(6)
Ground-mounted air conditioning, heat pumps, ventilation units,	N	N	Y	Y	
Household recreational facilities	N	N	Y	Y	44-04-14(B)(5)
Laundry drying equipment including clothes lines and poles	N	N	N	Y	
Open fire escapes	N	N	Y	Y	
Ornamental lighting standards and permanently anchored lawn furniture and decorations such as benches, statues, bird baths, sculptures, etc.	Y	Y	Y	Y	
Outdoor kitchens and built-in grills at least 3 feet from lot lines	N	N	Y	Y	
Parking, open and off-street	N	N	Y	Y	45-05-02
Patios, at least 3 feet from lot lines	Y	Y	Y	Y	
Satellite dish antennae	N	N	Y	Y	
Sheds, Cabanas, Greenhouses, Playhouses, Gazebos, and Decks at least 3 feet from lot lines	N	N	N	Y	44-04-14(B)(4)
Swimming pools and spas	N	N	N	Y	44-04-14(B)(7)
Tennis courts	N	N	N	Y	
Transformers	Y	Y	Y	Y	
Walkways and driveways	Y	Y	Y	Y	44-05-04 44-05-05

44-03-04. Permitted Limited and Special Uses

- A. The following key is to be used in the interpretation of Table 44-03-04.
- Permitted Uses.** Uses which are marked as “P” in the table shall be allowed subject to all applicable regulations of this Ordinance.
 - Limited Uses.** Uses which are marked as “L” in the table shall be allowed upon the approval of a Limited Use Permit as detailed in Section 44-07-05.
 - Special Uses.** Uses which are marked as “S” in the table shall be allowed upon the approval of a Special Use Permit as detailed in Section 44-07-11.
 - Temporary Uses.** Uses which are marked “T” in the table shall be allowed upon the approval of a Temporary Use Permit as detailed in Section 44-07-07.
 - Prohibited Uses.** A blank space in the table indicates that a use type is not allowed in the respective zoning district unless it is otherwise expressly allowed by other regulations of this Ordinance.
 - Uses Not Listed.** If a proposed use is not listed in the table, the Director of Economic and Community Development shall determine if the use is substantially similar to a use listed on the tables. If it is, they shall treat the use in the same manner as the substantially similar use. If not, the use shall be regarded as prohibited.
 - Additional Regulation.** Use-specific regulations may apply to certain uses. Refer to Article 4 for additional regulations. Cross references in the table below are provided for convenience. Use specific standards shall apply to Permitted, Limited, and Special Uses.

Table 44-03-04. Permitted Limited and Special Uses													
Use	Additional Regulation	R-1	R-2	R-3	R-4	B-1	B-2	B-3	B-4	M-1	M-2	PL-1	PL-2
<i>Agricultural and Open Space Uses</i>		<i>R-1</i>	<i>R-2</i>	<i>R-3</i>	<i>R-4</i>	<i>B-1</i>	<i>B-2</i>	<i>B-3</i>	<i>B-4</i>	<i>M-1</i>	<i>M-2</i>	<i>PL-1</i>	<i>PL-2</i>
Community Garden	44-04-02(A)	P	P	S	S								
Natural Area Preserve		P	P	P	P	P	P	P	P	P	P	P	P
<i>Residential Uses</i>		<i>R-1</i>	<i>R-2</i>	<i>R-3</i>	<i>R-4</i>	<i>B-1</i>	<i>B-2</i>	<i>B-3</i>	<i>B-4</i>	<i>M-1</i>	<i>M-2</i>	<i>PL-1</i>	<i>PL-2</i>
Dwelling, Duplex	44-04-03(A)			P	P								
Dwelling, Multiple Family													
<i>Up to 6 units</i>	44-04-03(B)			P	P		P	S	S				
<i>7+ units</i>	44-04-03(B)			S	P		S	S	S				
<i>Above ground floor</i>						P	P	S	S				
Dwelling, Single Family Detached		P	P										
Dwelling, Townhouse	44-04-03(C)			P	P								
Group Homes													
<i>Up to 8 residents</i>	44-04-03(D)	P	P	P	P		P	P	P				
<i>9+ residents</i>	44-04-03(D)	S	S	S	S		S	S	S				
Manufactured Home Park					S								
Senior Housing, Dependent	44-04-03(E)			S	S		S	S	S				
Senior Housing, Independent	44-04-03(E)			S	S		S	S	S				
<i>Residential Uses, Existing</i>		<i>R-1</i>	<i>R-2</i>	<i>R-3</i>	<i>R-4</i>	<i>B-1</i>	<i>B-2</i>	<i>B-3</i>	<i>B-4</i>	<i>M-1</i>	<i>M-2</i>	<i>PL-1</i>	<i>PL-2</i>
Dwelling, Duplex, existing at time of adoption of this ordinance		P	P	P	P		P						

Table 44-03-04. Permitted Limited and Special Uses

Use	Additional Regulation	R-1	R-2	R-3	R-4	B-1	B-2	B-3	B-4	M-1	M-2	PL-1	PL-2
Dwelling, Multiple Family, existing at time of adoption of this ordinance		P	P	P	P		P						
Dwelling, Single Family Detached, existing at time of adoption of this ordinance		P	P	P	P		P						
<i>Place of Assembly Uses</i>		<i>R-1</i>	<i>R-2</i>	<i>R-3</i>	<i>R-4</i>	<i>B-1</i>	<i>B-2</i>	<i>B-3</i>	<i>B-4</i>	<i>M-1</i>	<i>M-2</i>	<i>PL-1</i>	<i>PL-2</i>
Civic Uses of Public Property	44-04-04(A)											T	T
Indoor Commercial Place of Assembly													
Less than 5,000 sqft	44-04-04(B)					S	S	P	P				
5,000 sqft or more	44-04-04(B)					S	S	P	P				
Outdoor Commercial Place of Assembly	44-04-04(C)					S	S	S	S				
Indoor Non-Commercial Place of Assembly													
Less than 5,000 sqft	44-04-04(B)	P	P	P	P								P
5,000 sqft or more	44-04-04(B)	S	S	S	S								S
Outdoor Non-Commercial Place of Assembly	44-04-04(C)	S	S	S	S								S
<i>Retail and Mixed-Commercial Uses</i>		<i>R-1</i>	<i>R-2</i>	<i>R-3</i>	<i>R-4</i>	<i>B-1</i>	<i>B-2</i>	<i>B-3</i>	<i>B-4</i>	<i>M-1</i>	<i>M-2</i>	<i>PL-1</i>	<i>PL-2</i>
Firearms Retailer	44-04-05(A)									S			
Retail													
Less than 5,000 sqft						P	P	P	P				
5,000 sqft or more						S	S	P	P				
Multi-tenant Shopping Center													
Less than 5,000 sqft							S	P	P				
5,000 sqft or more								S	S				
Outdoor Itinerant Merchants	44-04-05(B)					T	T	T	T	T			T
Pawn Shop													
<i>Service and Office Uses</i>		<i>R-1</i>	<i>R-2</i>	<i>R-3</i>	<i>R-4</i>	<i>B-1</i>	<i>B-2</i>	<i>B-3</i>	<i>B-4</i>	<i>M-1</i>	<i>M-2</i>	<i>PL-1</i>	<i>PL-2</i>
Adult Day Care	44-04-06(A)						S	S	S	S			
Kennel	44-04-06(B)							S	S	S			
Check Cashing / Pay Day Loan Store													
Child Care Center	44-04-06(C)							S					
Coworking Space													
Less than 2,500 sqft						L	P	P	P	S			
2,500 sqft or more							S	P	P	S			
Above ground floor						P	P						
Financial Institution								S	S				
Hospital								S	S	S			
Laundry, Self Service								S	S				
Massage Therapy								S	S	S			
Medical Office													
Less than 2,500 sqft							P	P	P	P			
2,500 sqft or more							S	P	P	P			
Above ground floor						P	P						
Personal Service													

Table 44-03-04. Permitted Limited and Special Uses

Use	Additional Regulation	R-1	R-2	R-3	R-4	B-1	B-2	B-3	B-4	M-1	M-2	PL-1	PL-2
<i>Less than 2,500 sqft</i>						S	L	L	P				
<i>2,500 sqft or more</i>							S	L	P				
<i>above ground floor</i>						P	P						
Professional Office													
<i>Less than 2,500 sqft</i>						S	P	P	P	P			
<i>2,500 sqft or more</i>							S	P	P	P			
<i>Above ground floor</i>						P	P						
Salon and Spa Establishments							S	S	P				
Tattoo Studio / Body Piercing Facility	44-04-06(D)							S		S			
Veterinary Clinic	44-04-06(E)						S	S	S	S			
<i>Eating and Drinking Uses</i>		<i>R-1</i>	<i>R-2</i>	<i>R-3</i>	<i>R-4</i>	<i>B-1</i>	<i>B-2</i>	<i>B-3</i>	<i>B-4</i>	<i>M-1</i>	<i>M-2</i>	<i>PL-1</i>	<i>PL-2</i>
Carry-Out Facility	44-04-07(A)					S	S	L	L				
Craft Brewery						L	L	L	L				
Restaurant / Bar						P	P	P	P				
<i>Lodging Uses</i>		<i>R-1</i>	<i>R-2</i>	<i>R-3</i>	<i>R-4</i>	<i>B-1</i>	<i>B-2</i>	<i>B-3</i>	<i>B-4</i>	<i>M-1</i>	<i>M-2</i>	<i>PL-1</i>	<i>PL-2</i>
Bed and Breakfast	44-04-08(A)	S	S	S	S	S	S						
Hotel					S	L	L	L	P				
Motel								S	S				
<i>Vehicle Related Uses</i>		<i>R-1</i>	<i>R-2</i>	<i>R-3</i>	<i>R-4</i>	<i>B-1</i>	<i>B-2</i>	<i>B-3</i>	<i>B-4</i>	<i>M-1</i>	<i>M-2</i>	<i>PL-1</i>	<i>PL-2</i>
Autobody Repair	44-04-09(A)									S			
Car Wash	44-04-09(B)							S	S				
Fuel Sales	44-04-09(C)						S	S	S				
Motor Vehicle Sales	44-04-09(D)							L	L	L			
Motor Vehicle Service								L	L	P			
Motor Vehicle Rental	44-04-09(D)							S	S	S			
<i>Industrial Uses</i>		<i>R-1</i>	<i>R-2</i>	<i>R-3</i>	<i>R-4</i>	<i>B-1</i>	<i>B-2</i>	<i>B-3</i>	<i>B-4</i>	<i>M-1</i>	<i>M-2</i>	<i>PL-1</i>	<i>PL-2</i>
Artisan Manufacturing, Assembly, Fabrication	44-04-10(A)					L	L	L					
Building Material, Machinery, and Equipment Sales or Storage										P			
Contractor Shop										P			
Commercial Kitchen										L			
Crematorium	44-04-10(B)									S			
Dry Cleaner, Processing On Site										L			
Greenhouse, Wholesale										P			
Laundry, Commercial										L			
Light Manufacturing, Assembly, Fabrication										L			
Materials Salvage Yard / Recycling Operations										S			
Mining and Aggregate Extraction	44-04-10(C)										S		
Self-Storage	44-04-10(D)									S			
Printing and Publishing										P			
Research and Development										L			
Warehouse, Distribution										S			

Table 44-03-04. Permitted Limited and Special Uses

Use	Additional Regulation	R-1	R-2	R-3	R-4	B-1	B-2	B-3	B-4	M-1	M-2	PL-1	PL-2
Utility Uses		S	S	S	S	S	S	S	S	S	S	S	S
<i>Adult Uses</i>		R-1	R-2	R-3	R-4	B-1	B-2	B-3	B-4	M-1	M-2	PL-1	PL-2
Adult Uses	44-04-11(A)									S			
<i>Cannabis Related Uses</i>		R-1	R-2	R-3	R-4	B-1	B-2	B-3	B-4	M-1	M-2	PL-1	PL-2
Cannabis Dispensing Organization	44-04-12(A)							S	S	P			
Cannabis Infuser Organization	44-04-12(A)									P			
Medical Cannabis Cultivation Center										P			
<i>Transportation Uses</i>		R-1	R-2	R-3	R-4	B-1	B-2	B-3	B-4	M-1	M-2	PL-1	PL-2
Parking Structure / Deck						L	L	S	S	S			
Parking Lot						S	S			S	S	S	S
Transportation Station / Terminal		S	S	S	S	S	S	S	S	S			S
<i>Accessory Uses</i>		R-1	R-2	R-3	R-4	B-1	B-2	B-3	B-4	M-1	M-2	PL-1	PL-2
Accessory Dwelling, Detached	44-04-14(A)	S	S	S	S								
Accessory Dwelling, Attached / Internal	44-04-14(A)	P	P	P	P								
Accessory Retail / Restaurant					S	P	P	P	P	P			L
Cargo Container Storage, Stacking, - Permanent	44-04-14(C)									S			
Cargo Container Storage, Stacking, - Temporary	44-04-14(D)	T	T	T	T	T	T	T	T	T		T	T
Civic Uses of Public Property	44-04-14(E)											T	T
Contractor's Trailers and Real Estate Model Units	44-04-14(F)	T	T	T	T	T	T	T	T	T		T	T
Drive-Through Facility	44-04-14(G)						S	S	S				
Dumpsters, Temporary	44-04-14(H)	T	T	T	T	T	T	T	T	T	T	T	T
Electric Vehicle Charging Station	44-04-14(I)	P	P	P	P	P	P	P	P	P	P	P	P
Food Cart or Truck	44-04-14(J)					T	T	T	T	T			T
Home-Based Business, Class I	44-04-14(K)	L	L	L	L	L	L	L	L				
Home-Based Business, Class II	44-04-14(K)	S	S	S	S	S	S	S	S				
Outdoor Display / Sale of Merchandise	44-04-14(L)							S	S	S			
Outdoor Itinerant Merchants	44-04-14(M)					T	T	T	T	T			T
Outdoor Seating for Restaurants	44-04-14(N)					L	L	L	L	L			L
Outdoor Storage, Permanent	44-04-14(O)							S	S	S			
Portable Temporary Storage Container	44-04-14(P)	T	T	T	T	T	T	T	T				
Solar Energy Collection System, canopy	44-04-14(Q)					L	L	L	L	L		L	L
Solar Energy Collection System, ground													
<i>Less than 1 Acre</i>	44-04-14(R)	L	L	L	L	L	L	L	L	L	L	L	L
<i>1-5 Acre</i>	44-04-14(S)									S			
Solar Energy Collection System, roof	44-04-14(T)	P	P	P	P	P	P	P	P	P		P	P
Tent	44-04-14(U)	T	T	T	T	T	T	T	T	T		T	T

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Article 4. Use-Specific Standards

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44-04-01. Purpose and Intent

A. Purpose and Intent.

1. Use Specific Standards provide additional requirements for certain uses that may have a more significant impact than other uses on neighboring properties or Village infrastructure.
2. The Use Standards set forth in this article are requirements in addition to those established by other chapters of the Homewood Municipal Code and Zoning Ordinance. Where applicable, such uses shall meet all federal, state and local requirements including, but not limited to licensing, health, safety and building code requirements, as adopted and amended per Chapter 10 of the Homewood Municipal Code.
3. Use Specific Standards may apply to Permitted Uses, Special Uses, or Limited Uses. All use specific criteria listed herein is in addition to the standards for a Special Use or Limited Use as set forth in 44-07-05 and 44-07-11.
4. On lots with multiple uses subject to use-specific standards, all use-specific standards applicable to the individual uses shall apply. Use specific standards applicable to individual uses co-located on a site shall apply cumulatively.

44-04-02. Agricultural and Open Space Use Standards

A. Community Garden.

1. The name and contact information of the responsible person or organization shall be clearly posted and maintained for the duration of the existence of the community garden.
2. Accessory structures shall be limited in gross floor area to thirty percent (30%) of the of the lot used for the community garden, shall have a maximum height of seventeen feet (17') and shall be limited to the following accessory structure types:
 - a. Storage sheds,
 - b. Hoop houses
 - c. Cold frames, and
 - d. Shade Structures.
3. All compost and/or organic matter on the site:
 - a. Shall not cover more than ten percent (10%) of the total area of the property,
 - b. Shall be screened from view from adjacent property and the public right-of-way,
 - c. Shall be managed to prevent the harborage of rodents and pests,
 - d. Shall be maintained to prevent odors, and
 - e. Shall be located to prevent leachate from flowing onto adjacent property or into natural or human-made storm channels.
4. The site shall be designed and maintained to prevent water from irrigation and/or other activities and/or fertilizer from draining onto adjacent property
5. Trash areas shall be provided and screened from view from adjacent property and the public right-of-way.

44-04-03. Residential Use Standards

A. Dwelling, Duplex.

1. Attached garages are encouraged to be located on rear façades. Garages shall comply with Section 44-04-14(B)(2).

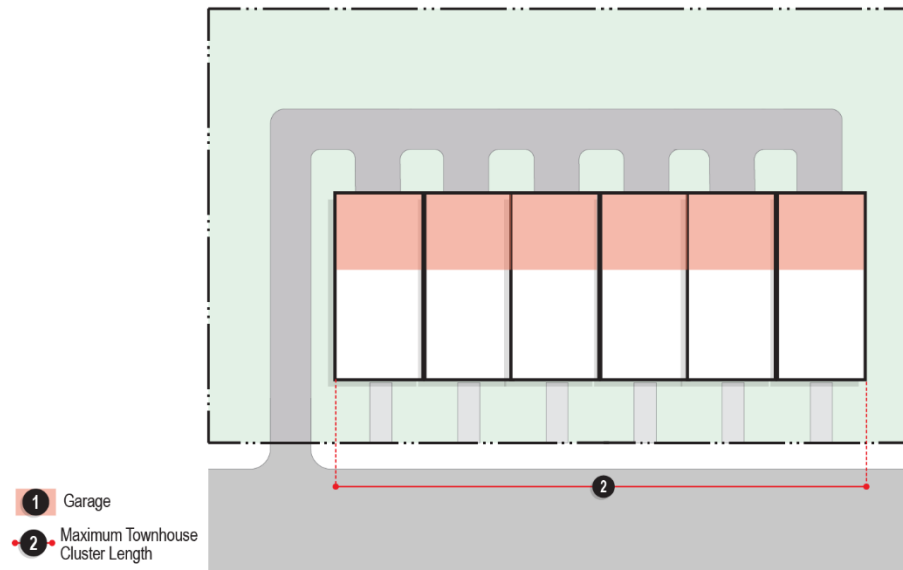
B. Dwelling, Multiple Family, all units.

1. Where existing alleys intersect with the side street, the alley must either be accommodated by new development, or reconfigured and dedicated as part of the new development in order to preserve alley access to other properties on the block.
2. The back of curb of off-street parking areas located in the interior side yard shall be set back a minimum of one (1) foot from the front elevation of the primary building.

C. Dwelling, Townhouse.

1. Attached garages shall be located on rear or interior side façades unless otherwise approved. Garages shall comply with Section 44-04-14(B)(2).
2. The maximum length of a townhouse cluster shall be one-hundred and fifty (150) linear feet.

Figure 4.1. Townhouse Dwelling



D. Group Homes, all units.

1. Each group home, before admitting residents, shall have proof of compliance with all applicable local, state, and federal standards.
2. Each group home shall submit a copy of its Illinois License or Certification and the sponsoring agency's Illinois License of Certification to the Director of Economic and Community Development.
3. The group home operator shall submit a statement detailing the number of residents, the number and type of personnel that will be employed, and the qualifications of the agency operating the group home.
4. To the greatest extent practical, a group home shall conform to the type and outward appearances of the residences in the neighborhood in which it is located.

E. Senior Housing, Dependent and Independent.

1. The site plan shall address resident pick-up/drop-off operations.
2. The applicant shall provide a traffic study analyzing impacts on the adjacent neighborhood and emergency response times if deemed necessary by the Director of Economic and Community Development.

44-04-04. Place of Assembly Use Standards

- A. **Civic Uses of Public Property.** In the PL-1 or PL-2 Districts, any civic use of any public building or property shall be permitted when authorized by the government agency owning or controlling such property. Such use shall not impose an undue adverse effect on neighboring streets or property.
- B. **Indoor Place of Assembly, Commercial and Non-Commercial, all sizes.**
1. Indoor places of assembly shall be located on collector and/or arterial streets.
- C. **Outdoor Place of Assembly, Commercial and Non-Commercial.**
1. Outdoor places of assembly shall be located on collector and/or arterial streets.
 2. The operating hours of outdoor places of assembly shall be limited to between 7:00am and 10:00pm.
 3. The location of entrances, exits, exterior lighting, speakers, service areas, and parking and loading facilities shall be designed to minimize traffic congestion and hazards to pedestrians and adverse impacts on adjoining properties.

44-04-05. Retail and Mixed-Commercial Use Standards

- A. **Firearms Retailers.** The purpose and intent of this subsection is to establish reasonable and uniform regulations to prevent any deleterious location or concentration of firearms retailers within Homewood. It is not the intent of this subsection to impose any limitation on firearm ownership or firearm sales generally as an activity. Firearms retailers shall comply with the following requirements:
1. Prior to beginning operation, every firearms retailer shall provide their Federal Firearms License certified by the Illinois State Police pursuant to 430 ILCS 68 as amended.
 2. No firearms retailer shall be located within one thousand feet (1,000') of the property line of a school, childcare center, adult daycare center, park, non-commercial place of assembly, or another firearms retailer.
 3. Hours of operation shall be limited to 9:00 a.m. to 9:00 p.m.
 4. No individual less than the minimum age to purchase a firearm in the State of Illinois shall be allowed on the premises unless accompanied by a parent or legal guardian.
 5. No person less than twenty-one (21) years of age shall be employed by the business.
 6. All employees must possess a valid Firearms Owners Identification Card considered valid in the State of Illinois.
 7. No indoor gun range shall be permitted on the premises and no firearms shall be discharged on the premises.
 8. Images or depictions of firearms shall not be displayed in windows, nor shall they be advertised by signs or posters viewable from the building exterior.
 9. The applicant shall submit a Site Security and Safety Plan for approval by the Homewood Chief of Police, or their designee. The Site Security and Safety Plan shall be renewed for approval by the Chief of Police at least once every three years after the initial submittal. The Chief of Police shall have the authority to require an updated s Site Security and Safety Plan at any time. Once a Site Security and Safety Plan has been approved by the Chief of Police, no changes may be made to the site without the prior approval of the Chief of Police. The Site Security and Safety Plan shall address the following:
 - a. The structure housing the firearms retailer must be constructed so as to prevent penetration of the building through an adjacent tenant space or by a vehicle; or the party-wall or exterior of the building must be protected by

- a barrier approved by a licensed architect and/or engineer designed to prevent a vehicle from reaching the structure where the firearms retailer is located;
- b. Any HVAC ductwork located on the building's exterior shall be secured to prevent penetration into the firearms retailer;
 - c. An interior security system over windows and alarm system shall be provided;
 - d. Any other site security or safety measures deemed necessary by the Chief of Police to promote the public health, safety, comfort and welfare.
 - e. Firearms shall not be displayed in windows and shall be secured at all times. Firearms shall only be displayed inside a locked counter or locked wall display case within the premises.

B. Outdoor Itinerant Merchants.

1. The construction or assembly of any type of display structure, although temporary, shall be prohibited.
2. The space occupied by an outdoor itinerant merchant may be no closer than one hundred and fifty feet (150') to any permanent building.
3. Only one (1) outdoor itinerant merchant may conduct business at a location at any given time.
4. No wires, signs, pennants, banners, products, or any other marketing device may be attached by, or on behalf of, the itinerant merchant to poles or structures in public lands including rights-of-way, parkways and easements.
5. The quantity of off-street parking spaces required shall be determined through the Temporary Use process in Section 44-07-07.
6. No licensee or anyone on their behalf shall use any device that emits or produces sound plainly heard on public rights-of-way to attract attention to any goods or service that such licensee proposes to sell.
7. No licensee under this Section, nor anyone in their behalf, shall use any public street, sidewalk, or alley to sell, offer for sale, or display their goods, wares, merchandise, or service unless expressly allowed in this Section.

44-04-06. Service and Office Use Standards

A. Adult Day Care.

1. The site plan shall address pick-up/drop-off operations.
2. Provide a traffic study analyzing impacts on the adjacent neighborhood and emergency response times.

B. Kennel.

1. Such uses shall not create a nuisance as defined in the Homewood Municipal Code.
2. A Type C transition area, as detailed in Section 44-05-06(H), shall be required along lot lines adjacent to any parcel in a nonresidential district.
3. A Type D transition area, as detailed in Section 44-05-06(H), shall be required along lot lines adjacent to any parcel in a residential district.
4. Drainage from outdoor storage or animal exercise areas shall be directed to gravel, grassed, or other planted areas in a manner that prevents direct discharge to storm drain inlets and surface waters.

C. Child Care Center.

1. The center shall comply with all local, state, and federal regulations, and shall be registered and licensed by the Department of Children and Family Services (DCFS) prior to the issuance of a Special Use Permit.
2. The Center shall annually supply a copy of its DCFS license or registration to the Director of Economic and Community Development.

D. Tattoo and/or Body Piercing Establishments

1. Tattoo and/or body piercing facilities shall be located a minimum of one-thousand feet (1,000') from another tattoo and/or body piercing facility.

E. Veterinary Clinic.

1. A Type B transition area, as detailed in Section 44-05-06(H), shall be required along lot lines adjacent to any parcel in a nonresidential district when outdoor activities such as dog runs or outdoor walking areas are included on-site.
2. A Type C transition area, as detailed in Section 44-05-06(H), shall be required along lot lines adjacent to any parcel in a residential district when outdoor activities such as dog runs or outdoor walking areas are included on-site.
3. Drainage from outdoor storage or animal exercise areas shall be directed to gravel, grassed, or other planted areas in a manner that prevents direct discharge to storm drain inlets and surface waters.

44-04-07. Eating and Drinking Use Standards**A. Carry-Out Facilities.**

1. Vehicular access to the facility shall be provided from a collector or arterial street.
2. The operator shall provide daily litter clean up along the rights-of-way abutting the property and adjacent properties subject to litter from the establishment.

44-04-08. Lodging Use Standards**A. Bed and Breakfast.**

1. The use shall be located within a single-family detached dwelling.
2. Guest rooms shall not include cooking facilities.
3. The maximum stay by any guest shall be limited to thirty (30) consecutive days.
4. All required guest parking shall be provided on-site.

44-04-09. Vehicle Related Use Standards

A. Autobody Repair.

1. The minimum lot size shall be fifteen-thousand (15,000) square feet in area.
2. Vehicles may not be stored for longer than thirty (30) days.
3. Operations shall not create obstructions to traffic circulation on public streets.
4. A Type C transition area, as detailed in Section 44-05-06(H), shall be required along lot lines adjacent to any parcel in a nonresidential district.
5. A Type D transition area, as detailed in Section 44-05-06(H), shall be required along lot lines adjacent to any parcel in a residential district.
6. Drainage from outdoor storage and/or activity areas shall be directed to a catch basin with an oil separator.

B. Car Wash.

1. The minimum lot size shall be at least fifteen-thousand (15,000) square feet in area.
2. Operations shall not create obstructions to traffic circulation on public streets.
3. A Type B transition area, as detailed in Section 44-05-06(H), shall be required along lot lines adjacent to any parcel in a nonresidential district.
4. A Type D transition area, as detailed in Section 44-05-06(H), shall be required along lot lines adjacent to any parcel in a residential district.
5. Drainage from outdoor storage and/or activity areas shall be directed to a catch basin with an oil separator.

C. Fuel Sales.

1. The minimum lot size shall be at least fifteen thousand (15,000) square feet in area.
2. Operations shall not create obstructions to traffic circulation on public streets.
3. Two (2) vehicle stacking spaces shall be provided for each fuel pump located on a fuel sales site, one (1) at the fuel pump and one (1) to the rear of the fuel pump. Each stacking space shall have a minimum depth of eighteen feet (18').
4. All fuel pumps and fuel pump canopies shall be located a minimum of fifty feet (50') from any residential district boundary line.
5. Fuel pump canopies shall have a maximum height of seventeen feet (17').
6. Fuel pump canopy columns shall be clad in masonry, stucco, fiber cement, or stone veneer systems with a minimum thickness of three inches (3"), for a minimum of four feet (4') from the base of the column.
7. Fuel pump canopies shall be lit with only fully recessed lighting.
8. A Type B transition area, as detailed in Section 44-05-06(H), shall be required along lot lines adjacent to any parcel in a nonresidential district.
9. A Type D transition area, as detailed in Section 44-05-06(H), shall be required along lot lines adjacent to any parcel in a residential district.
10. Drainage from outdoor storage and/or activity areas shall be directed to a catch basin with an oil separator.

D. Motor Vehicle Sales and Motor Vehicle Rental.

1. The minimum lot size for motor vehicle sales shall be three (3) acres in area.
2. Operations shall not create obstructions to traffic circulation on public streets.
3. A Type B transition area, as detailed in Section 44-05-06(H), shall be required along lot lines adjacent to any parcel in a nonresidential district.
4. A Type D transition area, as detailed in Section 44-05-06(H), shall be required along lot lines adjacent to any parcel in a residential district.
5. Parking lots for the outdoor display of motor vehicles for sale shall be exempt from the landscape spacing requirements for the parking area perimeter zone, as detailed in Section 44-05-06(F), and instead may cluster required landscape elements in order to preserve views to motor vehicles offered for sale.
6. Drainage from outdoor storage and/or activity areas shall be directed to gravel, grassed, or other planted areas in a manner that prevents direct discharge to storm drain inlets and surface waters.

44-04-10. Industrial Use Standards**A. Artisan Manufacturing, Assembly, Fabrication.**

1. Gross floor area per individual artisan manufacturer space shall not exceed three thousand (3,000) square feet.
2. Outdoor storage and/or outdoor operations or activities shall be prohibited.
3. Retail sales of goods manufactured on-site shall be required and shall comprise a minimum of fifteen percent (15%) of the total area of the building. Retail sales areas shall be located on the ground floor and shall be directly adjacent to storefront windows.
4. A maximum of one (1) residential unit per artisan manufacturer shall allowed.

B. Crematorium.

1. Any crematorium shall be a minimum five hundred feet (500') from:
 - a. Any residential district and any lot or parcel upon which one (1) or more residences are the primary use at the time of initial application for a Special Use Permit for a crematorium;
 - b. Any school or public playground, park, or recreational area.
2. Exterior doors of the crematorium shall remain closed so that the cremator/retort shall not be visible from any public right-of-way.
3. Except when vehicles are entering or exiting the crematorium, all business vehicles containing human remains and associated with the crematorium shall not be visible from any public right-of-way.
4. The crematorium shall comply with all applicable State and Federal laws and regulations.

C. Mining and Aggregate Extraction.

1. No open pit shall be closer to an exterior lot line that is not adjacent to property owned or under the control of the same or related owner than the distance set by Illinois Department of Natural Resources rules and regulations in effect from time to time.

2. The exterior lot lines of the property shall be fenced with a chain link or similar fence at least six feet (6') in height when the property is adjacent to or across the street from any district other than a heavy manufacturing zoning district. The fence shall be constructed in compliance with 44-06-09 of the Homewood Municipal Code.
3. A landscape plan for the property boundaries shall be submitted for approval by the Appearance Commission. The content of the landscape plan shall be as required by 44-05-06 of this Ordinance. Upon approval of the landscape plan, it shall be the owner's responsibility to continually maintain in good condition all landscaping elements required by the approval landscape plan as stated in 44-05-06 of this Ordinance. The owner shall be responsible for the removal of debris that accumulates within the required landscaped areas and along fence lines on property boundaries adjacent to rights-of-way.
4. Reclamation of the land will be in accordance with Illinois Department of Natural Resources requirements and may include the importation of inert fill to assist in the reclamation process.
5. Due to the unique nature of the use the limitations contained in this Section W and the additional limitations and restrictions that may be imposed by the Special Use Permit, performance standards and other restrictions of this Ordinance shall not be applicable to the special use granted pursuant to this Section.
6. No blasting or other use of explosives is permitted unless specifically requested and authorized with the Special Use Permit after the required public hearing by the Planning and Zoning Commission. If permitted by the Village Board, blasting must conform to the Surface-Mined Land Conservation and Reclamation Act (225 ILCS 715) and Aggregate Blasting Rules (62 IAC 300) and shall be conducted only in accordance with existing State and Federal laws and regulations and the following standards:
 - a. The use handling and detonation of explosives (sometimes referred to as "blasting") in connection with quarrying operations shall be conducted by or under the direct supervision of trained and competent persons. If such persons are required to be licensed by any federal agency, State of Illinois or Cook County, such persons shall meet the licensing requirements and obtain such license.
 - b. The storage of explosives shall be in accordance with all applicable Federal and State laws and regulations and shall be stored in magazines, buildings, or structures, which shall meet the safety requirements of such laws and regulations.
 - c. Blasting procedures shall be in accordance with modern techniques, generally accepted in the quarrying industry, whereby a shot shall consist of a series of drill holes containing quantities of explosives fired or detonated in sequence of multiple delays at intervals of milliseconds, so as to counteract and reduce the ground motion or vibration from each successive detonation (sometimes referred to as "short period delay blasting"). Peak particle velocity, measured at the closest protected structure, shall meet the Illinois Department of Natural Resources alternate compliance standard using the United States Bureau of Mines RI 8507 blast level chart, commonly referred to as Z-Curve chart.
 - d. Air blasts shall be controlled so that it does not exceed the values specified in Table 44-04-09(C)(6)(d) below at the closest protected structure, unless such structure is owned by the person who conducts the mining. The measuring systems used shall have a flat frequency response of at least 200 Hz at the upper end. The person who conducts blasting may satisfy the provisions of this subsection (d) by meeting any of the three specifications in Table 44-04-10(C)(6)(d).

Table 44-04-10(C)(6)(d) Air Blast Control Values	
<i>Lower Frequency Limit of Measuring System, Hz+3 dB</i>	<i>Maximum Level in dB</i>
0.1 Hz or lower - flat response	134 peak
2.0 Hz or lower - flat response	133 peak
6.0 Hz or lower - flat response	129 peak

- e. Blasting procedures shall be subject to and comply with the applicable lawful requirements of the Illinois Pollution Control Board, Illinois Department of Mines and Minerals, Mine Safety and Health Administration (“MSHA”), or the United States Department of the Interior, and any other government agency having jurisdiction thereof.
- f. Blasting procedures shall be in conformity with approved safety regulations, customs and practices generally accepted in the quarrying industry, and the safety regulations of governmental agencies having jurisdiction thereof.
- g. Compliance with provision of these regulations governing blasting procedures and quarrying operations shall be subject to review and inspection from time-to-time by authorized Village officials, upon reasonable prior notice and during reasonable business hours.
- h. All blasting shall be conducted between sunrise and sunset except in emergency situations where unscheduled blasting is required to ensure operator or public safety. In such cases, the operator shall notify the Village within 72 hours after the unscheduled blast, indicating the reason(s) for the unscheduled blast. No blasting shall take place on the following holidays: New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

D. Self Storage.

- 1. A Type C transition area, as detailed in Section 44-05-06(H), shall be required along lot lines adjacent to any parcel in a nonresidential district.
- 2. A Type D transition area, as detailed in Section 44-05-06(H), shall be required along lot lines adjacent to any parcel in a residential district.
- 3. Doors serving individual self-storage units accessed directly from the outside shall not be visible from any public right-of-way.
- 4. Lighting and security cameras shall be provided to ensure safe operations on the site.
- 5. **Use Limitations.**
 - a. Storing hazardous or toxic materials is prohibited.
 - b. No self-storage space shall be used for residential occupancy, business sales or operation, the storage of commercial or industrial inventory or raw materials or the operation of machinery.
 - c. Outdoor storage and/or activity is prohibited.

44-04-11. Adult Use Standards

A. Adult Uses.

1. Purpose.

- a. The purpose and intent of this Section is to regulate sexually oriented businesses in order to promote the health, safety, morals, and general welfare of the citizens of the Village and to establish reasonable and uniform regulations to prevent any deleterious location and concentration of sexually oriented businesses within the Village. The provisions of this Section have neither the purpose, intent nor effect of imposing a limitation or restriction of the content of any communicative materials, including sexually oriented materials.
- b. Similarly, it is not the purpose, intent, or effect of this Section to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market, when permissible under the First Amendment. Neither is it the purpose, intent, or effect of the Section to condone or legitimize the distribution of obscene material.

2. Requirements.

- a. The design and operation of the facility shall not adversely affect the public health and safety.
 - b. Operations shall not create undue traffic congestion in the public streets and highways in the area in which it is located.
 - c. Operations of the facility shall not cause additional public expense for fire and/or police protection.
 - d. The following conditions shall be imposed on any special use granted for an adult cabaret:
 - I. No dancer or performer shall fondle, caress, or otherwise touch any patron or permit any patron to fondle, caress or otherwise touch any dancer or performer.
 - II. No patron shall be permitted to fondle, caress, or otherwise touch any dancer or performer.
 - III. No patron shall directly pay or give any gratuity to any dancer or performer and no dancer or performer shall solicit or accept any pay or gratuity from any patron.
 - IV. Dancing or other performances shall not occur within ten feet (10') of any patron.
3. **Location.** No adult use shall locate within one thousand feet (1,000') of the property line of another adult use, any school, or any place of worship.
 4. **No Liquor License.** No adult use shall be issued a liquor license. Nor shall any establishment with a liquor license operate as an adult use. The operator of an adult use shall not permit patrons to bring alcoholic beverages onto the premises and no alcoholic beverages shall be consumed on the premises.
 5. **Hours of Operation.** Hours of operations shall be between 10:00 am and 2:00 am.

44-04-12. Cannabis Related Use Standards

- A. **Cannabis Dispensing Organization and Cannabis Infuser Organization.** A limit of one (1) Cannabis Dispensing Organization and one (1) Cannabis Infuser Organization may be located within the Village.

44-04-13. Transportation Use Standards

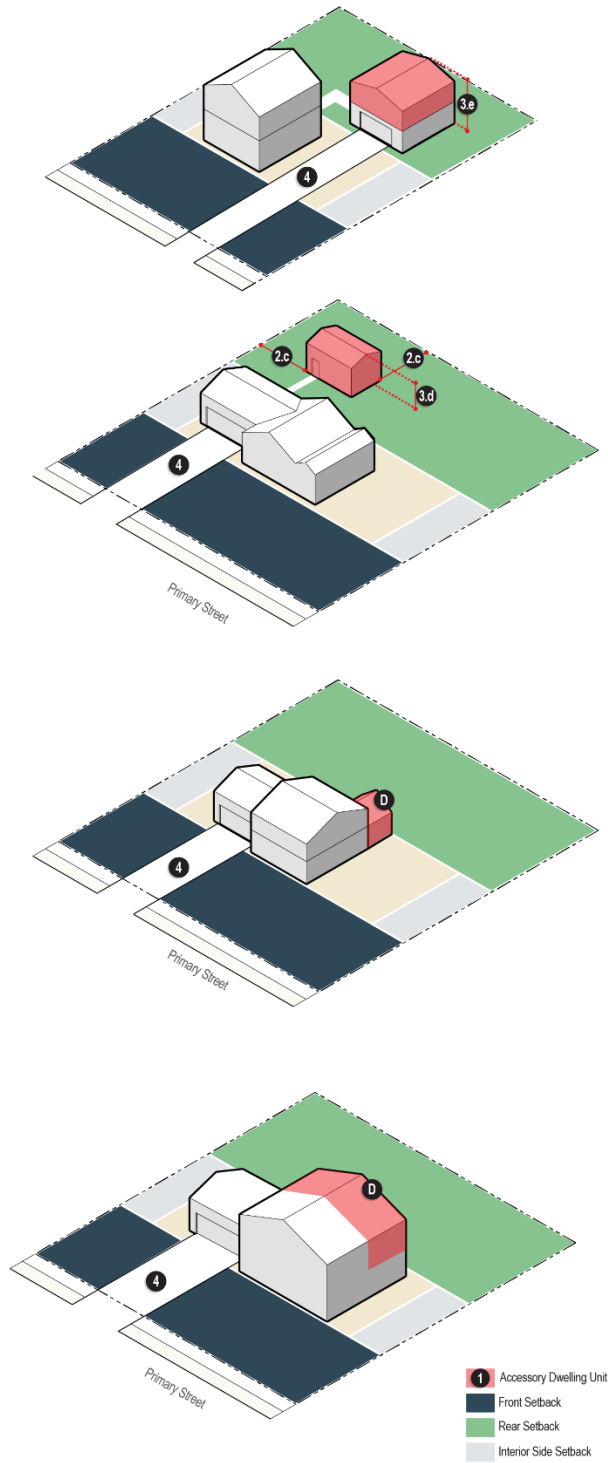
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44-04-14. Accessory Use Standards

A. Accessory Dwelling Unit.

1. **Quantity.** One (1) detached, attached, or internal accessory dwelling unit shall be allowed per lot.
2. **Location.**
 - a. If a lot has a detached garage, a detached accessory dwelling unit shall be located above the detached garage. A standalone detached garage and standalone detached accessory dwelling unit shall not be allowed on a lot.
 - b. Detached accessory dwellings shall be located to the interior side or rear of the principal dwelling.
 - c. Detached accessory dwellings shall be setback a minimum of five feet (5') from the rear and interior side yard lot lines.
 - d. Attached/internal accessory dwellings shall comply with all regulations applicable to the principal building on the lot.
 - e. Architectural features that are structurally part of the accessory dwelling unit shall be allowed to encroach subject to the regulations of Table 44-03-03.
3. **Dimensions.**
 - a. The minimum size of an accessory dwelling unit shall be two-hundred twenty (220) square feet.
 - b. The maximum size of the internal accessory dwelling shall be twenty-five percent (25%) of the floor area of the principal building
 - c. The maximum building footprint of a detached accessory dwelling shall be nine hundred thirty-six (936) square feet.
 - d. The maximum height of a standalone detached accessory dwelling shall be seventeen feet (17') or the height of the principal dwelling, whichever is less.
 - e. The maximum, combined height of a detached accessory dwelling located above a detached garage and the detached garage shall be twenty-seven feet (27') or the height of the principal dwelling, whichever is less.
4. **Access.** The principal dwelling and accessory dwelling shall be served by a common driveway.
5. **Design.** The accessory dwelling shall have architectural features and exterior materials compatible with the principal building. Accessory dwelling units deemed incompatible by the Director of Economic and Community Development shall go before the Appearance Commission for review and final approval, approval with conditions, or denial.
6. **Ownership.**
 - a. The principal dwelling or accessory dwelling shall be the primary residence of the owner of the property.
 - b. An accessory dwelling must be kept in common ownership with the principal dwelling on the property.

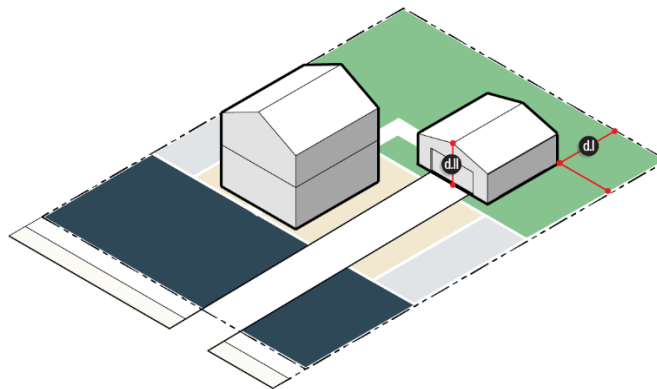
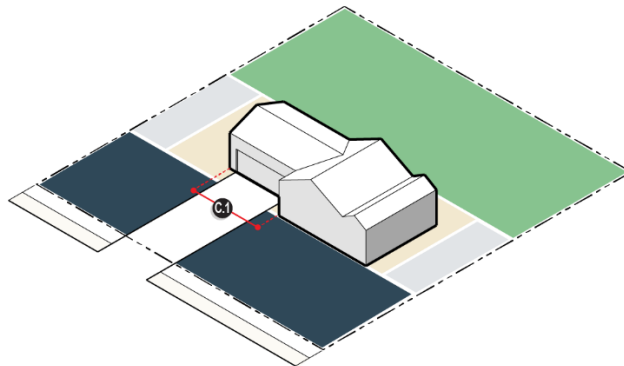
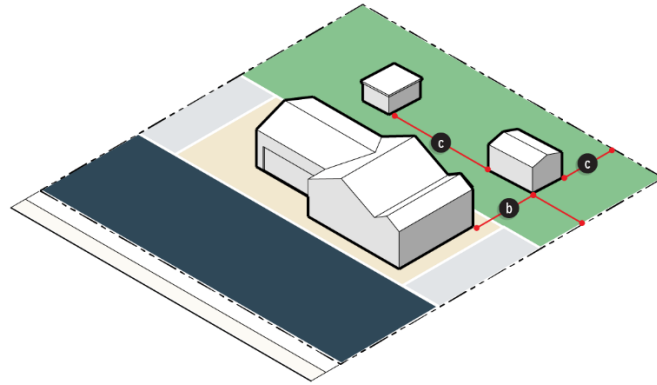
Figure 4.2. Accessory Dwelling Units



B. Accessory Structure / Building.

1. **Location of Accessory Buildings and Structures.** All accessory buildings and structures shall follow the location requirements of this Section.
 - a. An accessory building or structure shall be located either:
 - I. Completely within the interior side or rear yard of the principal building and at least five feet (5') from lot lines, or
 - II. Completely within the buildable area of the lot.
 - b. Any accessory building or structure shall be located a minimum of ten feet (10') feet from the principal building.
 - I. The required distance may be varied to a minimum of five feet (5') from the principal building when the exterior walls of the accessory building or structure has a minimum of a one (1)-hour fire-resistance rating.
 - c. Any accessory building or structure shall be located a minimum of five feet (5') from all other buildings on the lot and abutting properties.

Figure 4.3. Accessory Building/Structure



- Front Setback
- Rear Setback
- Interior Side Setback
- Side Setback Adjoining Street

2. **Garages.**

- a. **Applicability.** This Section shall apply to all single-family detached, duplex, or townhome.
- b. **General.**
 - I. No garage shall exceed an area of nine hundred and thirty-six (936) square feet.
 - II. Only one (1) garage shall be allowed on a residential lot. Such garage shall be either an accessory portion of a principal building or an accessory building.
 - III. The parking spaces in the garage shall not be used as a means to access other parking spaces or to any other area located on or off the lot.
- c. **Attached Garages.**
 - I. Attached garage doors located on the front façade of the principal building shall not constitute fifty percent (50%) or more of the front elevation as measured in linear frontage and in square footage.
 - II. Attached garages located on the front façade shall be recessed from the front façade by at least five feet (5').
 - III. Side-loading attached garages shall have a similar front façade as the principal dwelling.
- d. **Detached Garages.**
 - I. Detached garages shall be located in the rear yard and set back at least five feet (5') from the rear and side yard lot lines.
 - II. Detached garages shall have a maximum height of seventeen feet (17').

3. **Accessible Steps or Ramps.**

- a. Accessible steps or ramps shall be designed to be integrated with the architecture of the building.
- b. Accessible steps or ramps may be located no closer than two feet (2') from any side lot line and no closer than ten feet (10') from any front lot line.
- c. Accessible steps or ramps may also include, in compliance with the Illinois Administrative Code, a landing that does not exceed five feet (5') by five feet (5').
- d. Accessible steps or ramps shall be constructed in accordance with Chapter 10 of the Homewood Municipal Code.
- e. Any accessible steps or ramp not meeting the above requirements may be approved by the Director of Economic and Community Development as a limited use, provided that:
 - I. There is no other practical conforming location on the lot.
 - II. A physician certifies in writing that the ramp is medically necessary.
 - III. The homeowner agrees to remove the ramp when it is no longer medically necessary.

4. **Sheds, Cabanas, Greenhouses, Playhouses, Gazebos, and Decks.**

- a. **Quantity.** One (1) shed, cabana, greenhouse, playhouse, or gazebo, in addition to a detached garage or standalone detached accessory dwelling unit, and one (1) deck shall be allowed per lot.

b. Dimensions For Sheds, Cabanas, Greenhouses, Playhouses, and Gazebos.

- I. The maximum size shall be the lesser of one-hundred and forty-four (144) square feet or thirty percent (30%) of the required rear yard.
- II. Detached gazebos shall have a maximum height of fourteen feet (14').
- III. Attached gazebos, as measured from the deck, shall have a maximum height of fourteen feet (14') or the height of the roofline at the closest point of the principal building, whichever is less.

c. Location.

- I. Sheds, cabanas, greenhouses, playhouses, and gazebos shall be located in an interior side or rear yard only. Decks shall be located in a rear yard only.
- II. Any structures shall be located a minimum of three feet (3') from any lot line.
- III. No structure shall be located in an easement.

5. Household Recreational Facilities.

- a. Household recreational facilities shall be less than seventeen feet (17') in height.
- b. The household recreational facility and any accessory equipment shall not be located in the front yard setback except basketball equipment, which shall be located five feet (5') feet from interior side and ten feet (10') from front lot lines.
- c. Trampolines shall be located at least ten feet (10') from interior side and rear lot lines and all principal and accessory buildings and accessory structures.
- d. Any noise generated by the activity shall comply with the regulations of this Ordinance and Chapter 44-301(g) of the Homewood Municipal Code.

6. Outdoor Fireplaces.

- a. Barrels, half-barrels and drums are not permitted.
- b. Outdoor fireplaces and fixed, permanent masonry fire pits shall comply with Chapter 44-301(k) of the Homewood Municipal Code.
- c. Fuel shall be dry wood, producing a minimum of smoke and particulate matter.
- d. When in use, adult supervision shall be present at all times.
- e. Outdoor fireplaces shall be located at least twenty feet (20') from any building structure, building overhang or vehicle.

7. Swimming Pools and Spas.

- a. Pools are permitted in rear yards only and shall conform to all requirements of Section 44-143 of the Homewood Municipal Code.
- b. Pumping and filtering equipment for pools and spas shall be located at least ten (10) feet from the interior side and rear lot lines and no water shall drain onto adjacent properties.

B. Cargo Container Storage, Stacking - Permanent.

1. The facility utilizing the cargo container shall carry adequate insurance (as determined by the Director of Economic and Community Development) and provide the Village a Certificate of Insurance prior to the issuance of a Special Use Permit.
2. **Location.**
 - a. The containers shall conform with setback requirements for a principal building.
 - b. The containers shall be located in the interior side or rear yard.
 - c. The containers shall be entirely on private property and are prohibited from being parked or placed upon any street, highway, roadway, right-of-way, designated fire lane, required parking space, drive aisle, or sidewalk.
 - d. The containers shall not be placed in such a fashion as to impede or obstruct the flow of drainage waters, nor impede or obstruct emergency access to the property.
 - e. The containers shall only be located on concrete paved surfaces in accordance with the paving standards set forth by the Illinois Department of Transportation (IDOT) for an 80,000-pound truck route.
 - f. The site layout shall provide adequate means for fire and emergency vehicles (as approved by the Fire Chief) to access cargo containers both on and off a chassis in the event of an emergency.
 - g. The containers shall be screened with a solid fence, landscaping, and berm so as not be visible from the public right-of-way and adjacent properties.
3. **Height.** Cargo containers shall not measure or be stacked to a height greater than fourteen feet (14').
4. **Operations and Maintenance.**
 - a. Cargo containers shall not be used for occupancy or sleeping; housing of animals; housing or storage of firearms, hazardous or flammable materials, material that is required to be placarded as Class 7 (radioactive material) according to the U.S. Department of Transportation (DOT) Emergency Response Guideline (ERG), or storage of materials which are otherwise unlawful to possess (e.g. fireworks or other unlawful material or substances).
 - b. Cargo containers shall not include windows, heating and cooling, refrigeration systems, plumbing or have multiple entrances except for what is necessary to meet the minimum codes and standards for light and air circulation for storage purposes.
 - c. Cargo containers shall be closed and secured from unauthorized access at all times when not under the direct supervision of the permit applicant.
 - d. Cargo containers shall not be used to display signage or otherwise advertise a commercial activity other than a design or logo permanently affixed to the container that identifies its owner.
 - e. Containers shall be kept at all times in a like-new condition.

C. Cargo Container Storage, Stacking - Temporary.

1. **Residential, Commercial and Public Lands/Open Space.** Cargo containers are prohibited except they may be used on a temporary basis provided they are issued a permit and meet the following conditions:
 - a. The cargo container shall be used for the purpose of a construction project duly proceeding toward completion.
 - b. The cargo container shall be located on the same lot on which the construction activity is occurring until such time as the construction project is complete.

- c. Upon completion of the construction activity that the container supports, the container must be promptly removed from the site.
 - d. The cargo container shall be maintained in a like-new condition.
 - e. The cargo container shall not measure or be stacked to a height greater than fourteen feet (14').
 - f. The cargo container shall not be used to display signage.
 - g. No more than one (1) cargo container shall be located on a lot in a residential district at one time for construction purposes.
 - h. No more than three (3) cargo containers shall be located on a lot in a commercial or public lands/open space district at one time when used for construction purposes.
 - i. No more than one (1) cargo container shall be located on a commercial lot, limited to no longer than sixty (60) days in a calendar year, when used for the purpose of storage of seasonal inventory.
 - j. The permit shall be affixed to the container for the duration of its use.
 - k. The Director of Economic and Community Development may approve containers that exceed the allowable number, allowable size, or length of time.
2. **M-1 Limited Manufacturing.** Cargo Containers may be located in a M-1 District on a temporary basis provided they are issued a permit and meet the following conditions:
- a. Cargo containers utilized for temporary storage shall be restricted to a period of time not to exceed thirty (30) days in one calendar year.
 - b. Cargo containers used for the purpose of a construction project duly proceeding toward completion and located on the same lot on which the construction activity is occurring may be allowed until such time as the construction project is complete. Upon completion of the construction activity that the container supports, the container must be promptly removed from the site.
 - c. At all times, any and all cargo containers must be maintained in a like-new condition.
 - d. No more than three (3) temporary cargo containers shall be located on a lot located in the M-1 district at one time.
 - e. Cargo containers may not measure or be stacked to a height greater than fourteen feet (14').
 - f. The permit shall be affixed to the container for the duration of its use.
 - g. The Director of Economic and Community Development may approve containers that exceed the allowable number, allowable size, or length of time.
- D. **Civic Uses of Public Property.** In the PL-1 or PL-2 Districts, any civic use of any public building or property shall be permitted when authorized by the government agency owning or controlling such property. Such use shall not impose an undue adverse effect on neighboring streets or property.
- E. **Contractors Trailers and Real Estate Model Units.**
- 1. Contractors' trailers and real estate model units are allowed when accessory to a construction project or a new development.
 - 2. Such use shall be limited to a period not to exceed the duration of the active construction phase of such project or the active selling and leasing of space in such development.
 - 3. No such use shall contain any sleeping or cooking accommodations, except those located in a model unit.

- 4. No such trailer, unit, or office shall be used as the general office or headquarters of any firm.

F. Drive-Through Facility.

1. Design and Layout.

- a. Provide minimum six (6) inches high barrier curbs to protect accessories such as menu boards and canopy supports from vehicular circulation.
- b. The location of the curb cut shall be subject to the approval of the Village Engineer.

2. Stacking.

- a. The stacking spaces shall be designed so as not to interfere with the ingress and egress to the off-street parking, traffic circulation on or off site, and traffic visibility.
- b. Stacking lanes shall have a minimum depth of twenty feet (20') per stacking space and the following minimum lane widths:
 - I. One (1) lane: twelve feet (12'),
 - II. Two (2) or more lanes: ten feet (10') per lane.
- c. Drive-through facilities shall be required to provide a minimum number of vehicle stacking spaces as detailed in Table 44-04-14(D)(2)(c).

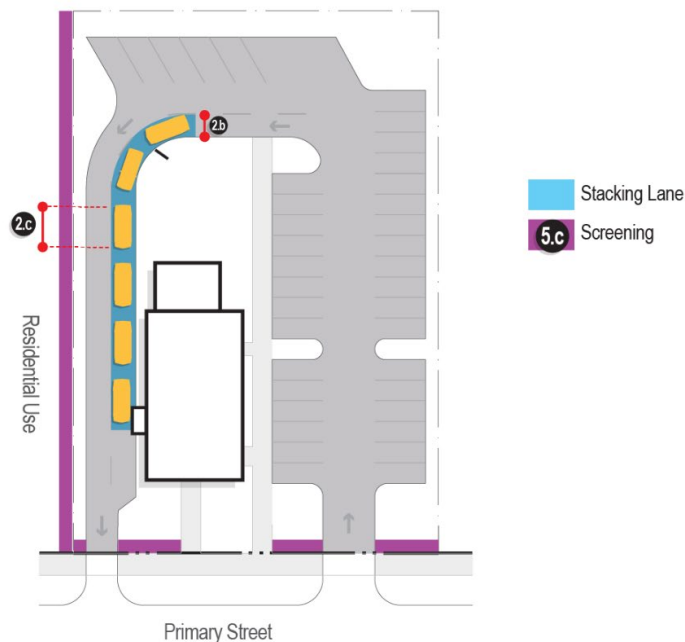
Table 44-04-14(F)(2)(c) Drive Through Stacking Requirements		
Use	Minimum Stack	Measure From
<i>Automated Teller Machine</i>	3 per machine	teller machine
<i>Bank Teller Lane</i>	2 per lane	teller or window
<i>Restaurant</i>	6 per order box	order box (1)
<i>Carwash Stall, Automatic</i>	5 per stall	stall entrance
<i>Carwash Stall, Manual</i>	3 per stall	stall entrance
<i>Oil Change Shop</i>	3 per service bay	service bay entrance
<i>Pharmacy</i>	4 per lane	machine or window
<i>Other</i>	as determined necessary through the special use permitting process	
(1) 4 of the required stacking spaces are to be located between the order-box and pick-up window, including the stacking space at the order box.		

3. Menu Boards.

- a. A drive-through facility shall be permitted a maximum of two (2) menu boards.
- b. The combined maximum area of the menu boards shall be eighty (80) square feet.
- c. Each menu board shall not exceed:
 - I. Sixty (60) square feet in area and
 - II. Ten feet (10') in height.
- d. Menu boards may utilize digital display boards for one hundred percent (100%) of the permitted menu board area.

4. **Overhead Canopy.**
- The total height of any overhead canopy of similar structure shall not exceed twenty feet (20') as measured to the highest part of the structure.
 - Any overhead canopy or similar structure shall maintain a uniform and consistent roof line with the building to which the drive-through facility is a part.
 - Any overhead canopy or similar structure shall have columns, solid walls or semi-solid walls placed so that they are similar in their relation to the roof as that of the exterior walls of the building to which the drive-through facility is a part.
 - Any overhead canopy or similar structure shall be finished with exterior cladding materials consistent with the primary building façade.
5. **Screening.** The following regulations shall apply to any drive through adjacent to a residential use regardless of the use to which it is accessory.
- Drive aisles must be effectively screened from view along public rights-of-way and at the edges of sites adjacent to residential properties to minimize the visual impact of menu boards and headlight glare and audio impact of intercoms.
 - Screening shall meet all sight triangle requirements as established in Section 44-05-10.
 - Screening shall be a minimum of six feet (6') wide, and must consist of:
 - An opaque masonry wall or solid wood fence with a minimum height of four feet (4') and a maximum height of six feet (6');
 - One ornamental trees per every twenty-five linear feet (25') of screening; and
 - One shrub or native grass per every three feet (3') of screening.

Figure 4.4. Drive Through Facility



G. Dumpsters, Temporary. Temporary dumpsters shall meet the following conditions:

1. The refuse container shall be obtained from a scavenger service licensed with the Village of Homewood.
2. No more than one (1) temporary dumpster shall be located on a lot at a time.
3. The container shall be maintained in a neat and orderly fashion with all refuse contained within and not higher than the height of the container.
4. The temporary dumpster shall be located on an impervious surface on private property.
5. The placement of a temporary dumpster shall be restricted to a period of time not to exceed thirty (30) days, per calendar year.
6. The Director of Economic and Community Development may approve containers that exceed the allowable number, size, surface, or length of time.

H. Electric Vehicle Charging Stations.

1. Equipment.

- a. Electric Vehicle Charging stations that are accessory to all mixed-use, multifamily, and nonresidential uses shall be a level 2 charging capacity.
- b. Electric vehicle charging station equipment shall be protected by a wheel stop, curb, or bollards.
- c. In parking lot applications, all connections of the charging station to electrical utility equipment shall be underground.
- d. All electric vehicle charging station equipment shall comply with the National Fire Protection Association/National Electrical Code and be approved by the Underwriters Laboratory.
- e. All equipment should be made of low-maintenance, durable materials appropriate to withstand northeast Illinois weather and shall be vandal-proof to the extent possible.
- f. All equipment shall provide a cord management system that minimizes tripping hazards for pedestrians. Charging cords may not cross sidewalks, walkways, or driveways.

2. Design Considerations.

- a. Electric vehicle charging station equipment shall be located in a manner that will not obstruct pedestrian walkways. A minimum of three feet (3') of clear area shall be maintained.
- b. Electric vehicle charging stations shall be located to optimize ease of use for all potential users.
- c. Electric vehicle charging station shall provide a safe and clearly delineated area for maneuvering around the vehicle for connecting to the equipment.
- d. A sign indicating that the electric vehicle parking is for use while charging only shall be provided.
- e. All charging stations shall be illuminated. Lighting shall comply with the limitations in Section 44-05-12.

3. Electrical Equipment Siting and Screening.

- a. Electric vehicle charging stations shall be located to minimize the distance to electrical supply equipment.
- b. When locating the electrical supply equipment consider blind spots and visibility obstructions for drivers and pedestrians.

- c. To the extent practical, electrical supply equipment shall be screened by walls, fences, landscaping, or a combination thereof to be effective year-round.
4. **Accessibility.** A minimum of one (1) accessible charging station is required with any installation of electric vehicle charging stations. The accessible charging station shall provide equipment, reach, clear area, route, and other applicable building blocks to comply with the Illinois Accessibility Code as well as incorporating industry recommended best practices and current federal accessibility recommendations.
5. **Maintenance.**
- a. The property owner on which electric vehicle charging stations are located is responsible for ensuring that the equipment is intact and will not pose a hazard to any visitors to the property. This shall include ensuring that cords are hung to prevent tripping hazards.
 - b. All electric vehicle charging station equipment shall be maintained to working condition. Equipment that is no longer functional must be decommissioned within sixty (60) days.
- I. **Food Cart or Truck.**
- 1. A stand-alone food cart or truck whether motorized or non-motorized may be set up on a regular, semi-regular, or one-time basis subject to the following criteria:
 - a. The owner or operator of the food cart or truck shall obtain and maintain all required licenses at all times.
 - b. The permit shall be displayed to the public in a visible location on the food cart or truck.
 - c. Operations shall not be located in a driveway or drive aisle.
 - d. Operations shall not obstruct parking lot circulation or block access to a public street, alley, or sidewalk.
 - e. The operation of the food cart or truck shall not block a pedestrian walkway or public sidewalk in a manner which reduces the width of that walkway or sidewalk to less than five feet (5') or causes damage to any improvements within the public right-of-way.
 - f. Operations of any food cart or truck shall be at least five hundred feet (500') from any eating and drinking establishment lawfully existing at the time the permit or renewal permit was issued and is open for business unless written permission is granted by the eating or drinking establishment located within that distance.
 - g. No food cart or truck shall be set up on any privately owned lot or parcel without written permission of the owner.
 - h. Trash receptacles shall be provided, and the owner/operator shall be responsible for keeping the area surrounding the food cart or truck clear of any litter and properly cleaned.
 - i. Signs, except for a-frame/sandwich board signs shall be permanently affixed to or painted on the food cart or truck. Each food cart or truck may have one (1) sandwich board sign which may not be located in any right-of-way or impede pedestrian or vehicular traffic and shall be within twenty-five feet (25') of the food cart or truck.
 - j. Canopies, umbrellas, and outdoor tables and chairs shall not block a pedestrian walkway or public sidewalk in a manner which reduces the width of that walkway or sidewalk to less than five feet (5') or creates a visual obstruction to traffic.
 - k. Food carts or trucks may locate on the same lot or parcel so long as each vendor has the property owner's written permission and all other provisions contained herein are be met.
 - l. No food cart or truck shall be located within fifty feet (50') of the established outer boundary of any Village-permitted or licensed event where the sale of merchandise and food has been allowed unless it is part of the event.

- m. When not in operation, a food cart or truck shall be stored on private property.
- n. If located in a Village right-of-way:
 - I. No merchandise shall be offered, displayed or sold and no customers served except from the sidewalk,
 - II. Only non-motorized carts may be located on sidewalks,
 - III. Carts or trucks shall be located at least twenty-five feet (25') from any intersection (measured from the edge of sidewalk to the cart or truck) and fifteen feet (15') from any driveway,
 - IV. Food carts or trucks shall comply with all traffic and parking ordinances of the Village, as they may be amended.
- o. Any location in a Village right-of-way, including sidewalks, may be subject to temporary suspension or revocation without cause, but for reasons that may include construction, repairs, maintenance or emergencies as determined by the Village.
- p. A permit shall not be required for food carts or trucks that are:
 - I. Part of a Village-permitted event, or
 - II. For a private, catered event occurring on private property (private parties, reunions, weddings and the like) in any district.
- q. A street closure permit may be required in order to locate on any Village street or right-of-way where the provisions contained in this Section cannot be met. Food carts or trucks may not cater private events from either the sidewalk or road right-of-way without an approved street closure permit.
- r. The provisions of this Section shall not apply to any minor-operated business.

J. Home Based Business.

- 1. **Purpose.** To protect residents from deleterious effects of commercial uses being conducted in residential areas, the following provisions regulate and restrict commercial uses in residentially zoned districts.
- 2. **Requirements.** No home-based business shall be permitted without the prior issuance of a zoning permit for the home-based business. Permits shall be granted to a designated person who resides at the residential address. If the applicant is not the owner of the property, a letter from the owner authorizing the applicant shall be submitted with the application. Permits shall not be assigned from person to person or transferred from address to address. Home-based business permits shall expire April 30 of each year and require annual review. Once granted, permits may be renewed by paying the annual renewal fee, subject to the provisions of this Section, failure to timely apply for renewal, and/or failure to pay the annual home-based business permit or inspection fee, shall be grounds for revocation of a home-based business permit.
 - a. **Exceptions.** No home-based permit shall be required for individuals operating an office out of their residence, provided that the office meets the following use limitations:
 - I. No routine attendance of patients, clients, subcontractors, or employees associated with the home-based business as part of regular conduct of the occupation.
 - II. No merchandise shall be offered for retail sale on the premises.
 - III. No merchandise shall be offered for retail sale on the premises.

3. **Annual Inspection.**
 - a. There shall be one (1) annual inspection by the Village of the premises of a home-based business.
 - b. The Village shall have the right to enter and inspect the premises of all home-based businesses.
 - c. The Village shall have the right at any time, upon reasonable request, to enter and inspect the premises of all home-based businesses for safety and compliance purposes.
 - d. Such inspection shall only be made between the hours of 8:00 am and 5:00 pm, Monday through Friday, or may be made Saturday and Sunday during those hours, if the business is conducted on those days.
 - e. The annual inspection fee for each premise where a home-based business is conducted shall be paid within ten (10) days after such billing has been mailed by the Village.
4. **Limitation.** Only one (1) Class I or Class II home-based business shall be allowed per lot.
5. **Location Allowed.** Either the principal or accessory dwelling on a subject lot may be used as a Class I or Class II home-based business.
6. **Standards.** All home-based businesses shall conform to the following standards:
 - a. Only one (1) nonresident of the premises may be employed to work at the premises.
 - b. The applicant for a Class I or Class II Permit must reside at the location of the proposed home-based business.
 - c. No signs shall be permitted, unless authorized by the sign regulations of that district.
 - d. No exterior storage of business equipment, materials, merchandise, inventory, or heavy equipment shall be permitted. However, garage storage of business equipment, merchandise, inventory, or heavy equipment shall be permitted provided it complies with all requirements of this Ordinance and the Homewood Municipal Code.
 - e. Home based businesses shall be conducted entirely indoors.
 - f. Merchandise shall not be displayed or offered for retail sale on the exterior of the residence.
 - g. Home-based businesses providing house or office cleaning service or limousine service shall be limited to dispatching only.
 - h. Home-based businesses shall comply with the environmental performance standards in Section 44-05-13.
 - i. Off-street loading and parking requirements of Section 44-05-02 and 44-05-03 must be met.
 - j. The area set aside for home-based business use shall not exceed twenty percent (20%) of the total floor area of the residence. However, child day care homes shall be required to meet all DCFS requirements, including a designated play area for the children.
 - k. Child day care homes shall submit annually a copy of their DCFS license to the Director of Economic and Community Development.
 - l. Trucks or commercial vehicles shall not operate out of the residential premises. Any truck or commercial vehicle owned by the holder of a Class I or Class II Permit, or their immediate family, and used in the business, may, if otherwise authorized to be parked at the premises overnight, be driven from the premises in the morning and be driven onto the premises in the evening, but shall not be driven back and forth from the premises during the day.
 - m. No truck or commercial vehicle, other than a class B truck or class B commercial vehicle, as defined in the Illinois Motor Vehicle Code, may be parked or stored in any residential zoning district except as permitted in Section 44-05-02.

K. Outdoor Display / Sale of Merchandise.

1. Only those goods and materials offered for sale by the existing on-site use may be displayed or sold.
2. Permanent outdoor display or sales areas shall not be located within any required yard setback or required parking area or loading space.
3. Permanent outdoor display or sales areas shall be surfaced with an approved hard surface material. Partially paved or unpaved outdoor retail sales areas shall be prohibited.
4. Permanent outdoor display or sales areas shall not exceed ten percent (10%) of the gross floor area of the principal building on the property unless approved as a special use.

L. Outdoor Itinerant Merchants.

1. The construction or assembly of any type of display structure, although temporary, shall be prohibited.
2. The space occupied by an outdoor itinerant merchant may be no closer than one hundred and fifty feet (150') to any permanent building.
3. Only one (1) outdoor itinerant merchant may conduct business at a location at any given time.
4. No wires, signs, pennants, banners, products, or any other marketing device may be attached by, or on behalf of, the itinerant merchant to poles or structures in public lands including rights-of-way, parkways and easements.
5. An outdoor itinerant merchant may not occupy parking spaces needed to meet the minimum parking requirements as set forth in Section 44-05-01.
6. No licensee or anyone on their behalf shall use any device that emits or produces sound plainly heard on public rights-of-way to attract attention to any goods or service that such licensee proposes to sell.
7. No licensee under this Section, nor anyone in their behalf, shall use any public street, sidewalk, or alley to sell, offer for sale, or display their goods, wares, merchandise, or service unless expressly allowed in this Section.

M. Outdoor Seating for Restaurants. Outdoor seating accessory to a restaurant, bar, or craft brewery shall be allowed, provided it complies with the requirements of Chapter 12, Article VII of the Homewood Municipal Code and has been issued a permit with approval from the Health Officer.

N. Outdoor Storage, Permanent.

1. Permanent outdoor storage areas shall be surfaced with an approved hard surface material. Partially paved or unpaved outdoor storage areas shall be prohibited.
2. Outdoor storage shall not be in the required front or exterior side yard, closer to the front or exterior side lot line than the front or exterior side facing elevation of the primary building, nor ten feet (10') from the interior side or rear lot line.
3. A solid wall constructed from materials identical to those used on the exterior of the principal building and not less than six feet (6') and not more than eight feet (8') in height or landscaping of an equivalent height that provides year-round screening shall be provided to screen those portions of permanent outdoor storage areas visible from any right-of-way, excluding alleys, and/or a property in any residential, business, or special district, as listed in Section 44-02-01.
4. No signage is permitted in conjunction with the outdoor storage.
5. Such materials shall not occupy or interfere with the use of required parking spaces or aisles.
6. Any permanent outdoor storage shall meet applicable building codes.

- O. **Portable Temporary Storage Container.** Portable temporary storage containers are allowed subject to the following conditions:
1. Only one portable temporary storage container may be located on a lot at a time.
 2. No portion of any container may extend onto the public right-of-way, including but not limited to sidewalks, parkways, streets, or alleys.
 3. The portable temporary storage container shall not exceed eight feet (8') in width, twelve feet (12') in length and eight feet (8') in height, or seven hundred sixty-eight (768) cubic feet.
 4. The portable temporary storage container must be located on an impervious surface.
 5. Placement of a portable temporary storage container shall be limited to fourteen (14) days per residential lot, per calendar year.
 6. Placement of a portable temporary storage container shall be limited to thirty (30) days per commercial, public lands/open space or manufacturing lot, per calendar year.
 7. Every portable temporary storage container must be locked and secured when not being loaded or unloaded.
 8. The permit shall be prominently displayed during the approval period.
 9. The Director of Economic and Community Development may approve containers that exceed the allowable number, size, surface, or length of time.

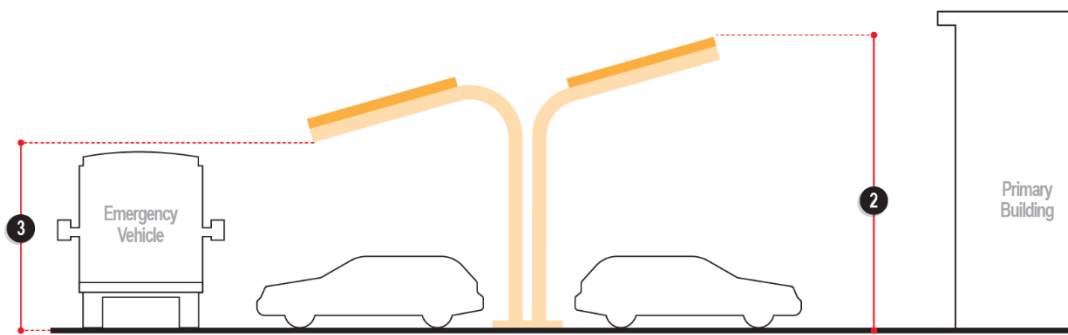
Figure 4.5. Portable Temporary Storage Container



P. Solar Energy Collection System, Canopy

1. Canopy solar energy collection systems are permitted over any parking area.
2. The height of canopy solar energy collection systems shall not exceed the height of the principal building that the parking area serves.
3. The minimum height of solar energy collection systems shall allow clearance for emergency and service vehicles.

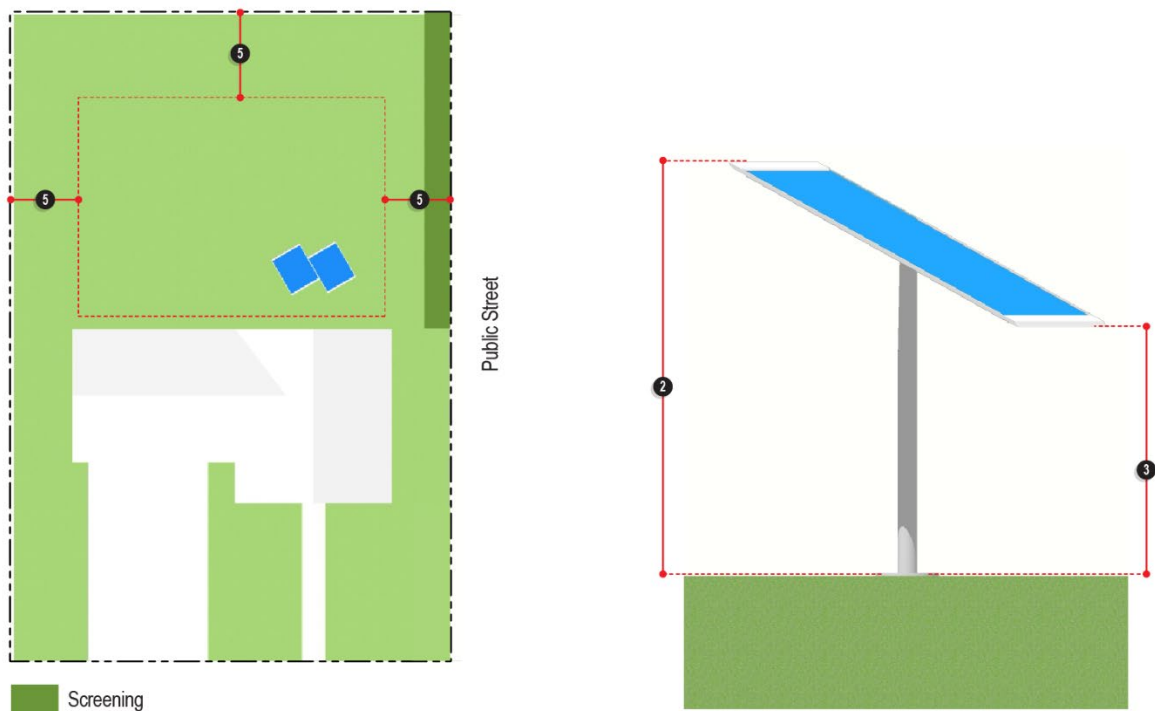
Figure 4.6. Solar Energy Collection System, Canopy



Q. Solar Energy Collection System, Ground, Less than 1 Acre Site

1. Ground-mounted solar energy collection systems shall be permitted in the rear setback only.
2. The maximum height of ground-mounted solar energy collection systems shall be five feet (5') in height, measured from the grade at the base of the pole to the highest edge of the system.
3. Minimum clearance between the lowest point of the system and the surface on which the system is mounted shall be twelve inches (12").
4. Ground-mounted solar energy collection systems shall be exempt from the impervious surface limits if the ground directly under the solar panel is plated with native plantings and groundcover.
5. All parts of the freestanding system shall be set back five feet (5') from the side and rear lot lines and shall not be located in a public utility easement.
6. Solar panels shall be screened from view from any public right of way unless otherwise approved by the Director of Economic and Community Development.

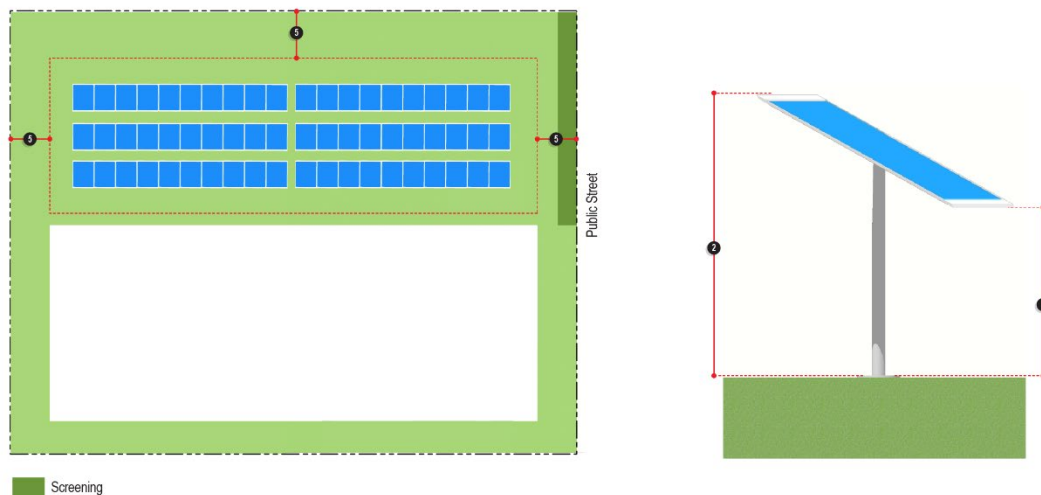
Figure 4.7. Solar Energy Collection System, Ground, Less Than 1 Acre



R. Solar Energy Collection System Ground, 1-5 Acre Site

1. Ground-mounted solar energy collection systems shall be permitted in the rear setback only.
2. The maximum height of ground-mounted solar energy collection systems shall be five feet (5') in height, measured from the grade at the base of the pole to the highest edge of the system.
3. Minimum clearance between the lowest point of the system and the surface on which the system is mounted shall be twelve inches (12").
4. Ground-mounted solar energy collection systems shall be exempt from the impervious surface limits if the ground directly under the solar panel is plated with native plantings and groundcover.
5. All parts of the freestanding system shall be set back five feet (5') from the side and rear lot lines and shall not be located in a public utility easement.
6. Solar panels shall be screened from view from any public right of way unless otherwise approved by the Director of Economic and Community Development.
7. Information regarding the owner of the property and operator of the solar energy system shall be submitted to the Village and updated with any change in the property owners or operator.
8. **Decommissioning Required.** Any solar energy use that is not actively in use for twelve (12) consecutive months the operator shall decommission the operator shall have six (6) months to fully decommission the use, including all panels, structures, accessories, and appurtenances, shall be entirely removed from the lot.
9. **Decommissioning Plan.** Prior to receiving approval, the applicant for any solar energy use shall submit a decommissioning plan to ensure that the project is properly decommissioned, which shall include:
 - a. Procedures for the removal of structures, debris, and cabling, including those below the soil surface,
 - b. Provisions for the restoration of the natural soil and vegetation,
 - c. A provision that the terms of the decommissioning plan shall be binding upon the owner or operator and any of their successors, assigns, or heirs.

Figure 4.8. Solar Energy Collection System, Ground, 1-5 Acres

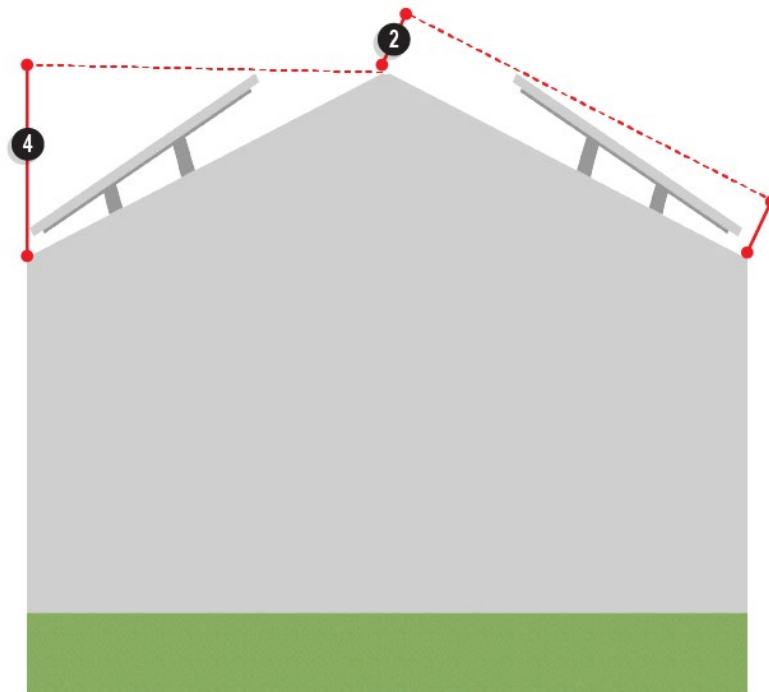


S. Solar Energy Collection System, Roof

1. Roof-mounted solar energy collection systems may be located on any roof face of principal or accessory buildings. Systems should be flush mounted when possible.
2. Systems on residential structures shall not extend beyond twelve (12) inches parallel to the roof surface of a pitched roof or flat roof.
3. Systems on nonresidential structures shall not extend beyond thirty-six (36) inches parallel to the roof surface of a pitched roof or flat roof.
4. Systems on all structures shall not extend above the highest peak of a pitched roof.
5. All materials used for racking, mounts, mounting clamps, and flashings shall be of a color consistent with the color of the roof surface to minimize visibility.

U. Tents. Unless the Village Board has granted their approval, no tent in excess of two hundred (200) square feet shall be allowed to remain for a period of more than two (2) days longer than the period with which the use it is associated is allowed to remain or, in the absence of any such restriction, ten (10) days.

Figure 4.9. Solar Energy Collection System, Roof



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Article 5. Development Standards

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44-05-01. General Off-Street Parking Requirements

- A. **General Provisions.** Off-street parking is permitted as an accessory use in all zoning districts, provided that it complies with this section. Off-street parking as a principal use is permitted only when expressly authorized by the regulations of the applicable zoning district.
 - 1. **Reduction of Required Spaces.** Any off-street parking or loading space required in connection with buildings or structures existing on 01/10/2023 shall not be removed, except in conformance with the requirements of this chapter. Any building or structure that is erected or substantially altered after the effective date of the ordinance from which this chapter is derived shall provide off-street parking and loading spaces in accordance with this section, unless otherwise approved by the Director of Economic and Community Development as an Administrative Exception (Section 44-07-06).
 - 2. **Change in Land Use.** When the existing use of a building or structure is changed to a new type of use, parking and loading facilities shall be provided as required for such new type of use, unless otherwise approved by the Director of Economic and Community Development as an Administrative Exception (Section 44-07-06).
 - 3. **Change in Intensity of Use.** When a building or structure shall undergo any increase in the number of dwelling units, gross floor area, or other unit of measurement, parking and loading facilities shall be provided for such density increase, unless otherwise approved by the Director of Economic and Community Development as an Administrative Exception (Section 44-07-06).
 - 4. **Buildings Erected Prior to 01/10/2023.**
 - a. This article shall not be construed to require the addition of any parking or loading spaces for uses in buildings or structures existing on the effective date of the ordinance.

- b. Notwithstanding Section 44-05-01(A)(3) and Section 44-05-01(A)(4), no building or structure existing on the effective date of the ordinance from which this chapter is derived shall be required to provide any additional parking spaces unless and until the aggregate increase in the required number of spaces shall be greater than fifty percent (50%) of the spaces existing on the effective date of this ordinance.
- c. Notwithstanding Section 44-05-01(A)(3) and Section 44-05-01(A)(4), no building or structure existing on the effective date of this ordinance shall be required to provide any additional loading spaces unless and until the aggregate change shall equal the full square footage for which one additional loading space is required.

B. Computation.

1. Basis for Computation.

- a. The total number of required parking and loading spaces shall be based upon the requirements for the use of the zoning lot.
- b. When more than one use occupies the same zoning lot, the number of required spaces shall be the sum of the separate requirements for each use unless otherwise approved by the Director of Economic and Community Development.
- c. When square feet are specified in Table 44-05-01(C) the area measured shall be the gross floor area of the structure(s) on the property within which the use operates.

2. Fractional Spaces. When determination of the number of required off-street parking or loading spaces results in a requirement of a fractional space, any fraction of one-half (1/2) or less may be dropped, while a fraction in excess of one-half shall be counted as one (1) parking space.

C. Required Parking and Maximum Established. All uses shall provide at least the minimum number of off-street parking spaces as detailed in Table 44-05-01(C). No use shall exceed the minimum number of off-street parking spaces required by more than twenty-five percent (25%) unless otherwise approved by the Director of Economic and Community Development.

Table 44-05-01(C): Minimum Parking Requirements	
Use	Minimum Parking Requirement
<i>Residential Uses</i>	
Dwelling, Duplex	1.5 / dwelling unit
Dwelling, Multiple Family, all units	
Dwelling, Multiple Family, above ground floor	
Dwelling, Townhouse	
Dwelling, Single Family Detached	2 / dwelling unit
Group Homes, any capacity	
Manufactured Home Park	1.5 / dwelling unit
Senior Housing, Dependent	0.5 / dwelling unit
Senior Housing, Independent	1 / dwelling unit
<i>Place of Assembly Uses</i>	
Indoor Commercial Place of Assembly	
<i>Less than 5,000 sqft</i>	1 / 300 sq ft
<i>5,000 sqft or more</i>	
Outdoor Commercial Place of Assembly	
Indoor Non-Commercial Place of Assembly	
<i>Less than 5,000 sqft</i>	1 / 300 sq ft

Table 44-05-01(C): Minimum Parking Requirements	
Use	Minimum Parking Requirement
<i>5,000 sqft or more</i>	
Outdoor Non-Commercial Place of Assembly	
<i>Retail and Mixed-Commercial Uses</i>	
Firearms Retailer	1 / 250 sq ft
Multitenant Shopping Center	
<i>Less than 5,000 sqft</i>	1 / 250 sq ft
<i>5,000 sqft or more</i>	1 / 300 sq ft
<i>Retail</i>	
<i>Less than 5,000 sqft</i>	1 / 200 sq ft
<i>5,000 sqft or more</i>	1 / 250 sq ft
<i>Service and Office Uses</i>	
Adult Day Care	
Child Care Center	
Coworking Space	1 / 300 sq ft
Financial Institution	
Hospital	1 / 200 sq ft
Laundry, Self Service	1 / 300 sq ft
Massage Therapy	1 / 250 sq ft
<i>Medical Office</i>	
<i>Less than 2,500 sqft</i>	1 / 200 sq ft
<i>2,500 sqft or more</i>	
<i>Above ground floor</i>	1 / 250 sq ft
<i>Personal Service</i>	
<i>Less than 2,500 sqft</i>	1 / 200 sq ft
<i>2,500 sqft or more</i>	1 / 250 sq ft
<i>Above ground floor</i>	1 / 200 sq ft
<i>Professional Office</i>	
<i>Less than 2,500 sqft</i>	1 / 250 sq ft
<i>2,500 sqft or more</i>	1 / 300 sq ft
<i>Above ground floor</i>	1 / 250 sq ft
Salon and Spa Establishments	1 / 200 sq ft
Tattoo Studio / Body Piercing Facility	1 / 250 sq ft
Veterinary Clinic	1 / 300 sq ft
<i>Eating and Drinking Uses</i>	
Carry-Out Facility	
Craft Brewery	
Restaurant / Bar	1 / 200 sq ft
<i>Lodging Uses</i>	
Bed and Breakfast	
Hotel	
Motel	1.5 / guest room

Table 44-05-01(C): Minimum Parking Requirements	
Use	Minimum Parking Requirement
<i>Vehicle Related Uses</i>	
Autobody Repair	1 / stall
Car Wash	
Fuel Sales	
Motor Vehicle Sales	1 / 300 sq ft
Motor Vehicle Service	1 / stall
Motor Vehicle Rental	1 / 300 sq ft
<i>Industrial Uses</i>	
Artisan Manufacturing, Assembly, Fabrication	1 / 500 sq ft of office or sales area + 1 / 1,000 sq ft of other floor area
Building Material, Machinery, and Equipment Sales or Storage	
Contractor Shop	
Commercial Kitchen	
Crematorium	
Dry Cleaner, Processing On Site	
Greenhouse, Wholesale	
Laundry, Commercial	
Light Manufacturing, Assembly, Fabrication	
Materials Salvage Yard / Recycling Operations	
Mining and Aggregate Extraction	
Printing and Publishing	
Research and Development	
Self Storage	
Warehouse, Distribution	
Utility Uses	
<i>Cannabis and Adult Related Uses</i>	
Adult Uses	1 / 250 sq ft
Cannabis Dispensing Organization	
Cannabis Infuser Organization	1 / 1,000 sq ft
Medical Cannabis Cultivation Center	
<i>Transportation Uses</i>	
Transportation Station / Terminal	1 / 300 sq ft
<i>Accessory Uses</i>	
Accessory Dwelling, Detached / Attached	1 / dwelling unit
Accessory Dwelling, Internal	
Accessory Retail / Restaurant	1 / 250 sq ft

D. Limitations on Parking Spaces.

1. **General Provisions.** All off-street parking facilities shall be solely for the parking of passenger automobiles of patrons, occupants, or employees of such use. No vehicle shall be used for living, sleeping, or housekeeping purposes. No vehicle shall be parked or stored that creates a dangerous or unsafe condition.
2. **Prohibited Uses.**
 - a. No motor vehicle repair work of any kind shall be permitted in any parking space, parking lot, or loading space. The repair, maintenance, detailing or storage of motor vehicles conducted as a business or commercial activity is prohibited in all residential districts.
 - b. Required off-street parking spaces shall not be used for the storage of materials, goods, or vehicles. Temporary uses may be permitted in compliance with this ordinance.
3. **Trucks and Limousines.** No trucks, limousines, or commercial vehicles may be parked or store in any residential zoning district, except a Class B vehicle as defined by the state motor vehicle code, in compliance with the following:
 - i. Vehicles shall display current state license plates and current village vehicle stickers.
 - ii. Vehicles shall be temporarily parked in residential zoning districts for loading and unloading purposes not to exceed one (1) hour.
 - iii. Vehicles shall be parked or stored on an approved hard surface within the rear yard or within a space that is enclosed on all sides and not open to the sky.
 - iv. Vehicles shall be maintained in a mobile condition and no repair shall be performed in any residential zoning district.
4. **Recreational Vehicles.**
 - a. **General Provisions.** In a residential zoning district, no more than two (2) recreational vehicles (as defined in Section 44-09-18(A)) may be parked or stored on any lot, and no recreational vehicle shall be parked or stored unless that vehicle complies with the following requirements:
 - i. The vehicle shall be owned by a village resident.
 - ii. The vehicle shall display a current state license plate or current village vehicle sticker, if required by state law or local ordinance.
 - iii. The vehicle shall not exceed forty feet (40') in length.
 - iv. The vehicle shall be parked or stored at the residence of the vehicle owner on a driveway or parking pad as detailed in Section 44-05-05.
 - v. The vehicle shall be maintained in good and operable condition and shall not be used for living, sleeping, or general housekeeping.
 - vi. Notwithstanding the above, a recreational vehicle may be parked or stored within a space that is enclosed on all sides and not open to the sky.
 - b. **Seasonal Exceptions.**
 - i. From April 1 to October 31, residents shall be permitted to park recreational vehicles provided the requirements of Section 44-05-01(D)(4)(a) are met and parking in the front yard is otherwise in accordance with Section 44-05-02 of this chapter.

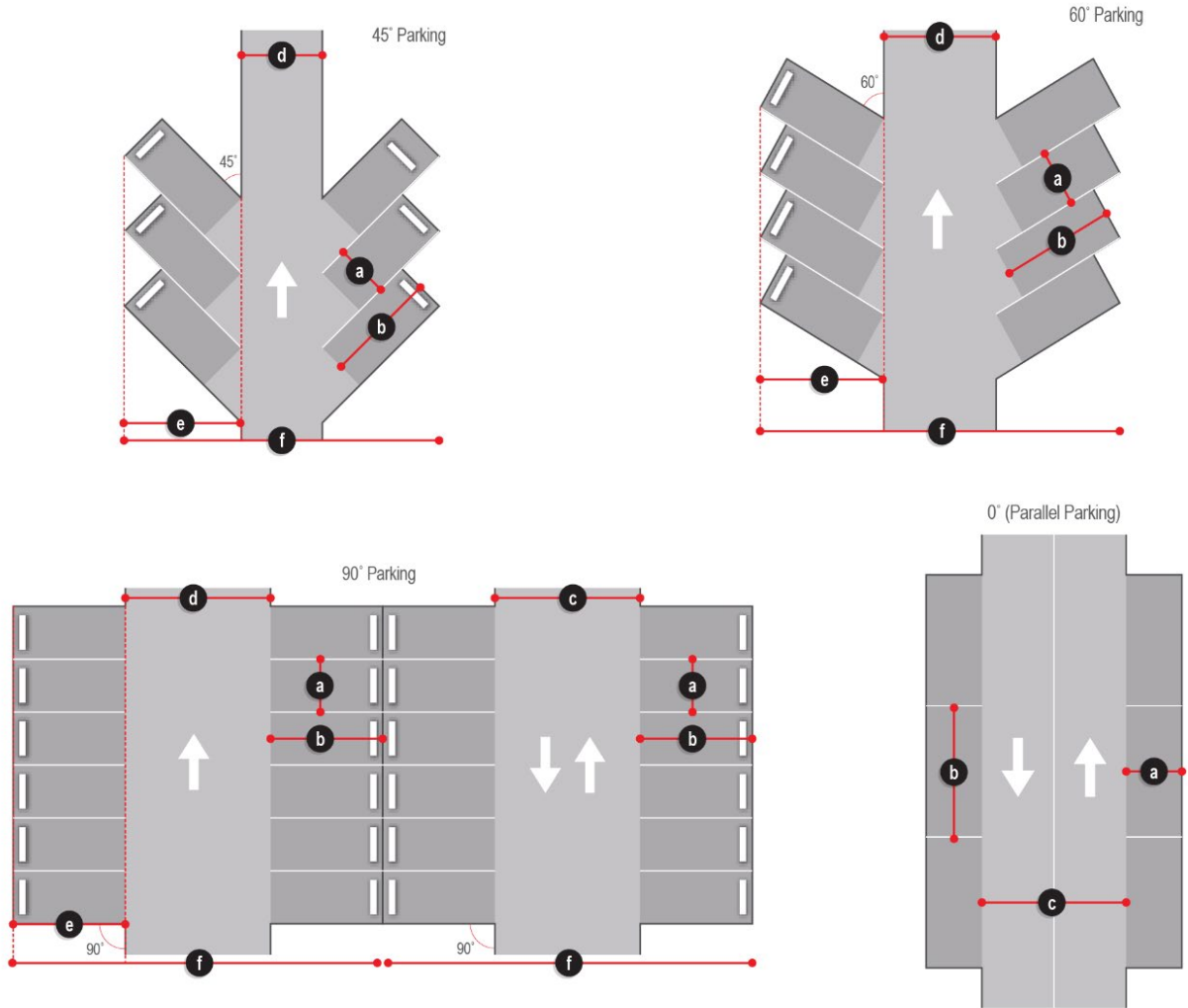
- ii. From November 1 to March 31 of the following year, recreational vehicles shall not be parked or stored in a front yard. The village manager may waive this prohibition on a case-by-case basis by issuance of a written waiver. Waivers shall be effective for a maximum five- month period and shall only be granted provided both of the following conditions are met:
 - a) The subject vehicle complies with Section 44-05-01(D)(4)(a); and
 - b) The lot in question has no vehicular access to the rear or side yard.
- c. **Non-Resident Exception.** Non-residents whose vehicles otherwise meet the requirements of Section 44-05-01(D)(4)(a) and Section 44-05-01(D)(4)(b) may, with permission of the property owner, park a recreational vehicle on a residential lot for no more than fourteen (14) days per calendar year.

44-05-02. Off-Street Parking Standards

- A. **Applicability.** The regulations of this section shall apply to multi-family residential, mixed-use, and all non-residential uses. Single family residences, duplexes, and townhomes shall comply with the requirements for Driveways Section 44-05-05.
- B. **Dimensions.** Required off-street parking spaces shall have vertical clearance of at least seven feet (7'). The dimensions of parking spaces and aisles shall be as shown in Table 44-05-02(B).

Table 44-05-02(B): Standard Parking Stall and Aisle Dimensional Requirements						
Parking Angle (Degrees)	(a)	(b)	(c)	(d)	(e)	(f)
	Space Width	Space Length	Aisle Width (2-Way)	Aisle Width (1-Way)	Space Length Perpendicular to Aisle	Full Bay Width
0	9'	21'	20'	12'	N/A	N/A
45	9'	18'	N/A	14'	16'	46'
60	9'	18'	N/A <td 16'	17'	50'	
90	9'	18'	24'	20'	18'	60'

Figure 5.1. Standard Parking Stall and Aisle Dimensional Requirements



- C. **Curb Cut Width.** The width of the curb cut at the property line shall be a minimum ten feet (10') and a maximum twenty-five feet (25'), unless otherwise approved by the Village Engineer.
- D. **Materials.** All off-street parking areas and driveways shall be improved with a hard surface pavement as specified in the current edition of the Illinois Department of Transportation Design Manual or alternate approved by the Village Engineer. Striping of the surface to define each parking space shall be provided and visible at all times.
- E. **Parking Access.**
1. A fire lane of not less than twenty feet (20') in width shall be provided where required by the fire department.
 2. All required off-street parking facilities shall have vehicular access from a street, alley, or driveway, containing all-weather, hard-surfaced pavement.
 3. All off-street parking facilities shall be provided with appropriate means of vehicular access in a manner that least interferes with traffic movements and allows the driver of the vehicle to proceed forward into traffic rather than back out.
 4. Whenever applicable, access to the off-street parking area shall be obtained from an alley or corner side street.
 5. No curb cut for entrance or exit to a property shall be allowed within feet (20') from an intersection, measured from and along the curb.
 6. No more than one access point for a property shall be allowed on each street where the property is at the corner or intersection of two (2) streets.
 7. No lot can have multiple driveways for purposes of vehicular ingress and egress without a minimum of one-hundred-fifty feet (150') of separation between such curb cuts along the same street frontage.
 8. Each required off-street parking space shall open directly upon an aisle or a driveway of such width and design as to provide safe and efficient means of vehicular access to the parking spaces.
 9. The location and route of access to such a parking area shall be identified and the route shall not transverse any other parking spaces.
- F. **Drainage.** All parking and loading areas shall be graded and drained to dispose of surface water accumulation by means of an approved stormwater drainage system. Runoff from parking lots shall be detained on-site in accordance with the Watershed Management Ordinance of the Metropolitan Water Reclamation District of Greater Chicago and Chapter 16 of the Homewood Municipal Code.
- G. **Lighting.** Parking areas of more than ten (10) spaces shall be illuminated. Illumination of off-street parking areas shall be in accordance with Section 44-05-12.
- H. **Slope.** Off-street parking and associated entrances and exits shall have a maximum eight percent (8%) slope. Access ramps and parking within parking decks shall comply with the regulations of the Building Code.
- I. **Maintenance.** Except in the M-1 and M-2 districts, no cleaning or maintenance of parking lots utilizing motorized equipment may be performed between 11:30 p.m. and 6:00 a.m. each day, except for the removal of snow.
- J. **Location of Spaces.**
1. Off-street parking spaces may be provided in surface lots, below grade, beneath a building and, in those zoning districts where specifically allowed, in parking structures.
 2. Off-street parking spaces may be located in the rear or interior side yard.

3. Parking spaces required per Section 44-05-01(C) shall be located on the same lot as the use served except for uses in the B-1 District established after the effective date of the ordinance, 01/10/2022, or unless otherwise approved by the Director of Economic and Community Development.
4. **Parking in the B-1 Downtown Core and B-2 Downtown Transition Districts.**
 - a. Within the B-1 Downtown Core and B-2 Downtown Transition Districts, uses in existence on the effective date of the ordinance, 01/10/2022, which are subsequently altered or enlarged, and all new uses may be served by parking facilities located on land other than the lot on which the use is located.
 - b. Such facilities shall be located within three-hundred feet (300') and shall be approved by the Director of Economic and Community Development, who shall consider safety standards and sound traffic design in making their decision.
 - c. In cases where parking facilities are permitted on land other than the lot on which the use is located, such facilities shall be located on property controlled by the same party who owns the lot on which the use to be served is located. Such control may be by deed or by long-term lease.
 - i. Such deed or lease shall be filed with the Director of Economic and Community Development and recorded with the office of the recorder of deeds by the village at the developer's expense.
 - ii. The deed or lease shall require the owner or his heirs and assigns to maintain the required number of parking facilities for the duration of the use served or of the deed or lease, whichever shall terminate sooner, and to notify the village if terms of the lease change.
 - iii. If the deed or lease terminates prior to the use served, the deed or lease shall not be released until the required off-street parking spaces are provided on the same lot as the use served or until another lot meeting all the requirements of this section is used to provide the required parking or until the village board grants a variance.

K. Shared Parking.

1. **Intent and Purpose.** Shared parking allowed in this subsection is encouraged a means of conserving land resources, reducing stormwater runoff, reducing the heat island effect caused by large, paved areas, and improving community appearance.
2. **Location.** All shared off-street parking allowed under this subsection shall be located within five-hundred feet (500') of each individual use to be served unless otherwise approved by the Director of Economic and Community Development.
3. **Standards.** Off-street parking and loading facilities may be reduced by twenty-five percent (25%) of the quantity required in Table 44-05-01(C) between a daytime uses and an evening or weekend use which have different peak hours of parking need. For the purposes of this Section, daytime and evening or weekend uses shall be as determined in Table 44-05-02(J)(3). A petitioner may also request a reduction for any two (2) daytime or any two (2) evening or weekend uses when the hours of peak parking do not overlap as determined by the Director of Economic and Community Development.

Table 44-05-02(K)(3) Shared Parking Uses	
Daytime Uses	Evening or Weekend Uses
Service or Office Uses	Commercial Place of Assembly Uses
Retail Uses	Eating and Drinking Uses
Non-Commercial Place of Assembly Uses	Lodging Uses
Industrial Uses	Other primarily evening or weekend uses, as demonstrated by petitioner and deemed appropriate by the Director of Economic and Community Development.
Other primarily daytime uses, as demonstrated by petitioner and deemed appropriate by the Director of Economic and Community Development.	--

4. **Requirements.** The petitioner shall provide sufficient data to indicate that there is not a substantial conflict in the principal hours of operation of the uses.

L. **Accessible Parking.** In all off-street parking facilities accessible parking spaces shall be provided. The number of accessible parking spaces shall be counted toward the total number of required parking spaces. The quantity, location, design, and markings shall be in accordance with the requirements of the latest edition of the Illinois Accessibility Code and Americans With Disabilities Act as amended.

M. Electric Vehicle Ready Charging Stations.

1. **Applicability.** All new off-street parking lots containing forty (40) or more parking spaces and any existing off-street parking area where the expansion would result in forty (40) or more parking spaces shall provide Electric-Vehicle Ready (EV-ready) parking spaces in accordance with the quantity required in Subsection (2).
2. **Quantity Required.**
 - a. All off-street parking for non-residential uses shall provide five percent (5%) of off-street parking spaces as EV-ready parking spaces.
 - b. All off-street parking for multi-family residential and mixed use shall provide ten percent (10%) of off-street parking spaces as EV-ready parking spaces.

N. **Design Requirements.** All EV-ready parking spaces required by this Section shall comply with applicable regulations of Section 44-04-14(N).

O. **Off-Street Bicycle Parking.**

1. **Applicability.** All uses requiring site plan review as specified in Section 44-07-09 shall provide off-street bicycle parking in accordance with this Section, except:
 - a. Vehicle-related uses as defined in this Ordinance.
 - b. Uses in the B-1 District.
2. **Quantity.**
 - a. Unless otherwise specified herein, the number of required bicycle parking spaces shall be one (1) space for every twenty (20) off-street parking spaces required, up to a maximum number of off-street bicycle parking spaces as deemed appropriate by the Director of Economic and Community Development.
 - b. When the required quantity of bicycle parking is two (2) spaces or less, the use shall provide a minimum of two (2) spaces in a bicycle parking area.
3. **Location.**
 - a. Required bicycle parking shall be provided on the same lot as the use for which it is intended to serve.
 - b. Bicycle parking spaces shall be adequately lit and located such that they are highly visible from the street and/or building entrance(s) from where bicyclists approach.
 - c. The location of bicycle parking shall not conflict with pedestrian and/or vehicle circulation.
 - d. Bicycle parking shall be sited within fifty feet (50') feet of a building's main entrance. If provided indoors, bicycle parking shall be located within a common area designated for secure bicycle storage.
 - e. Bicycle parking adjacent to a pedestrian walkway shall be sited to ensure that a minimum five (5) foot walkway clearance is maintained.
4. **Design Criteria.**
 - a. Bicycle racks shall be securely anchored to the ground.
 - b. Bicycle racks shall support the bicycle in at least two places, preventing it from tipping over, and shall provide multiple points of locking to secure both the frame and one or both wheels.
 - c. Bicycle racks shall accommodate a variety of bicycle types and sizes. The inverted-U or post and ring styles are preferred.
5. **Dimensional Standards.**
 - a. All bicycle parking facilities shall be designed in accordance with standards established by the National Association of City Transportation Officials or the Association of Pedestrian and Bicycle Professionals.
 - b. Each bicycle parking space shall be a minimum of six feet (6') in length.
 - c. Bicycle racks shall be located at least three feet (3') feet in all directions from any obstruction, including but not limited to other bicycle racks, walls, doors, posts, columns, or landscaping.
 - d. A minimum vertical clearance of seven feet (7') shall be maintained above all bicycle parking facilities.

44-05-03. Off-Street Loading Standards

A. Required Spaces.

1. Any building or structure, which is erected or substantially altered after the effective date of the ordinance, and which requires the receipt or distribution of materials or merchandise by trucks or other similar vehicles, shall provide at least one (1) loading space.
2. Any loading operation shall not create traffic congestion or traffic hazards on the public streets. Space allocated for an off-street loading space shall not be used to satisfy the space requirements for any off-street parking facilities. All required off-street loading spaces shall be completed before occupancy of the building or structure.

B. **Dimensions.** A required off-street loading space shall be at least twelve feet (12') in width by at least thirty feet (30') in length, exclusive of aisle and maneuvering space, and shall have vertical clearance of at least fourteen feet (14').

C. **Materials.** All open off-street loading spaces shall be surfaced with a durable, hard surfaced pavement as specified in the current edition of the Illinois Department of Transportation Design Manual or alternate approved by the Village Engineer.

D. Access.

1. Each required off-street loading spaces shall be designed with appropriate means of vehicular access to a street or alley in a manner to minimize interference with traffic movements.
2. No curb cut to access a loading spaces shall be allowed within twenty feet (20') from an intersection, measured from and along the curb.
3. No curb cut across public property that serves an off-street loading space shall exceed twenty-four feet (24') in width.

E. Location.

1. Loading spaces may be located in any interior side, exterior side, or rear yard or within the confines of a building.
2. All required loading spaces shall be located on the same lot as the use to be served and no portion of any vehicle shall, while occupying any loading space, project into a street or alley.
3. In the M-1 and M-2 districts, loading spaces for vehicles of more than two-ton capacity shall be located a minimum one-hundred feet (100') from any residence district.
4. Uses which require off-street loading facilities, but which are located in buildings or structures of less floor area than is specified for such use, shall be provided with receiving facilities, accessible by motor vehicles, off any adjacent alley, service drive, or open space on the same zoning lot.

F. **Maneuvering Space.** Every loading space shall be provided with sufficient maneuvering space on the zoning lot where it is located to allow vehicles to access and exit the space without having to make a backing movement onto any public street.

44-05-04. Sidewalk and Walkway Standards

A. Requirements.

1. Sidewalks and walkways shall be provided on-site to ensure the safety of pedestrians, bicyclists, and motorists throughout the site and to connect off-street parking to the on-site destination and public sidewalks.
2. The on-site walkways shall connect all buildings on the site to one another and provide connections to required parking spaces.
3. The on-site walkways shall connect building entrances to adjacent public sidewalks along direct routes of travel.
4. Where public sidewalks do not exist they shall be provided along each frontage to connect to adjacent properties. New sidewalks shall connect to existing sidewalks or walkways on adjacent properties, or to the likely future location of walkways on those properties. The Director of Economic and Community Development may waive this requirement upon determining that no walkway exists, a future walkway is unlikely to exist, or such connection would create a safety hazard.
5. Where driveways, parking, and loading entrance and exits cross pedestrian walkways, the pedestrian walkway shall be designed with minimal disruptions to safe, continuous pedestrian connectivity.
6. In parking lots with an interior parking lot median, pedestrian walkways shall be collocated with the median, unless otherwise approved by the Director of Economic and Community Development.
7. On-site walkways shall connect a shared parking area allowed under Section 44-05-02(K) with each use to be served.

B. **Materials.** All sidewalks and walkways shall be surfaced with a durable, hard surfaced pavement.

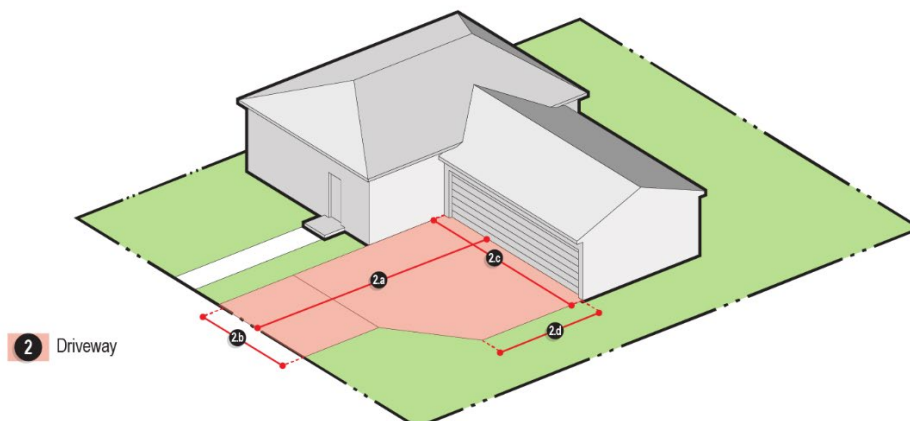
C. Design Criteria.

1. All sidewalks and walkways shall comply with Illinois Accessibility Code and ADA standards.
2. All sidewalks or walkways shall be a minimum five feet (5') in width, unless otherwise approved by the Director of Economic and Community Development.

44-05-05. Driveway

- A. **Applicability.** A driveway shall be considered the private access to parking and/or a garage for single family detached, duplex, and townhomes. All other uses shall follow the ingress/egress requirements for off-street parking.
- B. **Location.** Off-street parking shall be provided on the same lot as the dwelling(s) served.
- C. **Materials.** All driveways and parking pads shall be constructed of durable, hard surface materials suitable for the northeast Illinois climate, such as asphalt, concrete, paving units, or similar materials approved by the Village Engineer.
- D. **Driveway Standards.** All driveways, providing access from the right-of-way to legal off-street parking, shall be provided in conformance with the following criteria.
1. **Quantity.** A maximum of one driveway is permitted per principal dwelling.
 2. **Dimensions.**
 - a. **Length.** All driveways shall be a minimum length of twenty-five feet (25'), unless otherwise approved by the Director of Economic and Community Development.
 - b. **Width at Property Line.** All driveways as measured at the property line shall be a minimum width of eight (8) and a maximum width of twenty-four feet (24').
 - c. **Maximum Width.** Driveways as measured at the face of garage, is allowed a width of the garage doors plus three (3) on either side of the garage door
 - d. **Taper Required.** Driveways shall extend no more than sixteen feet (16') from the face of garage before tapering to the maximum width allowed at the property line. When a parking pad is provided, the driveway may exceed this maximum width, in compliance with the requirements of Section 44-05-05(E).
 - e. **Ribbon Driveways.** Overall dimensions of ribbon driveways shall comply with the governing dimensions of Section 44-05-05 and the following criteria.
 - i. The width of each ribbon shall be a minimum of two feet (2') and maximum of three feet (3').
 - ii. Ribbons shall be a minimum of three feet (3') between the two ribbons. The space between the ribbons shall be planted in turf grass or other ground cover plant material.
 - f. **Slope.** Driveways shall be a maximum eight percent (8%) slope, unless otherwise approved by the Village Engineer.

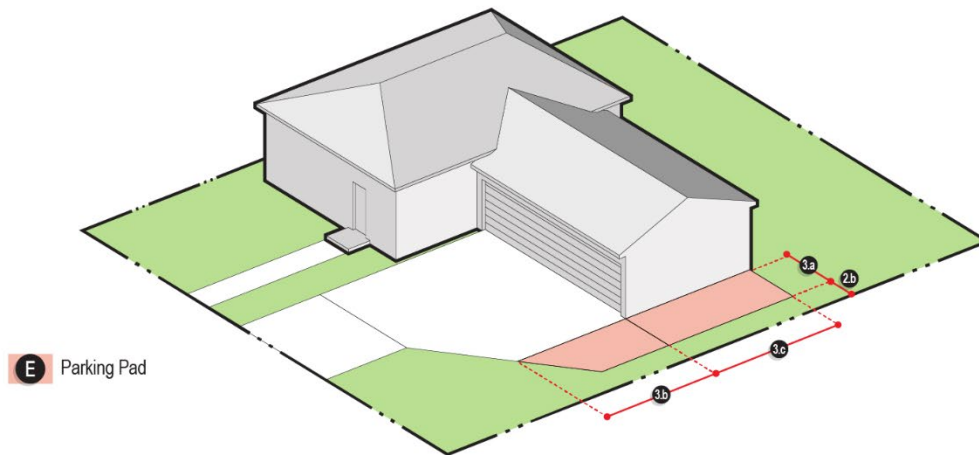
Figure 5.2. Driveway Standards



E. Parking Pad Standards.

1. **Quantity.** A limit of one parking pad is allowed for a single family detached, duplex, or townhouse dwelling.
2. **Location.**
 - a. A parking pad may be located in a front, interior side, or exterior side yard.
 - b. The parking pad shall be set back a minimum of three feet (3') from any interior side property line.
 - c. A parking pad may be located adjacent to the driveway and in front of the garage or adjacent to the garage.
3. **Dimensions.**
 - a. A parking pad shall be a maximum of ten feet (10') wide.
 - b. Any portion of the parking pad adjacent to the driveway shall have a maximum length of twenty feet (20'), as measured from the front façade line of the garage. A minimum seven (7) foot taper shall be included in the twenty (20) foot maximum.
 - c. Any portion of the parking pad adjacent to the garage shall have a maximum length equal to the depth of the garage, as measured from the front façade line of the garage.

Figure 5.3. Parking Pad Standards

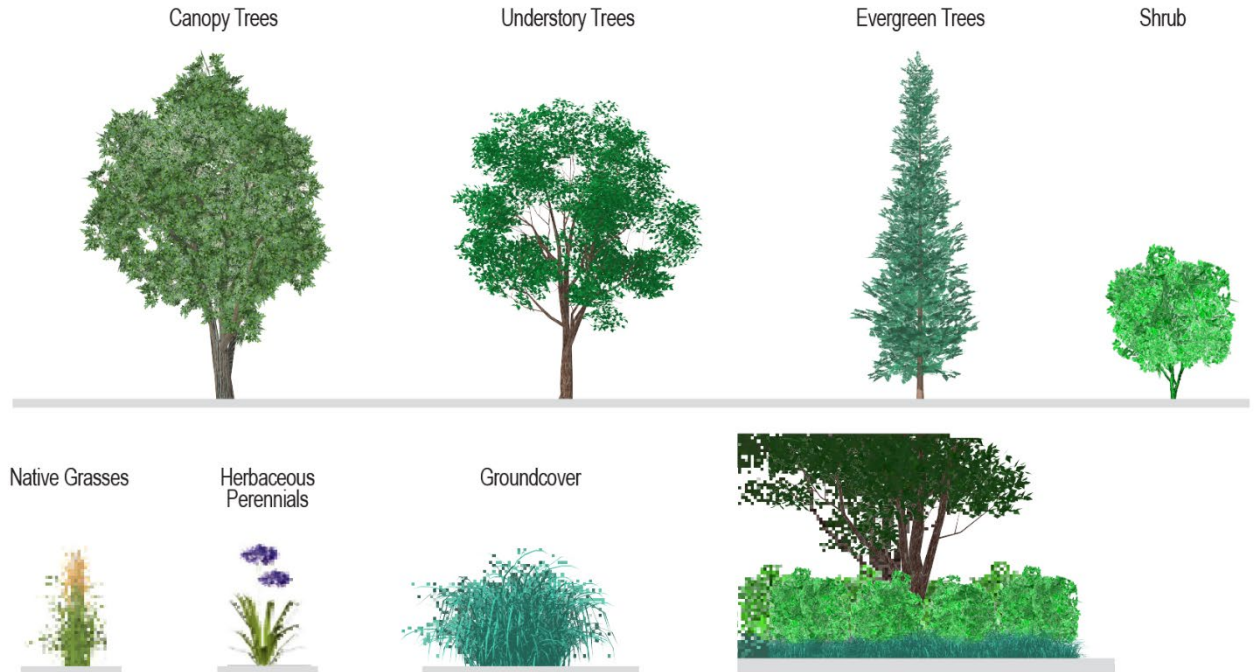


44-05-06. Landscape Requirements

- A. **Applicability.** Landscape improvements required by this Section shall apply to all multifamily, mixed use, and nonresidential development and consist of living plants in a combination of trees, shrubs, native grasses and/or groundcover.
- B. **Specification and Planting Standards.**
1. Unless otherwise stated in this Section, all size specifications for plant materials shall be based upon the time of planting. Landscape plans shall show plants at two-thirds mature growth.
 2. When caliper is specified for tree planting, the caliper of the tree trunk shall be measured twelve (12) inches from the ground.
 3. When measuring the diameter of existing trees, the measurement shall be taken four- and one-half feet (4.5') from the ground.
 4. No plants identified as an invasive species by the Illinois Department of Natural Resources Invasive Species List as published shall be allowed.
 5. Unless otherwise stated per landscape zone requirements, a minimum of seventy-five percent (75%) of each planting bed shall be covered in plant material with ground cover or organic mulch three inches (3") deep to cover all remaining area.
 6. **Plant Species Diversity Requirements.** All developments shall comply with the following plant species diversity requirements, unless otherwise approved by the Director of Economic and Community Development in conjunction with approval of vegetated stormwater management areas.
 - a. For parcels less than one-half (0.5) acre, a minimum of fifty percent (50%) of the plant material shall be drought tolerant native species.
 - b. For parcels greater than one-half (0.5) acre and less than five (5) acres, a minimum of sixty percent (60%) of the plant material on a parcel shall be drought tolerant native species. Total plant material, excluding turf and other groundcover, shall not be comprised of more than thirty percent (30%) of any single species or fifty percent (50%) percent of any genus.
 - c. For parcels greater than five (5) acres, a minimum of seventy-five percent (75%) of the plant material on a parcel that shall be drought tolerant native species. Total landscape elements, excluding turf and other groundcover, shall not be comprised of more than twenty percent (20%) of any single species or twenty-five percent (25%) of any genus.
- C. **Planting Type and Size Requirements.**
1. **Canopy Trees.** A woody plant (deciduous or evergreen) having not less than a two and one-half (2.5) inch caliper with single central axis which typically reaches a minimum forty feet (40') mature height and a minimum fifteen feet (15') mature spread.
 2. **Understory Trees.** A woody plant having minimum one and one-half (1.5") inch caliper, or six (6) feet tall for multiple stem species, that normally attains a minimum fifteen feet (15') mature height.
 3. **Evergreen Trees.** A tree having foliage that persists and remains green throughout the year and has a minimum six (6) feet height at installation and maturing to a minimum twenty feet (20') height.
 4. **Shrub.** A woody plant (deciduous or evergreen) of low to medium height characterized by multiple stems continuous from its base and a minimum two feet (2') height.

- 5. **Native Grasses.** Grasses that are native or adapted to the State of Illinois, not including noxious weeds.
- 6. **Herbaceous Perennials.** Plants with non-woody stems whose above-ground growth largely or totally dies back during winter months but whose underground plant parts (roots, bulbs, etc.) survive.
- 7. **Groundcover.** Herbaceous plants or prostrate shrubs normally reaching an average maximum height of eighteen (18) inches at maturity, not including turf grass.

Figure 5.4. Planting Types

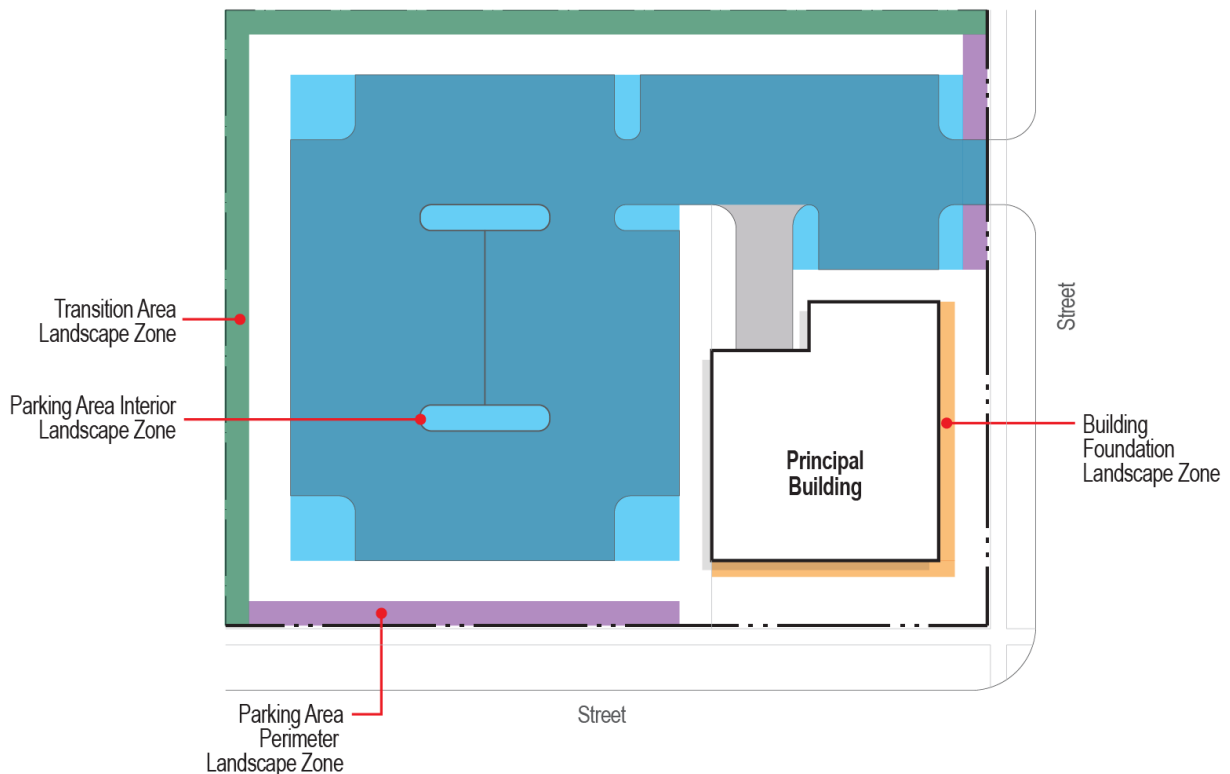


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D. Required Landscape Zones.

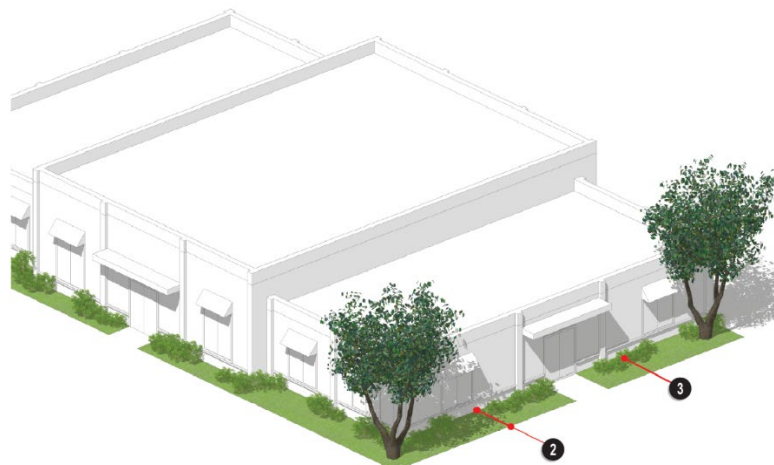
1. Figure 5.5 illustrates the location of the required landscape zones as detailed in the following sections. The requirements of each landscape zone are cumulative and the same plants shall not be counted towards meeting more than one requirement, unless approved by the Director of Economic and Community Development.
2. In the M-1 District or M-2 Districts, the Director of Economic and Community Development may approve up to a twenty-five percent (25%) reduction in the overall required amount of landscape material for areas not visible from properties in commercial or residential districts or from major thoroughfares.
3. Where it is deemed impractical to provide the required number of trees cash-in-lieu may be provided for trees not accommodated on the site as established in the Village fee schedule. The Director of Economic and Community Development shall determine and approve situations in which the tree requirements are impractical.
4. Stormwater green infrastructure is encouraged in lieu of traditional plantings for any of the required landscape zones. Creative and alternative application of the landscaping requirements may be considered when including performance landscapes.
5. The Director of Economic and Community Development may approve a landscape plan that does not meet all the minimum plant quantity requirements of this section, but is demonstrably superior to what could be achieved using the minimum standards herein and is consistent with the intent of the section.

Figure 5.5. Required Landscape Zones



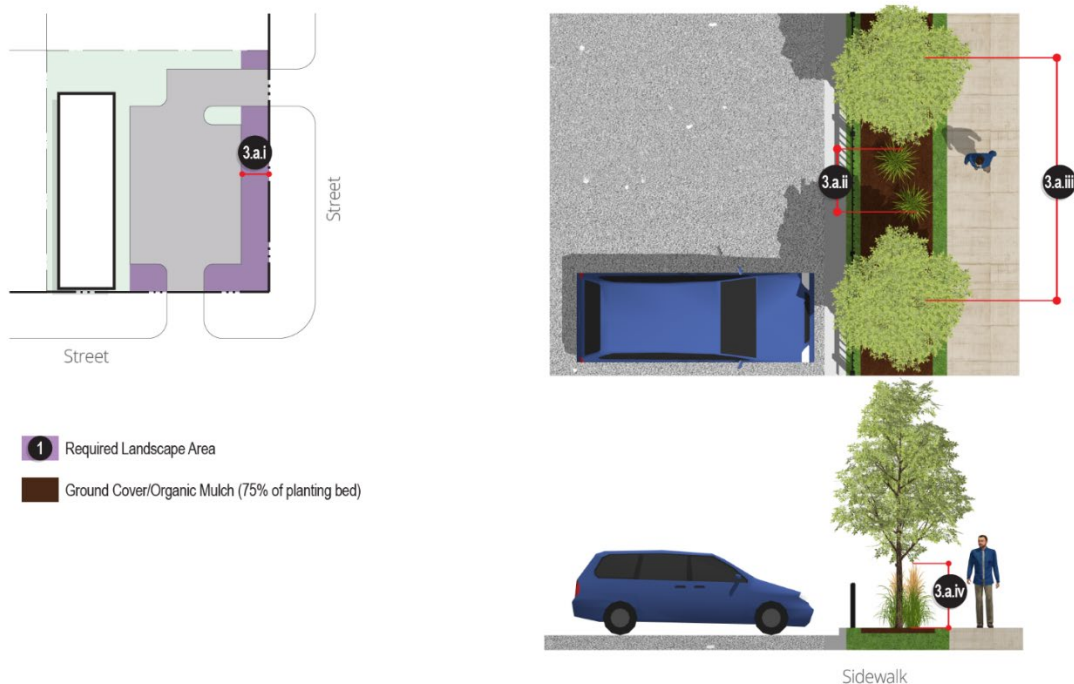
- E. **Building Foundation Landscape Zone.** The objective of building foundation landscaping is to soften the base of the building, add visual interest, and integrate the building with the site.
1. **Applicability.**
 - a. All new construction and additions or alterations subject to Site Plan Review per Section 44-07-09 shall provide the required building foundation landscaping.
 - b. When expanding or altering an existing building, the building foundation landscaping shall be required only for the area of building foundation within the proposed scope of work.
 - c. Food processing facilities regulated by the FDA are exempt from providing foundation landscaping and shall provide an approved alternative.
 - d. Buildings that have no required front yard setback shall provide an approved alternative.
 2. **Location.** Provide building foundation landscaping at front and exterior side yards with a minimum 7' width.
 3. **Requirements.**
 - a. Foundation plantings shall be installed across eighty percent (80%) of the length of the building façade unless the design and location of plantings is otherwise approved by the Director of Economic and Community Development.
 - b. Foundation plantings shall be designed to enhance architectural features and visually soften long expanses of walls.
 - c. Foundation plantings may include trees, shrubs, native grasses, and groundcover. Trees and shrubs may shade or screen but shall not obstruct windows.
 4. **Alternatives.**
 - a. Stormwater detention planters located away from the face of the building may be used in lieu of foundation plantings. Design and plant selection shall be reviewed for performance as stormwater green infrastructure.
 5. Where the area between the building and parking lot or street curb is entirely paved for pedestrian use, provide canopy trees in lieu of foundation landscaping at a quantity of one (1) tree per fifty linear feet (50') of building façade. The canopy trees shall be planted in tree pits with grates, providing a minimum structural soil six hundred (600) cubic feet of structural soil per tree pit.

Figure 5.6. Building Foundation Landscape Zone



- F. **Parking Area Perimeter Landscape Zone.** The objective of parking area perimeter landscaping is to provide screening between off-street parking areas and rights-of-way, and to facilitate the integration of stormwater management with required landscaping.
1. **Applicability.**
 - a. All new off-street parking areas shall provide perimeter landscaping.
 - b. When expanding any existing off-street parking area, provide the perimeter screening for the expanded area at a minimum.
 2. **Location.** Provide parking area perimeter landscaping for all off-street parking areas abutting a public or private right-of-way, excluding alleys.
 3. **Requirements For Lots Fronting Halsted Street.**
 - a. **Principal Building Set Back Thirty Feet (30') or Less From Back of Curb.**
 - i. Parking area perimeter landscaping shall be a minimum seven feet (7') wide as measured from the back of curb of the off-street parking area, to accommodate vehicle bumper overhang and ensure planting areas that are adequate in size.
 - ii. For every three feet (3') of landscape area length, provide a minimum of one shrub or native grass.
 - iii. For every twenty-five feet (25') feet of landscape area length, provide a minimum of one (1) canopy tree.
 - iv. The height of parking area perimeter plants shall be a minimum of three feet (3') and maximum of five feet (5') tall. Where the parking spaces are designed for the car bumper to overhang the landscape area, plantings may be lower.
 - v. Landscaped areas outside of shrubs/native grasses shall be planted in live groundcover.

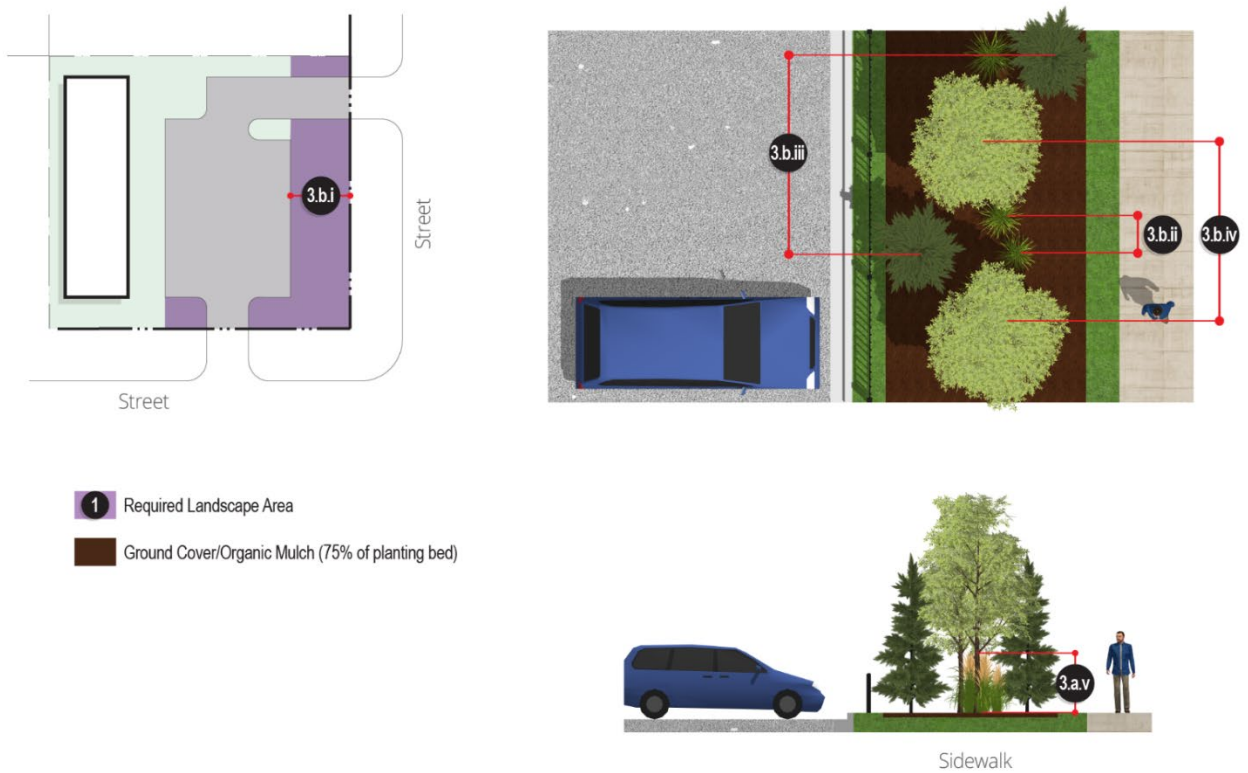
Figure 5.7. Parking Area Perimeter Landscape Zone - Halsted Street, Building 30 Feet or Less From Back of Curb



b. Principal Building Set Back Greater Than Thirty Feet (30') From Back of Curb.

- i. Parking area perimeter landscaping shall be a minimum fifteen feet (15') wide as measured from the back of curb of the off-street parking area, to accommodate vehicle bumper overhang and ensure planting areas that are adequate in size.
- ii. For every three (3) feet of landscape area length, provide a minimum of one shrub or native grass.
- iii. For every twenty-five feet (25') of landscape area length, provide a minimum of one (1) understory/evergreen tree.
- iv. For every twenty-five feet (25') of landscape area length, provide a minimum of one (1) canopy tree.
- v. The height of parking area perimeter plants shall be a minimum of three feet (3') and maximum of five feet (5') tall. Where the parking spaces are designed for the car bumper to overhang the landscape area, plantings may be lower.
- vi. Landscaped areas outside of shrubs/native grasses shall be planted in live groundcover.

Figure 5.8. Parking Area Perimeter Landscape Zone - Halsted Street, Building Greater Than 30 Feet From Back of Curb



4. **Lots Fronting All Other Roadways.** All other lots shall provide a parking area perimeter landscape zone as follows.
 - a. Parking area perimeter landscaping shall be a minimum seven feet (7') wide as measured from the back of curb of the off-street parking area, to accommodate vehicle bumper overhang and ensure planting areas that are adequate in size.
 - b. For every three feet (3') of landscape area length, provide a minimum of one shrub or native grasses.
 - c. The height of parking area perimeter plants shall be a minimum of three feet (3') and maximum of five feet (5') tall. Where the parking spaces are designed for the car bumper to overhang the landscape area, plantings may be lower.
 - d. Landscaped areas outside of shrubs/native grasses shall be planted in live groundcover.

Figure 5.9. Parking Area Perimeter Landscape Zone, Lots Fronting All Other Roadways



5. **Alternatives.**
 - a. A low masonry wall or ornamental fence a maximum of four feet (4') high may be used in conjunction with required landscaping as detailed above. Plant materials shall be installed between the sidewalk and the fence or wall to provide a softening effect. The fence or wall shall be located to provide adequate clearance from any anticipated bumper overhang.
 - b. Stormwater green infrastructure is encouraged. Design and plant selection shall be reviewed for performance as stormwater green infrastructure.

G. **Parking Area Interior Landscape Zone.** The objective of parking area interior landscaping is to provide shade within parking areas, break up large expanses of parking area pavement and mitigate heat island effects, support stormwater management, improve the appearance of parking lots as viewed from rights-of-way, and provide a safe pedestrian environment.

1. **Applicability.**

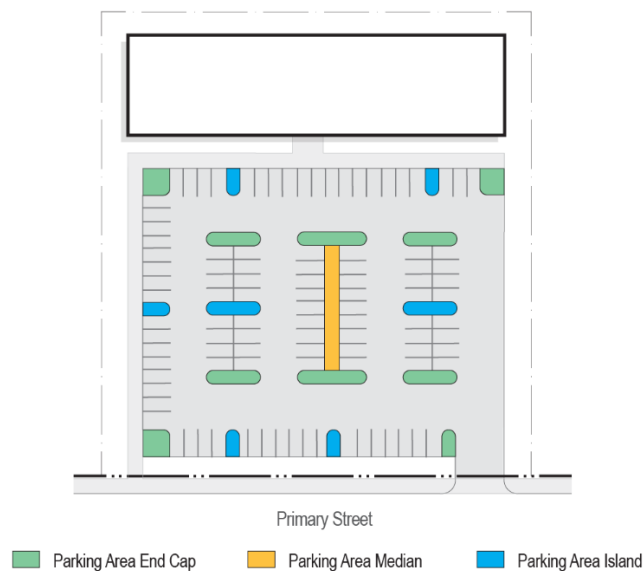
- a. All new off-street parking lots containing thirty (30) or more parking spaces shall provide all parking area interior landscaping.
- b. When expanding any existing off-street parking area where the expansion would result in thirty (30) or more parking spaces provide all parking area interior landscaping for the expanded area at a minimum.
- c. New or expanded off-street parking areas consisting of fewer than thirty (30) contiguous spaces that are located in front, exterior side, or interior side yards shall provide a parking area end cap, unless otherwise approved by the Director of Economic and Community Development.
- d. Off-street parking areas consisting of fewer than thirty (30) contiguous spaces that are located in rear yards shall be exempt from parking area interior landscape zone requirements.

2. **Requirements.** The amount of required parking area interior landscape shall be determined by the location of the off-street parking area as detailed below.

a. **Off-Street Parking Areas in Front or Side of Principal Buildings.**

- i. **Parking Area End Caps.** A parking area end cap shall be located at the end of any bay of parking bordered by a drive aisle, public or private street, or pedestrian circulation system.
- ii. **Parking Area Medians.** Parking area medians shall be placed between every third bay of parking.
- iii. **Parking Area Islands.** Parking area islands shall be located on parking bays which are not required to have parking area medians. Parking area islands shall be spaced not more than ninety feet (90') or ten (10) continuous spaces apart.

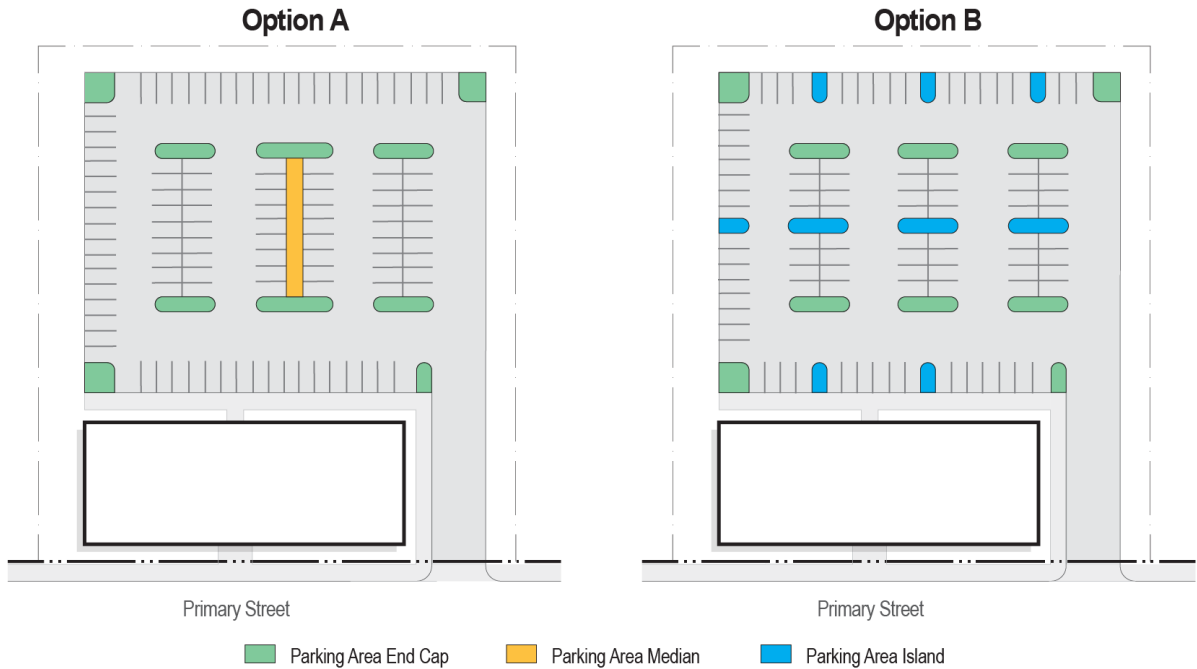
Figure 5.10. Parking Area Interior Landscape Zone For Parking Areas in Front or Side of Principal Building



b. **Off-Street Parking Areas in Rear of Principal Building.**

- i. **Parking Area End Caps.** A parking area end cap shall be located at the end of any bay of parking bordered by a drive aisle, public or private street, or pedestrian circulation system.
- ii. **Parking Area Medians or Parking Area Islands.** The developer may choose to install either parking area medians or parking area islands, in compliance with the requirements above.

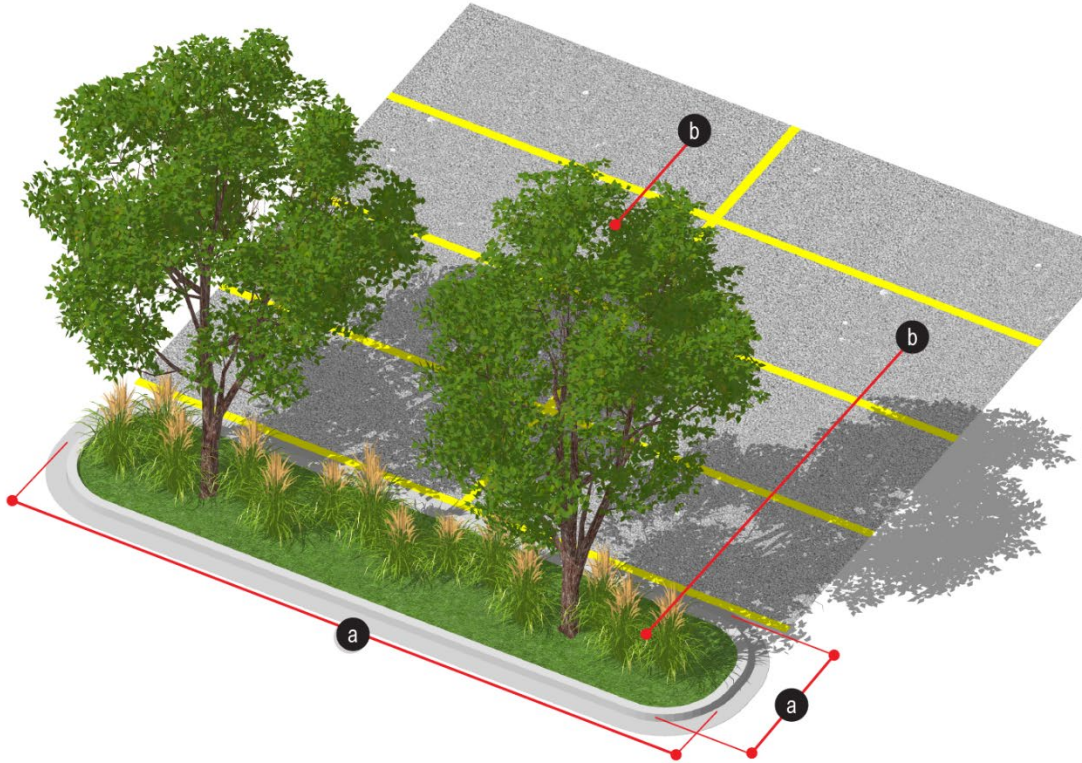
Figure 5.11. Parking Area Interior Landscape Zone For Parking Areas in Rear of Principal Building



3. **Parking Area End Cap Standards.**

- a. **Size.** Parking area end caps shall be a minimum nine feet (9') wide by eighteen feet (18') long. Double rows of parking shall provide parking area end caps opposite one another to form continuous single end cap.
- b. **Planting.** A minimum of one (1) canopy tree and three (3) shrubs or native grasses shall be provided for every parking area end cap. If the end cap extends the width of a double bay, then two (2) canopy trees shall be provided.

Figure 5.12. Parking Area End Cap Standards



4. **Parking Area Median Standards.**

- a. **Size.** Parking area medians shall have a minimum width of nine feet (9') and run the full length of the parking bay.
- b. **Planting.** A minimum of one (1) canopy tree and fifteen (15) shrubs or native grasses shall be planted for each fifty linear feet (50') of parking area median.

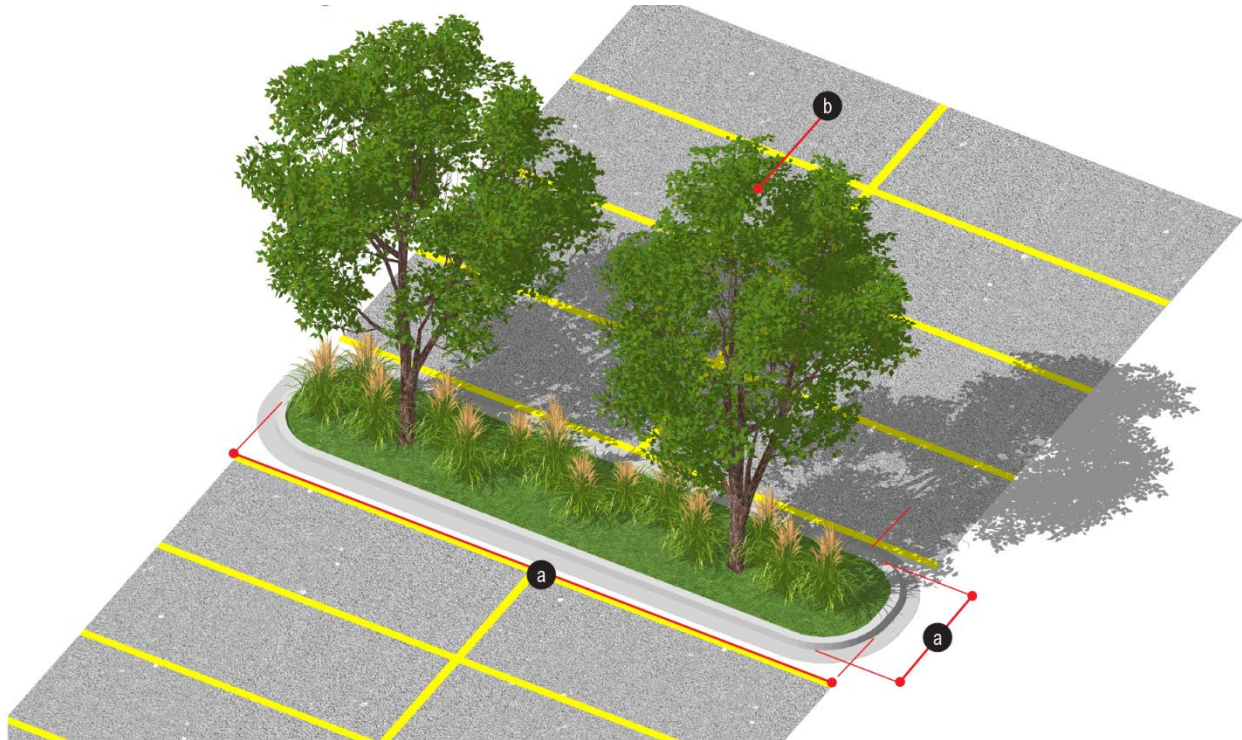
Figure 5.13. Parking Area Median Standards



5. Parking Area Island Standards.

- a. **Size.** Parking area islands shall be a minimum nine (9') feet wide by eighteen feet (18') long. Double rows of parking shall provide parking area islands opposite one another to form continuous single islands.
- b. **Planting.** A minimum of one (1) canopy tree and three (3) shrubs or native grasses
- c. shall be provided for every parking area island. If the island extends the width of a double bay, then two (2) canopy trees and six (6) shrubs or native grasses shall be provided.

Figure 5.14. Parking Area Island Standards



6. General Standards.

- a. All landscape areas shall have a minimum thirty-six inches (36") of soil depth.
- b. All interior parking area landscaping shall be protected with concrete curbing or other suitable barriers approved by the Director of Economic and Community Development and shall be properly drained or irrigated as appropriate to the site conditions to ensure survivability of plant materials or proper stormwater management function.
- c. Canopy trees shall be the primary plant materials used in parking area islands, and canopy trees and shrubs or native grasses shall be the primary plant materials used in parking area medians.
- d. Understory trees, evergreen trees, shrubs, native grasses, groundcover, and other plant materials may be used to supplement the required plantings but shall not create visibility concerns for automobiles and pedestrians.
- e. If medians or islands are designed as stormwater management areas, deviations from required plantings may be approved by the Village Engineer or Village Arborist.
- f. Where landscape areas are identified for stormwater green infrastructure function, design and plant selection shall be reviewed for performance as stormwater green infrastructure.

H. **Transition Zone Landscape Requirements.** The objective of transition zone landscaping is to minimize land use conflicts and enhance aesthetics between different use types. It is not expected that the transition area will totally screen such uses.

1. **Applicability.**

- a. All new construction and additions or alterations subject to Site Plan Review per Section 44-07-09 shall provide the required transition zone landscaping.
- b. When expanding any existing building, provide the transition zone landscaping for the expanded area at a minimum.
- c. All new uses in an existing development shall provide transition zone landscaping, unless otherwise approved by the Director of Economic and Community Development.

2. **Location.** Transition zone landscaping shall be provided along interior property lines. Required yard setbacks may be used for transition zone landscape.

3. **Transition Zone Type Requirement.** Transition zones shall be provided based on the land use of the subject property and the land use of the adjacent property, provided in Table 44-05-06(H)(3). The Director of Economic and Community Development may waive requirements where adjacent uses are of a similar nature, scale, and intensity.

Table 44-05-06(H)(3): Application of Transition Zone Types											
Subject Lot Land Use	Adjacent Lot Land Use										
	<i>Cannabis and Adult Use</i>	<i>Industrial</i>	<i>Vehicle Related</i>	<i>Eating/Drinking</i>	<i>Lodging</i>	<i>Service and Office</i>	<i>Retail</i>	<i>Place of Assembly</i>	<i>All Other Residential</i>	<i>Single-Family Detached and Duplex</i>	<i>Agricultural and Open Space</i>
<i>Agricultural and Open Space</i>	-	-	-	-	-	-	-	-	-	-	-
<i>Single-Family Detached and Duplex</i>	-	-	-	-	-	-	-	-	-	-	-
<i>All Other Residential</i>	D	C	B	B	B	B	B	B	A	C	-
<i>Place of Assembly</i>	D	C	B	B	B	B	B	A	B	C	-
<i>Retail</i>	C	B	A	A	A	A	A	A	B	C	-
<i>Service and Office</i>	C	B	A	A	A	A	A	A	B	C	-
<i>Lodging</i>	C	B	A	A	A	A	A	A	B	C	-
<i>Eating/Drinking</i>	C	B	A	A	A	A	A	A	B	C	-
<i>Vehicle Related</i>	C	B	A	A	A	A	A	A	B	C	-
<i>Industrial</i>	C	D	D	D	D	D	D	D	D	D	C
<i>Cannabis and Adult Use</i>	B	C	B	B	B	B	B	A	B	C	-
<i>Transportation</i>	D	C	B	B	B	B	B	B	B	C	-

4. **Transition Zone Types.** Four transition zone types are established in recognition of the different contexts that may exist, as shown in Table 44-05-06(H)(4).

Table 44-05-06(H)(4): Transition Zone Types					
Specification		Type A	Type B	Type C	Type D
(a)	Minimum Zone Width	5 feet	10 feet	15 feet	20 feet
(b)	Minimum Fence/Wall Height	optional	optional	6 feet	6 feet
<i>Minimum Number of Landscape Elements per 100 Linear Feet</i>					
(c)	Canopy Tree	4	3	4	5
(d)	Understory/Evergreen Tree	optional	3	4	5
(e)	Shrubs/Native Grasses	optional	15	25	35

Figure 5.15. Transition Zone Type A



Figure 5.16. Transition Zone Type B

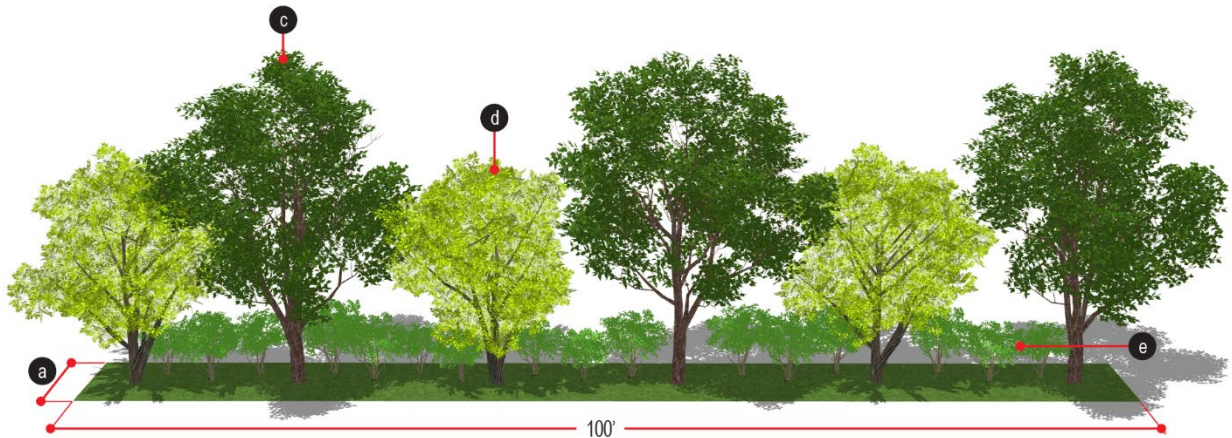


Figure 5.17. Transition Zone Type C

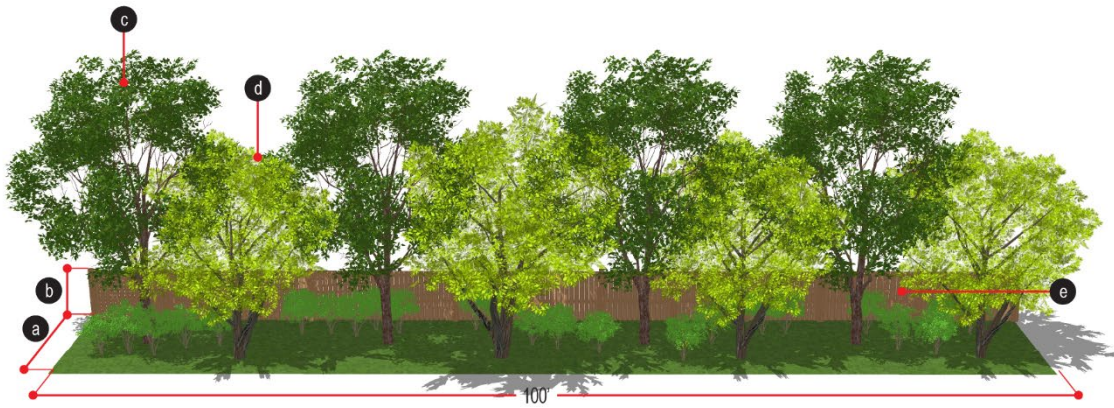


Figure 5.18. Transition Zone Type D



a. **Alternatives Allowed.**

- i. Fence or wall requirements specified in Table 44-05-06(H)(4) may be satisfied by a solid evergreen or arborvitae hedge with a maximum six feet (6') in height, as approved by the Director of Economic and Community Development.
- ii. Fewer trees than required in Table 44-05-06(H)(4) may be provided when providing a swale planted with natural grasses to provide stormwater green infrastructure. Design and plant selection shall be reviewed for performance as stormwater green infrastructure.

I. Installation and Maintenance of Landscape Areas.

1. All installed landscape shall conform to the most recently approved American Standard for Nursery Stock (ANSI Z60.1), published by the American National Standards Institute.
2. The Director of Economic and Community Development may approve, on a case-by-case basis, an exception to the requirement for installation of landscaping prior to approval of a Certificate of Occupancy for applications submitted between November 1 and April 30. Exceptions shall only be approved in accordance with the procedures and requirements below.
 - a. The applicant or their designee shall provide a written request to the Community Development Department for an exception prior to or concurrent with the submission of a Certificate of Occupancy application. The written request shall include an estimate for the anticipated installation (commencement and completion), and contact information.
 - b. The written request shall be submitted with all of the following:
 - i. Quote from the landscape architect or landscaping professional for all landscape elements included in Village-approved landscape plans and installation/labor costs. Where landscaping has been partially completed, the quote shall include only the remaining elements and installation/labor costs.
 - ii. A copy of the approved landscape plan upon which the quote is based. Where landscaping has been partially completed, the remaining elements must be clearly identified on the plans.
3. Dead plant materials shall be replaced within sixty (60) days taking into consideration the season of the year and shall have at least the same quantity and quality of landscape elements as initially approved. If the particular project is constructed in more than one (1) phase, the sixty (60) day timeframe shall apply to each individual phase.
4. All landscape shall be maintained in a healthy, neat, trimmed, clean, and weed-free condition. With the exception of surface areas in vegetated stormwater management areas where mulch is not specified, the ground surface of landscape areas shall be covered with either turf and/or other types of pervious groundcover located beneath and surrounding trees and shrubs.
5. For stormwater management areas where irrigation is not specified, all installed plantings shall be guaranteed for a period of eighteen (18) months following municipal approval of installation. During this guarantee period landowner shall supply water as necessary to promote successful establishment and growth.
6. All plantings required under this ordinance, including landscaping installed pursuant to an approved landscape plan, shall be maintained perpetually and replaced if they die or are substantially weakened or damaged. If plantings succumb due to disease or environmental conditions, they shall be replaced with more suitable or appropriate species of the same type (e.g. tree, shrub, groundcover).

44-05-07. Tree Preservation.

A. **Applicability.** All property within the Village shall require an approved tree preservation and removal plan prior to removing any existing living and healthy trees as determined by the Village Arborist with twelve (12) inches diameter or greater.

B. **Measurement Standard.** Diameter is measured at four and a half feet (4.5') from the ground.

C. **Requirements.**

1. The tree preservation and removal plan shall include an inventory of all trees subject to tree preservation.
2. The plan shall indicate the location, size, species, and health of the tree as determined by a certified arborist or landscape architect.
3. The plan shall be prepared by a certified arborist or landscape architect and approved by the Village Arborist.
4. Every reasonable effort shall be made to incorporate trees identified in the inventory into the landscape required for the proposed development.
5. Prior to granting approval to remove a mature, high-quality tree the Village Engineer or Village Arborist must determine that one of the following criteria apply:
 - a. The tree is dead, dying, diseased, or a threat to public health or safety.
 - b. The tree interferes with the provision of public services or is a hazard to traffic.
 - c. The location of the tree prevents development or redevelopment that cannot be designed to protect the tree.
 - d. The tree is an identified invasive species.
6. All trees subject to tree preservation approved for removal shall be replaced in accordance with the following standards:
 - a. The trees to be removed shall be replaced within one (1) year of the date of approval and guaranteed as detailed in Section 44-05-07(C)(6)(d).
 - b. All replacement trees shall have a minimum diameter of two and one-half (2 ½) inches at the time of installation.
 - c. The trees plan shall be replaced at the rate specified in Table 44-05-07(C)(6)(d). Replacement trees may be used to satisfy the landscape requirements of this Section.

Table 44-05-07(C)(6)(c): Tree Replacement Rate	
<i>Diameter of Tree to be Removed</i>	<i>Number of Replacement Trees Required</i>
12-24 Inches	3
Greater than 24 Inches	4

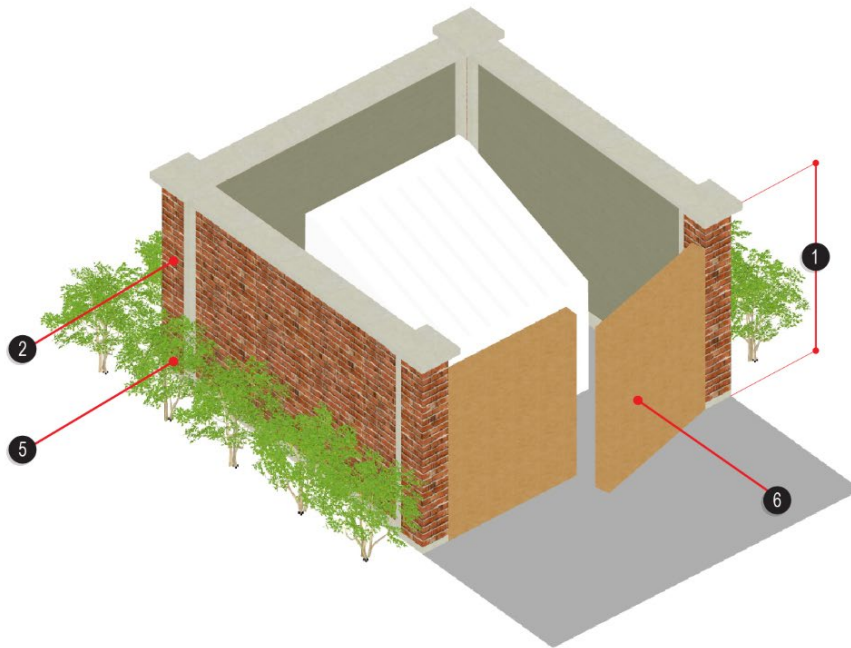
7. **Fee-In-Lieu Option.** An applicant may provide a fee-in-lieu as established in the Village of Homewood fee schedule instead of the tree replacement requirements of this Section.

D. **Trees Damaged During Construction.** In the event that a tree designated for preservation is destroyed, damaged, or removed during the construction process, the property owner shall be assessed a fine for the tree based on a landscape value equation, determined by the Village Arborist. The value of a tree shall be determined by the Village Arborist in accordance with the methods developed by the Council of Tree and Landscape Appraisers in the most recent Guide for Plant Appraisal.

44-05-08. Screening

- A. **Applicability.** All screening requirements of Section 44-05-08 shall apply to all uses except single family detached dwellings, duplexes, or townhomes.
- B. **Grease Traps, Trash, and Recycling Receptacles.**
 - 1. **Requirement.** Grease traps, trash, and recycling receptacles shall be screened on all four sides with solid, opaque materials, including the gate.
 - 2. **Location.**
 - a. Grease traps, trash, and recycling receptacle enclosures shall not occupy areas designate for required parking spaces or loading spaces.
 - b. Enclosures shall not be located in the front or exterior side yard setback, unless otherwise approved by the Director of Economic and Community Development.
 - 3. **Dimensions.**
 - a. Walls shall be a minimum six feet (6') and a maximum eight feet (8') tall.
 - b. Enclosures shall be of an adequate size to accommodate expected containers. The enclosure shall be designed to be expandable to accommodate future additional containers.
 - 4. **Materials.**
 - a. Materials used for screening shall complement the exterior building cladding materials of the primary building.
 - b. Materials and elevations for enclosures that are attached to buildings shall be designed to be integrated into the primary building.
 - 5. **Landscaping.** Shrubs or native grasses shall be installed every three feet (3') along the exterior of the enclosure, with the exception of enclosure openings, to provide a softening effect.
 - 6. **Operations and Maintenance.**
 - a. Enclosure openings shall be kept closed at all times except for when the receptacle is being accessed.
 - b. Property owners shall be responsible for ensuring that grease traps, trash, and recycling receptacles be placed in the enclosure at all times other than when it is being accessed.
 - c. Access drives shall be constructed of durable, hard-surfaced materials and to a thickness to accommodate truck loading. Year-round access to the enclosure area for service trucks shall be maintained by the property owner or tenant.
 - d. Enclosure structures shall be designed to protect the walls from damage by containers. Such protection may be provided by the use of barrier curbing, reinforced masonry walls, bollards, bumpers, or other similar means.

Figure 5.19. Grease Traps, Trash, and Recycling Receptacles



C. Ground or Wall Mounted Building Equipment.

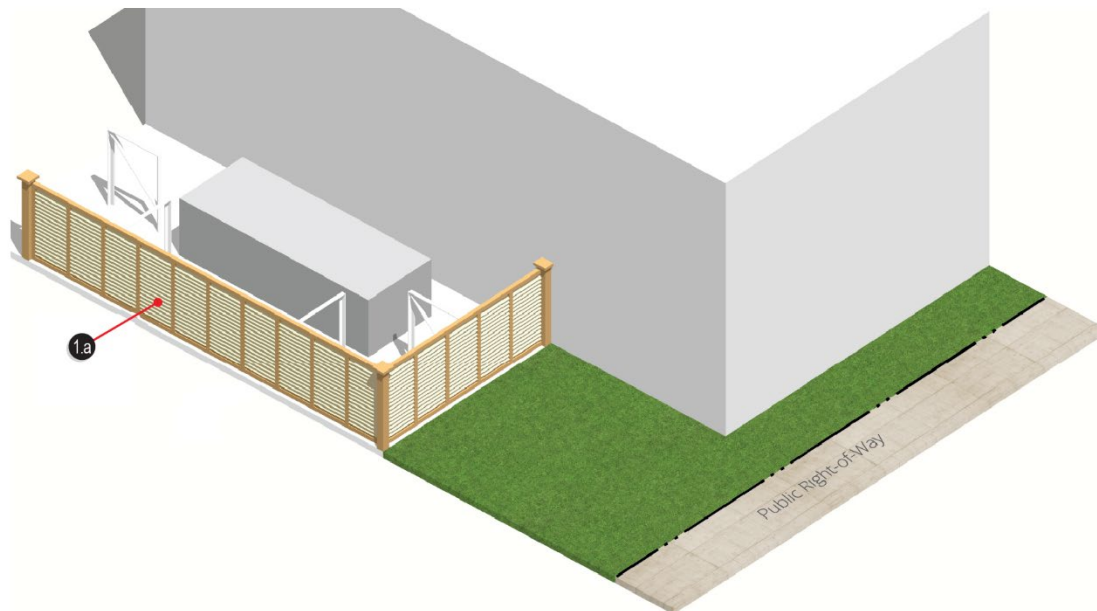
1. Requirements.

- a. Provide screening for all ground or wall-mounted building equipment, including but not limited to: generators, air-conditioning condensers, heat pumps, ventilation units, and any related utility structures and equipment.
- b. Tanks and / or silos accessory to a brewery, winery, and/or distillery are exempt from these requirements.
- c. Provide screening for equipment that is visible from any public right-of-way or adjacent property. Equipment that is located in an interior side or rear yard and is otherwise screened by landscaping, fence, or building or distance so that it is not visible from the right-of-way or adjacent property shall not require additional screening.
- d. Locating building equipment within the building, as practical, is encouraged in order to minimize exterior visual impacts. Ground mounted equipment is prohibited within the front yard, regardless of whether screening is provided.

2. Materials.

- a. Materials used for screening shall be designed and established so that the area or element being screened is no more than twenty percent (20%) visible through the screen. Evergreen hedges or non-transparent walls such as stone masonry shall be allowed.
- b. Chain-link fence or slats in chain-link fence are prohibited for meeting this requirement.

Figure 5.20. Ground or Wall Mounted Building Equipment Screening



D. Roof Mounted Building Equipment.

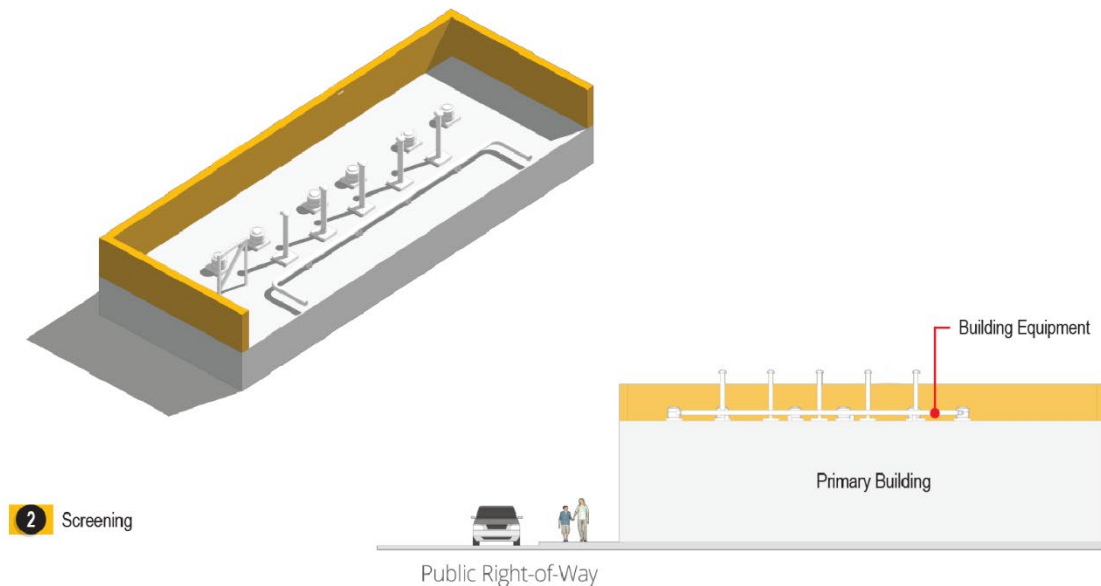
1. Requirements.

- a. Provide screening for all roof-mounted building equipment, including but not limited to: air-conditioning condensers, heat pumps, ventilation units, and any related utility structures and equipment.
- b. Locating building equipment within the primary building, as practical, is encouraged in order to minimize exterior visual impacts.
- c. Provide complete screening from the public view for equipment that is visible from any public right-of-way.
- d. Screening shall be required when new equipment is installed and shall be provided around both new and existing roof mounted mechanical units in order to provide visual continuity. Normal maintenance of roof mounted mechanical units shall not mandate the screening requirements.

2. **Materials.** Materials used for screening shall be architecturally integrated with the building and shall be continuous and permanent.

3. **Loading Docks and Truck-Parking Areas.** Loading docks and truck-parking areas that are visible from any property in a residential district shall be completely screened from view with a Type D transition zone as specified in Table 44-05-06(H)(3).

Figure 5.21. Roof Mounted Building Equipment Screening



44-05-09. Fences

A. General Provisions.

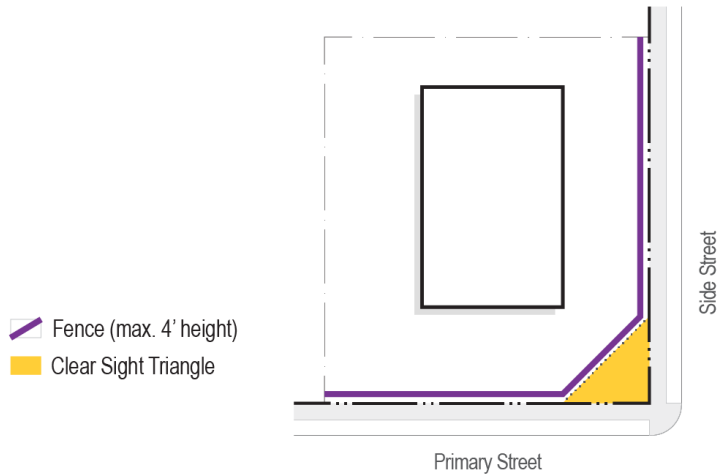
1. **Permit Required.** Prior to the erection of any fence, a fence permit shall be required as detailed in Section 10-130 of the Village of Homewood Code of Ordinances
2. **Location.** All fences shall be located outside of the clear sight triangle as detailed in Section 44-05-10 and in conformance with the placement requirements of Chapter 10.
3. **Dimensions.** Fence height shall be measured from grade to the top of the fence materials, including posts, and shall follow grade along its length. A deviance of six (6) inches shall be allowed to compensate for minor grade changes.
 - a. Exception: Ornamental caps on fence posts may be excluded from the overall height.
 - b. When placement of the fence requires installation above grade to allow for stormwater drainage, the distance from grade to the bottom of the fence may be subtracted from the overall fence height.
4. **Materials.**
 - a. Permitted fence materials shall be only those materials which are designed and intended for use in fence installations and shall be limited to:
 - i. Wood, chemically treated or naturally resistant to decay,
 - ii. Wood Composites,
 - iii. Aluminum,
 - iv. Vinyl/PVC,
 - v. Wrought Iron,
 - vi. Chain link without slats, and
 - vii. As approved by the Director of Economic and Community Development.
 - b. Prohibited materials include: barbed wire, razor wire, or makeshift materials such as plywood or tarps.
 - i. Exception. In the M-1 and M-2 Districts, barbed wire may be utilized in interior side and rear yard fences and shall be limited to a maximum one (1) foot height, and a maximum three (3) strands of wire. The barbed wire shall not be included in the determination of fence height.

B. Fences on Lots with Single-Family Detached, Duplex Dwellings, and Townhomes.

1. Front and Exterior Side Yards.

- a. Fences in front and/or exterior side yards may have a maximum four feet (4') in height.
- b. Fences in front yards and/or exterior side yards shall be an open-style ornamental fence with a maximum of fifty percent (50%) solid.

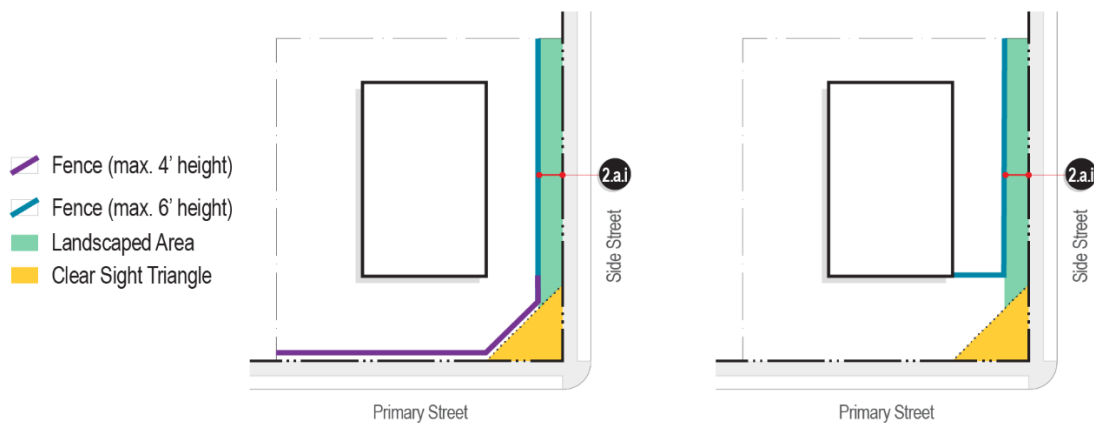
Figure 5.22. Front and Exterior Side Yard Fence Location on Lots With Single-Family Detached, Duplex, or Townhouses



2. Exterior Side Yard Exception.

- a. Fences in exterior side yards may have a maximum height of six feet (6') compliant with the following:
 - i. The fence is located a minimum of three feet (3') feet from the property line; and
 - ii. The area between the fence and the property line is landscaped with a combination of shrubs, native grasses, and perennials to cover a minimum seventy-five percent (75%) of the planting bed along the full length of the fence fronting the street.
 - iii. Fences complying with these requirements may be eighty percent (80%) solid.

Figure 5.23. Exterior Side Yard Fence Location Exception on Lots With Single-Family Detached, Duplex, or Townhome Uses



3. Interior Side and Rear Yards.

- a. Fences in interior side and rear yards may have a maximum height of six feet (6').
 - b. Fences in interior side and rear yards may be one hundred percent (100%) solid.
4. Fence materials utilized in front yards and/or exterior side yards shall complement fence materials utilized in other yards.

C. Fences on Lots with Multifamily, Mixed Use, and Nonresidential Uses.

1. Height.

- a. Fences may have a maximum height of six feet (6').
- b. In the M-1 and M-2 Districts, fences may have a maximum height of eight feet (8').

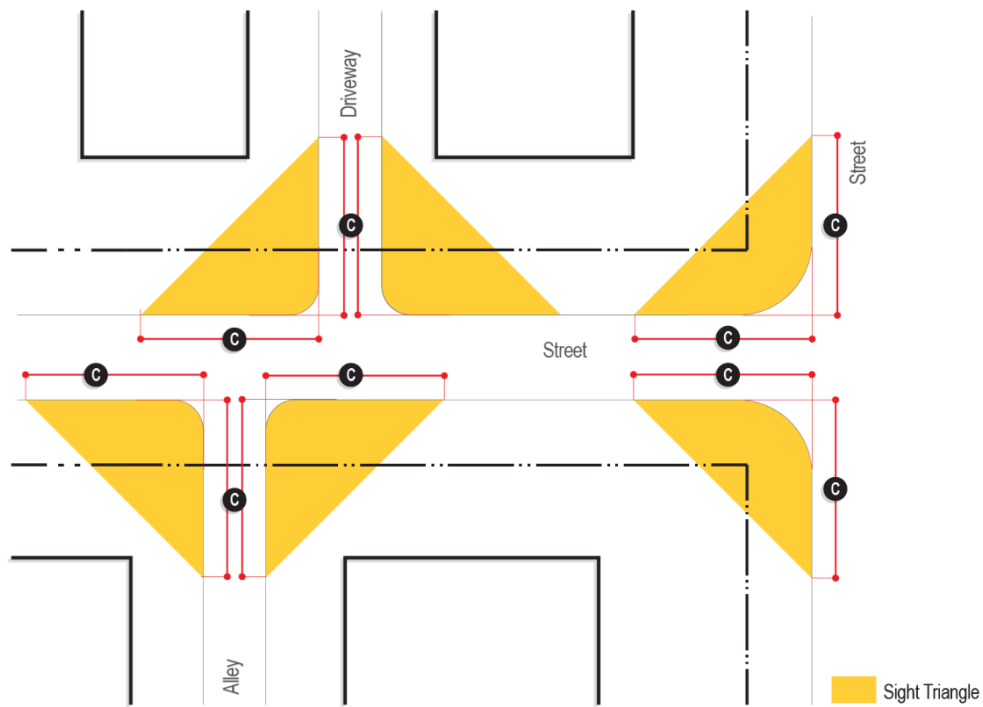
2. Location.

- a. Fences shall be located in rear and interior side yards only.
- b. In the M-1 District or M-2 District, fences may be also be located in exterior side yards.
- c. Ornamental fences may be located in a front or exterior side yard for parking lot perimeter screening.

44-05-10. Clear Sight Triangle

- A. Unobstructed visibility shall be maintained at the intersection of any driveway and right-of-way, and at the intersection of two or more streets. Such area of unobstructed visibility shall be referred to as a clear sight triangle.
- B. The clear sight triangle shall be measured perpendicular to and starting at the back of curb of each intersecting street or driveway.
- C. The minimum distance at any intersection shall be fifteen feet (15'). Greater distances may be required based on the criteria of the American Association of State Highway and Transportation Officials (AASHTO), the Illinois Department of Transportation (IDOT), and the discretion of the Village Engineer.
- D. The maximum height of any building or structure within the clear sight triangle shall be three feet (3') feet.

Figure 5.24. Clear Sight Triangle



44-05-11. Design Standards

A. Applicability.

1. Design Standards of Section 44-05-11 shall apply to all uses except single family detached dwellings, duplexes, or townhomes.
2. The Appearance Commission shall review building elevations for compliance with the regulations herein, and conformance to the Appearance Plan, per Chapter 28, Article II of the Municipal Code.
3. All new construction and additions or alterations subject to Site Plan Review per Section 44-07-09 shall comply with the Design Standards.
4. When expanding any existing building, compliance with Design Standards shall apply to new, altered or expanded construction.
5. Buildings within a planned development that front a public right-of-way, private drive aisle, or parking on 3 or more sides, shall apply the requirements of one front and two exterior sides.

- B. **Exterior Building Materials.** Table 44-05-11(B) below details the requirements of primary exterior building materials. Openings for windows and doors shall not be included in the material calculations.

Table 44-05-11(B) Allowed Exterior Building Cladding Materials			
Building Façade Elevation	Tier I	Tier II	Tier III
<i>Front and Exterior Side</i>	Minimum 50%	Maximum 50%	Maximum 25%
<i>Interior Side and Rear</i>	Minimum 25%	Maximum 75%	Maximum 25%

1. **Tier I.** Tier I materials are characterized by their high quality and long-lasting durability. These materials may commonly reflect traditional building methods and serve as a unifying element throughout buildings in the Village. Tier I materials shall include:
 - a. Brick;
 - b. Natural and manufactured stone;
 - c. Terra cotta;
 - d. Architectural concrete masonry units; and
 - e. Concrete materials.
2. **Tier II.** Tier II materials are characterized by their medium-to-high quality with lasting durability, but more frequent maintenance required than Tier I materials. Tier II materials are generally lower cost than Tier I. These materials provide variety and design expression on the building and have scale, texture and pattern creating visual interest. Tier II materials shall include:
 - a. Siding (natural wood or composite materials) in a lap, vertical beaded or batten board, or shake application;
 - b. Composite board or fiber cement board with a maximum joint pattern of two feet (2') by four feet (4');
 - c. Architectural metal panels with a maximum joint pattern of two feet (2') by four feet (4').
3. **Tier III.** Tier III materials are medium quality materials and/or monolithic in visual appearance. These materials may require more frequent maintenance than Tier I or Tier II but provide up-front cost savings. Tier II materials contribute to variety and design expression but offer less visual interest. Tier II materials shall include:
 - a. Natural and synthetic stucco, including EIFS;

- b. Composite board or fiber cement board with a maximum joint pattern of four feet (4') by eight feet (8');
 - c. Architectural metal panels with a maximum joint pattern of four feet (4') by eight feet (8').
4. **Prohibited Materials.** The following materials are prohibited:
- a. Corrugated metal siding;
 - b. Vinyl siding; and
 - c. Unfinished concrete block, except in areas of loading docks, screened from view from the street or neighboring properties.
- C. **Façade Articulation.** Facades greater than sixty feet (60') long shall incorporate articulation to avoid large expanses of blank faces and provide visual interest. Articulation may be horizontal, vertical or a combination. Articulation should be applied in a thoughtful and cohesive manner. Elements of articulation may include:
- 1. Changes of depth of the façade such as projections and recesses;
 - 2. Architectural features such as pilasters, cornices or other ornament;
 - 3. Change in materials;
 - 4. Windows and doors;
 - 5. Awnings and canopies; or
 - 6. Public art.

Figure 5.25. Façade Articulation



D. Transparency.

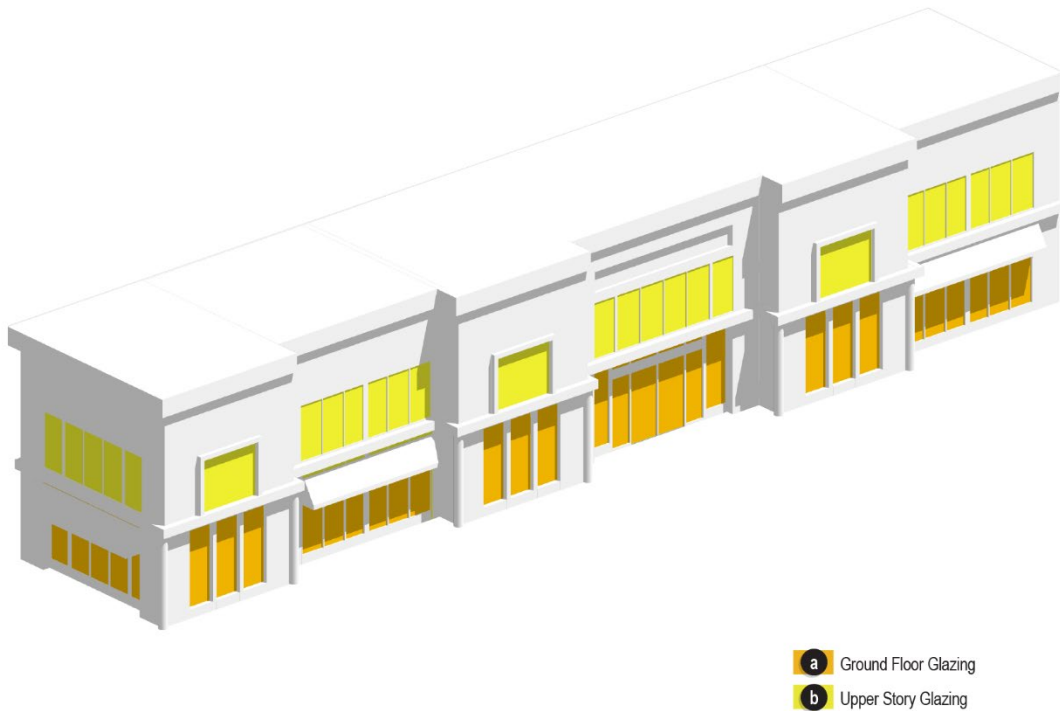
- 1. **Applicability.** All new uses in an existing development shall provide the required transparency to the extent possible within existing conditions, unless otherwise approved by the Director of Economic and Community Development.
- 2. **Requirements.**

- a. **Ground Floor Requirements.** Provide at a minimum the percentage transparent glazing required by Table 44-05-11(D)(2)(b) within a zone measured two and one-half feet (2.5') above grade to head of the first-floor doors.
 - i. **Exception.** Retailers in the B-4 zoning district with a gross floor area of fifty thousand (50,000) square feet or more shall comply with the M-1 zoning district minimum requirements.
- b. **Upper Story Requirements.** For each story above the ground floor, provide a minimum twenty percent (20%) transparent glazing per elevation.

Table 44-05-11(D)(2)(b) Ground-Floor Transparency Requirements		
Zoning District	Elevation Facing Yard	
	Front	Exterior Side
B-1 or B-2	80%	40%
B-3 or B-4	60%	30%
M-1	40%	20%

- 3. **Materials.** Glazing shall not be mirrored nor heavily tinted rendering the glass opaque.
- 4. **Maintenance.** The required transparency shall be maintained during hours of operation and shall not be obstructed by interior walls, window displays, or other permanent installations.

Figure 5.26. Transparency Requirements



44-05-12. Outdoor Lighting

- A. **Fixture Classification.** All outdoor lighting fixtures, with the exception of wall mounted accent lighting, shall either have a fixture cutoff classification of “Full Cutoff” or be fully shielded, unless otherwise expressly permitted in this ordinance.
- B. **LED Fixtures.** All outdoor lighting utilizing a light-emitting diode (LED) fixture shall meet the following standards:
 - 1. **Color Rendering.** Outdoor LED fixtures shall be rated a minimum Color Rendering Index (CRI) value of seventy (70) or higher.
 - 2. **Color Temperature.** Outdoor LED fixtures shall have a correlated color temperature between four thousand (4,000) and five thousand (5,000) degrees Kelvin.
- C. **Pole Mounted Outdoor Lighting.**
 - 1. **Pole Placement.** Pole-mounted outdoor lighting shall be located outside of utility easements, designed in coordination with site features and required landscape zones.
 - 2. **Maximum Pole Height.** Pole-mounted fixtures shall be mounted at heights above grade no greater than those specified in Table 44-05-12(C)(2).

Table 44-05-12(C)(2) Pole-Mounted Outdoor Lighting Height	
Zoning Districts	Maximum Height
<i>R-1 and R-2</i>	10 feet
<i>R-3, R-4, B-1, and B-2</i>	25 feet
<i>All Other Zoning Districts</i>	35 feet

- D. **Wall Mounted Accent Lighting.** Wall mounted accent lighting shall be integrated with the architectural character of the building and shall use low-luminosity lamps, with two thousand (2,000) source lumens or less. The illumination on any vertical surface shall not exceed one-half (0.5) maintained foot candle and shall not spill over roof lines or building edges.
- E. **Outline Lighting Prohibited.** Outline lighting shall be prohibited from signs, buildings, and structures.
- F. **Maximum Light Level at Property Line.**
 - 1. On lots adjacent to lots in a nonresidential zoning district, all outdoor lighting fixtures shall be designed and located so that the maximum light level shall be one-half (0.5) maintained foot candles at any property line.
 - 2. On lots adjacent to lots in a residential zoning district, all outdoor lighting fixtures shall be designed and located so that the maximum light level shall be zero (0) maintained foot candles at any property line.
- G. **BUG Rating.** Backlight Uplight Glare (BUG) ratings are a published luminaire classification system to comprehensively address light pollution from all directions. All lighting fixtures shall not exceed the following BUG rating established by Zoning District in Table 44-05-12(G).

Table 44-05-12(G) BUG Ratings	
Zoning District	BUG Ratings
<i>R-1 and R-2</i>	B2, U1, G1
<i>R-3 and R-4</i>	B2, U2, G2
<i>B-1 and B-2</i>	B3, U2, G2
<i>B-3, B-4, and Manufacturing</i>	B4, U3, G3

- H. **Light Level Measurement.**

1. **Location.** Light level measurements shall be made at the property line of the property upon which the light to be measured is being generated. If measurement on private property is not possible or practical, light level measurements may be made at the boundary of the public street right-of-way that adjoins the property of the complainant or at any other location on the property of the complainant. Measurements shall be made at finished grade (ground level), with the sensor in the horizontal position and not mounted more than six (6) inches above ground level, and with the light-registering portion of the meter held parallel to the ground and pointing upward.
2. **Light Meter Specifications.** Light levels shall be measured in foot candles with a direct-reading portable light meter. The meter shall:
 - a. Have cosine and color correction,
 - b. Have an accuracy tolerance of no greater than plus or minus five percent (5%), and
 - c. Have been calibrated within the last two (2) years.

44-05-13. Environmental Performance

All uses shall comply with the performance standards established in this Section unless any federal, state, county or Village law, ordinance or regulation establishes a more restrictive standard, in which event the more restrictive standard shall apply.

- A. **Noise.** No activity or use shall be conducted in a manner that generates a level of sound as measured on another property greater than that allowed by Noise Regulations of the State Pollution Control Board, as amended from time to time. The limits shall not apply to 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, railroads and aircraft.
- B. **Glare and Heat.** Any activity or operation of any use producing glare or heat shall be conducted so that no glare or heat from the activities or operations shall be detectable at any point off the lot on which the use is located. Flickering or intense sources of light shall be controlled or shielded so as not to cause a nuisance across lot lines.
- C. **Vibration.** No earth-borne vibration from any operation of any use shall be detectable at any point off the lot on which the use is located.
- D. **Dust and Air Pollution.**
 1. 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 shall be kept to a minimum by appropriate landscaping, screening, sheltering, paving, fencing, wetting, collecting or other acceptable means. No persons shall cause or allow the emission of fugitive particulate matter across lot lines visible to an observer looking generally toward the zenith, beyond the property line.
 2. This requirement shall not apply when the wind speed is greater than twenty-five (25) miles per hour. Determination of wind speed for the purposes of this rule shall be by a one (1) hour average or hourly-recorded value at the nearest official station of the U.S. Weather Bureau or by wind speed instruments operated on the site.
- E. **Discharge and Disposal of Radioactive and Hazardous Waste.** The discharge of fluid and the disposal of solid radioactive and hazardous waste materials shall comply with applicable Village, state and federal laws and regulations governing such materials or waste. No operation that produces radioactive or hazardous waste material shall commence without prior notice to the Village Administrator. Notice shall be given at least three (3) weeks before the operation is commenced. Radioactive and hazardous material waste shall be transported, stored and used in conformance with all applicable federal, state and local laws.

- F. **Electromagnetic Interference.** Electromagnetic interference from any operations of any use in any district shall not adversely affect the operation of any equipment located off the lot on which such interference originates.
- G. **Odors.** The release of materials intrinsically odorous, or capable of being odorous, by either bacterial decomposition or chemical reaction, which renders it perceptible from beyond the lot and constitutes a public nuisance, shall be prohibited.
- H. **Toxic Substances.** The storage, handling or transport of toxic substances shall comply with the State of Illinois Pollution Control Board requirements.
- I. **Water Pollution.** All uses shall comply with the State of Illinois Pollution Control Board Rules and Regulations, 35 Illinois Administrative Code, Subtitle C, and "Water Pollution."
- J. **Fire and Explosion Hazards.** Materials that present potential fire and explosion hazards shall be transported, stored and used only in conformance with all applicable federal, state and local laws.

Article 6. Planned Development Standards and Procedures

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44-06-01. Intent and Purpose

The purpose of the regulations, standards, and criteria contained in this Article is to provide an alternate zoning procedure under which land can be developed or redeveloped with innovation, imagination, and creative architectural design when sufficiently justified under the provisions of this Article. The objective of the planned development is to encourage a higher level of design and amenity than is possible to achieve under otherwise applicable zoning regulations. The end result can be a product which fulfills the objectives of Village plans and policies, including but not limited to the Comprehensive Plan and Downtown Master Plan, while departing from the strict application of the regulations of this Ordinance. The planned development is intended to permit and encourage such flexibility and to accomplish the following purposes:

- A. To stimulate creative approaches to the commercial, residential, and mixed-use development of land.
- B. To provide more efficient use of land.
- C. To preserve natural features and provide open space areas and recreation areas in excess of that required under existing zoning regulations.
- D. To develop new approaches to the living environment through variety in type, design and layout of buildings, transportation systems, and public facilities.
- E. To unify building and structures through design.
- F. To promote long term planning pursuant to the Village of Homewood Comprehensive Plan, Downtown Master Plan and other relevant plans and Village policies, which will allow harmonious and compatible land uses or combination of uses with surrounding areas.

44-06-02. General Provisions

- A. The following must be approved as a planned development in accordance with this Ordinance:
 - 1. Any development on a lot or lots greater than twenty-five thousand (25,000) square feet.
 - 2. Any development in the B-1 and/or B-2 District.
- B. Any development other than single-unit detached residential uses may be approved as a planned development.
- C. Each planned development should be presented and judged on its own merits. It shall not be sufficient to base justification for approval of a planned development solely upon an already existing planned development except to the extent such planned development has been approved as part of a development master plan.
- D. The burden of providing evidence and persuasion that any planned development is necessary and desirable shall rest with the applicant.

44-06-03. Standards for Review

Approval of development through the use of the planned development process will be considered by the Village only in direct response to the provision of tangible benefits from the planned development to the Village or the neighborhood in which it would be located. These benefits shall be in the form of exceptional amenities; outstanding environmental, landscape, architectural, and/or site design; or the conservation of special man-made or natural features of the site. The approval of modifications to the conventional zoning and subdivision regulations is not guaranteed. No application for a planned development shall be approved unless the Village Board finds that the application meets all of the following standards:

- A. **Plan and Policy Alignment.** The planned development is consistent with the goals, objectives, and policies set forth in the Comprehensive Plan, Downtown Master Plan, and other adopted plans and policy documents of the Village.
- B. **Placemaking.** The planned development has a distinctive identity and brand that is utilized in the signs, streetscape, architecture, public gathering spaces, open spaces, etc.
- C. **Integrated Design with Identifiable Centers and Edges.** The planned development shall be laid out and developed as a unit in accordance with an integrated overall design, in which the various land uses included function as a cohesive whole and support one another. The design shall provide identifiable centers, which form focus areas of activity in the development, and edges, which define the outer borders of the development, through the harmonious grouping of buildings, uses, facilities, public gathering spaces, and open space.
- D. **Public Welfare.** The planned development is designed, located, and proposed to be operated and maintained so that it will not impair an adequate supply of light and air to adjacent property and will not substantially increase the danger of fire or otherwise endanger the public health, safety, and welfare.
- E. **Compatibility with Adjacent Land Uses.** The planned development includes uses which are generally compatible and consistent with the uses of adjacent parcels. If the uses are not generally compatible, all adverse impacts have been mitigated through screening, landscaping, public open space, and other buffering features that protect uses within the development and surrounding properties.
- F. **Impact on Public Facilities and Resources.** The planned development is designed so that adequate utilities, road access, drainage, and other necessary facilities will be provided to serve it. The planned development shall include such impact fees as may be reasonably determined by the Village Board. These required impact fees shall be calculated in reasonable proportion to the impact of the planned development on public facilities and infrastructure.
- G. **Archaeological, Historical or Cultural Impact.** The planned development does not substantially adversely impact an archaeological, historical, or cultural resource, included on the local, state, or federal register, located on or off the parcel(s) proposed for development.

- H. **Drives, Parking and Circulation.** The planned development makes adequate provision to provide necessary parking. Principal vehicular access is from dedicated public streets, and access points shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular or pedestrian traffic. With respect to vehicular and pedestrian circulation (including walkways, interior drives, and parking), special attention has been given to the location and number of access points to public streets, the width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, adequate provision for service by emergency vehicles, and arrangement of parking areas that are safe, convenient, and do not detract from the design of proposed buildings and structures and the neighboring properties. Access points are limited through the use of cross access connections.

44-06-04. Site Development Modification Standards

A. Site Development Modifications.

1. Site development modifications allow for a deviation from the standards of the underlying zoning district set forth outside of this Article.
2. Notwithstanding any limitations on variances which can be approved as contained elsewhere in this Ordinance, site development modifications may be approved provided the applicant specifically identifies each site development modification on the proposed site plan and demonstrates how each site development modification would be compatible with surrounding development; is necessary for proper development of the site; and is aligned with a minimum of one (1) of the modification standards detailed in Section 44-06-04(B) below.

- B. **Modification Standards.** In addition to the Standards for Review established in Section 44-06-03, the following modification standards shall be considered for site development modifications. These standards shall not be regarded as inflexible but shall be used as a framework by the Village to evaluate the quality of amenities, community benefits, and design and desirability of the proposal.

1. **Landscape Conservation and Visual Enhancement.** The planned development preserves and enhances existing landscape, trees, and natural features such as rivers, streams, ponds, groves, and landforms.
2. **Sustainable Design.** The planned development is designed with demonstrable reductions in energy consumption and/or stormwater management as a result of methods of site design and building location, architectural design of individual buildings, and landscaping design.
3. **Public Gathering Space.** The planned development includes public gathering space, the amount of which is proportional to the size of buildings or number of dwelling units. The public gathering space is activated through the use of elements or features such as moveable tables and chairs, a fountain or other water feature, a sculpture or other public art feature, benches, seat walls, raised landscape planters, pedestrian scale and celebratory lighting such as string or Tivoli lights. The public gathering space is integrated into the overall design of the planned development and has a direct functional or visual relationship to the main building(s) and is not of an isolated or leftover character.
4. **Mix of Uses.** The planned development is comprised of a mix of nonresidential uses and/or a mix of housing types.
5. **Universal Design.** The planned development includes buildings and site features designed with accessible features such as level access from the street and/or zero entry thresholds.
6. **High Quality Building Materials.** The planned development utilizes time and weather tested building materials that are of a higher quality than what is otherwise required by this Ordinance.

44-06-05. Procedures

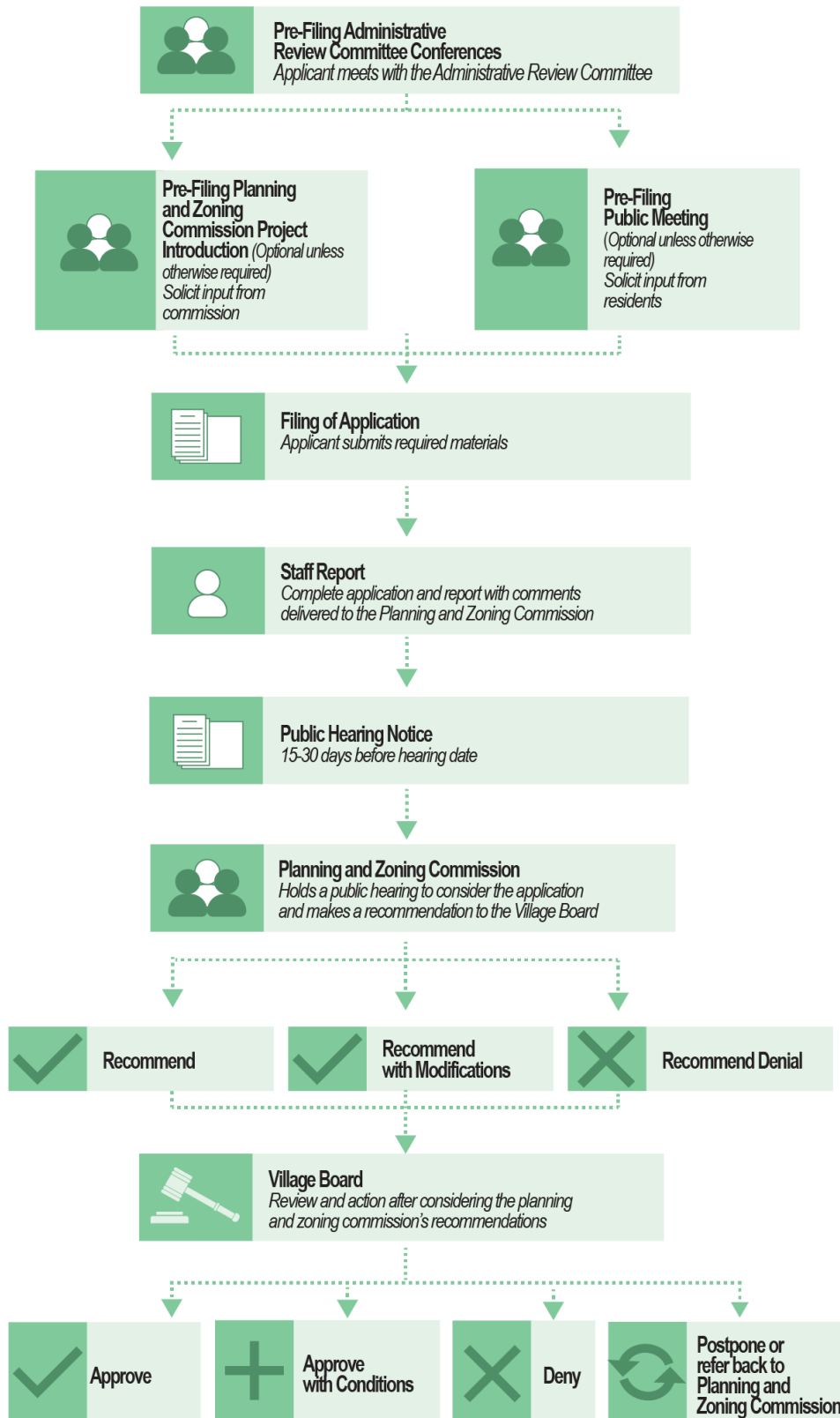
A. Pre-Filing Review and Transmittal of Application.

1. **Pre-Filing Administrative Review Committee Conference(s).** A prospective applicant, prior to submitting a formal application for a planned development, shall meet for a pre-filing conference(s) with the Administrative Review Committee. The purpose of the conference(s) is to help the applicant understand: Village plans and policies, including but not limited to the Comprehensive Plan and Downtown Master Plan; the Zoning Ordinance; site development modifications; the standards by which the application will be evaluated; and the application requirements.
2. **Pre-Filing Planning and Zoning Commission Project Introduction (Optional).** After the initial pre-filing conference, the prospective applicant may introduce their project to the Planning and Zoning Commission. The Planning and Zoning Commission may provide feedback to the applicant based on materials presented. Feedback from the Planning and Zoning Commission is intended to provide the applicant with an initial impression relative to the character, appropriateness, and intensity of the proposed development, prior to the applicant officially filing for a planned development. Any comments and feedback from the Planning and Zoning Commission at this meeting is non-binding. The applicant is expected to provide a brief narrative and development concept plan sufficient to communicate the character of the proposed development.
3. **Pre-Filing Public Meeting (Optional, Unless Otherwise Required).** After the pre-filing Administrative Review Committee Conference(s), the applicant may schedule a public meeting to discuss the proposed planned development and its impact on area residents. The Director of Economic and Community Development may require the applicant to conduct the public meeting at the discretion of the Administrative Review Committee. If required, meeting notice requirements will be determined by the Director of Economic and Community Development. A written summary of comments made at the meeting shall be maintained and submitted by the applicant with the application.
4. **Application Requirements Waiver Request.** After completing the pre-filing administrative review committee conference the applicant may request a waiver of any application requirement which in the applicant's judgment should not apply to the proposed planned development. Such request shall be made in writing prior to the submission of the formal application documents. A final determination regarding the waiver shall be made by the Director of Economic and Community Development and given to the prospective applicant following the decision. An appeal of the determination of the Director of Economic and Community Development may be brought to the Planning and Zoning Commission for consideration.
5. **Filing of Application.** After completing the pre-filing staff conference, pre-filing Planning and Zoning Commission project introduction, and the pre-filing public meeting, the applicant may file an application for a planned development including all of the information required in Appendix A. With the exception of items that have received a waiver per Section 44-06-05(A)(4).
6. **Review For Completeness.** The Director of Economic and Community Development shall determine whether the application is complete. If the Director of Economic and Community Development determines that the application is not complete, they shall notify the applicant in writing of any deficiencies and shall take no further steps to process the application until the deficiencies are remedied. If the Director of Economic and Community Development determines that the application is complete they shall deliver copies of the application to other appropriate Village departments or agencies for review and comment.
7. **Staff Report.** A copy of the complete application and a written report incorporating the comments of Village staff and other agencies regarding the compliance of the proposed planned development with the requirements and standards of this Article shall be delivered to the Planning and Zoning Commission prior to the public hearing.
8. **Determination Not Binding.** Neither the Director of Economic and Community Development's determination that an application is complete, nor any comment made by the Director of Economic and Community Development, Village staff, or other agencies at a pre-filing conference or as part of the review process shall be intended or construed as a

formal or informal recommendation for the approval of a planned development or component part thereof, nor shall be intended or construed as a binding decision of the Village.

- B. **Action by the Planning and Zoning Commission.** Upon receipt of a completed application, the Director of Economic and Community Development will schedule a public hearing at the Planning and Zoning Commission. The Planning and Zoning Commission shall consider the proposed planned development, the staff report, and the public comment and make a recommendation to the Village Board to approve, approve with conditions, or deny the planned development based on the applicable review standards.
- C. **Action by the Village Board.** The Director of Economic and Community Development, on behalf of the Planning and Zoning Commission, shall transmit a report containing its recommendation to approve, approve with conditions, or deny the application to the Village Board. The Village Board shall consider the recommendation of the Planning and Zoning Commission and:
1. Approve the application and adopt the planned development ordinance,
 2. Approve the application with conditions and adopt the planned development ordinance with such conditions incorporated,
 3. Deny the application,
 4. Postpone further consideration pending the submittal of additional information, including any application requirement previously waived. In postponing, the Village Board may refer the application back to the Planning and Zoning Commission for further review.
- D. **Records.** A record of all applications and determinations for action related to Planned Developments shall be kept on file in the office of the Director of Economic and Community Development and shall be available on request to any person pursuant to the Freedom of Information Act, 5 ILCS 140/1 et seq.

Figure 6.1. Planned Development Procedure



44-06-06. Application Requirements

- A. An application for a Planned Development may be filed only by the property owner, or by a lessee or agent or contract purchaser specifically authorized by the owner to file such application.
- A. An application for a planned development shall be filed with the Director of Economic and Community Development.
- B. Every application shall contain, at a minimum, the information detailed for Planned Development in the Zoning Application Requirements document in Appendix A.
- C. The application shall include a completed application form provided by the Village and supporting materials in format and quantity as required per the application instructions.
- D. All plans shall be of sufficient clarity and detail to indicate the location, nature, and extent of work proposed and demonstrate conformance with the provisions of this Ordinance and other applicable regulations.
- E. Every application shall be accompanied by the required filing fee as established and modified, from time to time, by the Village Board.
 - 1. Applications costs, as established in the Village Fee Schedule, may defray the costs of providing notice and contracting with independent professionals to review applications, as required. Such professional costs may include but are not limited to engineering, legal fees, traffic analyses, environmental impact studies, land use design, or other similarly related professional studies.
 - 2. The failure to pay such fee when due shall be grounds for refusing to process the application and for denying or revoking any permit or approval for the subject property.

44-06-07. Effect of Approval or Denial

- A. Approval of the planned development application and adoption of the planned development ordinance by the Village Board authorizes the applicant to proceed with any necessary applications for building permits, certificates of occupancy, and other permits which the Village may require for the planned development. The Director of Economic and Community Development shall review applications for these permits for compliance with the terms of the planned development ordinance approved by the Village Board. No permit shall be issued for development which does not comply with the terms of the adopted planned development ordinance.
- B. **Zoning Map Amendment.** Upon approval of the planned development and adoption of the planned development ordinance by the Village Board, the Village Board shall direct the Director of Economic and Community Development to amend the zoning map to reflect the existence and boundaries of the planned development.
- C. **Expiration.**
 - 1. Subject to Section 44-06-07(D) below, the adoption of a planned development ordinance by the Village Board shall be null and void if the recipient does not file an application for a Building Permit relative to the planned development within nine (9) months after the date of adoption of the ordinance.
 - 2. Subject to Section 44-06-07(D) below, the adoption of a planned development ordinance by the Village Board shall be null and void if construction has not commenced within fifteen (15) months after the date of adoption of the ordinance.
 - 3. Subject to Section 44-06-07(D) below, the adoption of a planned development ordinance with a phasing plan by the Village Board shall be null and void if construction has not commenced or is not completed in accordance with the terms of that phasing plan.
 - 4. An extension of the time requirements established in Section 44-06-07(C)(1-3) may be granted by the Village Board for good cause shown by the applicant, provided a written request is filed with the Village at least four (4) weeks prior to the respective deadline.

- D. No application for a planned development which was previously denied by the Village Board shall be considered by the Planning and Zoning Commission or the Village Board if it is resubmitted in substantially the same form and/or content within one (1) year of the date of such prior denial. The Director of Economic and Community Development shall review the application for a planned development and determine if the application is or is not substantially the same. An appeal of the determination of the Director of Economic and Community Development may be brought to the Village Board for consideration.

44-06-08. Amendments to Planned Developments

- A. **Determination.** Upon receiving a planned development ordinance amendment application, including the information required by the Director of Economic and Community Development, the Director of Economic and Community Development shall determine whether the amendment is a major amendment, or a minor amendment based on the criteria detailed in Section 44-06-08 (B) and (C) below.
- B. **Major Amendment.** A major amendment is any proposed change to an adopted planned development that results in one (1) or more of the following changes:
1. Increase in density;
 2. Increase in the height of buildings;
 3. Reduction of open space by more than five percent (5%);
 4. Modification of the proportion of housing types;
 5. Change in the parking areas in a manner that is inconsistent with this Ordinance;
 6. Increase in the approved gross floor area by more than five hundred (500) square feet;
 7. Alteration of the alignment of roads, utilities, or drainage;
 8. Modification of any other site feature inconsistent with any standard or condition imposed by the Village Board in approving the planned development and adopting the planned development ordinance, as determined by the Director of Economic and Community Development.
- C. **Minor Amendment.** A minor amendment is any proposed change to an adopted planned development ordinance that is consistent with the standards and conditions upon which the planned development application was approved and planned development ordinance adopted, which does not alter the concept or intent of the planned development, and is not considered a major amendment as detailed in Subsection (B).
- D. **Approval Processes.**
1. A major amendment to an adopted Planned Development Ordinance shall follow the procedure set in Section 44-06-05.
 2. A minor amendment to an approved Planned Development Ordinance may be approved by the Director of Economic and Community Development.

Article 7. Zoning Procedures

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44-07-01. Zoning Procedures Responsibilities

- A. **Village Board of Trustees.** The Village Board shall, with respect to this Ordinance, make final decisions on applications for Text and Map Amendments, Planned Developments, and Special Uses, with or without conditions, and final decisions on applications for certain Variances set forth in Section 44-07-12, with or without conditions.
- B. **Planning and Zoning Commission.**
 - 1. With respect to this Ordinance, the Planning and Zoning Commission shall:
 - a. Hear and decide appeals of any order, requirement, decision or determination made by authorized village personnel under this Ordinance.
 - b. Hear, consider, make a written report with findings of fact and recommendations to the Village Board on all applications for Map and Text Amendments, Special Uses, Subdivisions, and Planned Developments,
 - c. Consider and render final decisions for applications through the Site Plan Review process deferred by the Administrative Review Committee,
 - d. Make recommendations to the Village Board on Variances or make final determinations for Variances as specified in Section 44-07-12,
 - e. Consider and make final decisions on Administrative Appeals,
 - f. Make decisions on other matters referred to it upon which it is required to pass under this Ordinance.
 - g. Assist in the development, review, and amendment of the comprehensive plan, as requested by the Village Board.

2. In carrying out its duties and exercising its authority, the Commission shall adhere to the following procedure:
 - a. **Testimony.** All testimony by witnesses shall be given under oath. The chairperson or, in their absence, the acting chairperson, may administer oaths. All meetings of the Planning and Zoning Commission shall be open to the public, in accordance with the State Open Meetings Law.
 - b. **Voting.** All decisions arrived at by the Planning and Zoning Commission shall require a majority vote of all members for passage or approval of the matter being considered.

C. Director of Economic and Community Development.

1. The Director of Economic and Community Development shall have the following powers and duties with regard to this Ordinance:
 - a. To receive, file, and forward to the Planning and Zoning Commission, all applications which the Commission is required to consider under this Ordinance.
 - b. To forward to the building inspector and department heads copies of all applications which they are required to pass under this Ordinance.
 - c. To review plans submitted by applicants for development approval in conformity with the terms of this Ordinance.
 - d. To approve applications for Zoning Compliance Permits, Limited Use Permits, Administrative Exceptions, Temporary Use Permits, and minor amendments to approved Planned Developments and Special Use Permits.
 - e. To conduct inspections of the uses of land to determine compliance with the terms of this Ordinance and other applicable ordinances.
 - f. To propose new or revised zoning regulations, as may be required from time to time, based on changes in state law, case law, market conditions, or technical standards.
 - g. To maintain permanent and current records of all zoning related ordinances and documents, including, but not limited to all Maps and Text Amendments, Special Uses, Variances, Appeals, Site Plan Review, Interpretations, and Planned Developments.
 - h. To interpret the provisions of this Ordinance.
 - i. To enforce this Ordinance and issue notices of violation.
 - j. To provide technical assistance to the Planning and Zoning Commission, Village Board, and other bodies with authority under this Ordinance.
 - k. To perform such other duties as may be required by the Village Board, including providing assistance to Village commissions, committees, and agencies.

D. Building Inspector.

1. The Building Inspector shall have the following powers and duties with regard to this Ordinance:
 - a. To review requests for and to issue building permits and certificates of occupancy and maintain records thereof.
 - b. To conduct inspections of buildings and structures to determine compliance with the terms of this Ordinance and other applicable ordinances.
 - c. To enforce the provisions of this Ordinance and to issue notices of violations.
 - d. To provide technical assistance to the Village Board and other bodies with authority under this Ordinance and this Code.

- e. To perform such other duties as may be requested by the Village Board, including providing assistance and advice as may be required to various commissions, committees and agencies of the Village.
- E. **Village Manager.** The Village Manager shall appoint members of the Village administration to enforce this Ordinance, to provide such clerical and technical assistance as may be required by the Planning and Zoning Commission in the exercise of their duties, and to perform such other duties as may be appropriate.
- F. **Administrative Review Committee.**
1. An Administrative Review Committee is established for the review of all Board and/or Commission approved zoning procedures and consists of the:
 - a. Director of Economic and Community Development,
 - b. Village Planner,
 - c. Director of Public Works,
 - d. Village Engineer,
 - e. Building Inspector,
 - f. Fire Chief,
 - g. Police Chief, and
 - h. Village Manager.
 2. Members of the Administrative Review Committee may delegate a member of their department to act for the committee member.
 3. The Director of Economic and Community Development shall be the chairperson.
 4. Meetings will be called by the Chairperson as needed.

44-07-02. General Application Requirements

A. **Authority.**

1. An application for any zoning procedure may be filed only by the property owner, or by a lessee or agent or contract purchaser specifically authorized by the owner to file such application.
2. An application for a text or map amendment may also be filed by the Village Board, the Director of Economic and Community Development, or the Planning and Zoning Commission.

B. **Filing.**

1. Applications for any zoning procedure shall be filed with the Director of Economic and Community Development.
2. The application shall contain, at a minimum, the information detailed per approval type in the Zoning Application Requirements document, in Appendix A.
3. The application shall include a completed application form provided by the Village and supporting materials in format and quantity as required per the application instructions.
4. All plans shall be of sufficient clarity and detail to indicate the location, nature, and extent of work proposed and demonstrate conformance with the provisions of this Ordinance and other applicable regulations.

C. Completeness.

1. The Director of Economic and Community Development shall determine whether the application is complete.
2. If the application is not complete, the Director of Economic and Community Development shall notify the applicant of any deficiencies and shall take no steps to process the application until the deficiencies are remedied. If the deficiencies are not remedied within sixty (60) days of the initial filing, the application shall be dismissed without prejudice with no further action by the Village.
3. Once the Director of Economic and Community Development has determined that the application is complete, the application shall be scheduled for consideration at the appropriate meeting.

D. Fees.

1. Every application shall be accompanied by the required filing fee as established and modified, from time to time, by the Village Board.
2. The failure to pay such fee when due shall be grounds for refusing to process the application and for denying or revoking any permit or approval for the subject property.
3. No fees shall be waived, and no fees shall be refunded except those authorized by the Village Manager or their designee in their sole discretion.
4. A current fee schedule is included in the Village Fee Schedule as adopted.

E. Withdrawal of an Application.

1. An applicant shall have the right to withdraw an application at any time prior to the decision on the application by a Village official, commission, or board. Such withdrawal shall be in writing.
2. Re-filing a withdrawn application shall not constitute a successive application.

F. Successive Applications.

1. A subsequent application shall not be reviewed or heard within one (1) year of the date of denial, unless there is substantial new evidence available or if a significant mistake of law or of fact affected the prior denial.
2. Such subsequent applicant shall include a detailed statement of the grounds justifying its consideration.
3. The Director of Economic and Community Development shall make a determination as to whether the subsequent application is seeking essentially the same relief.
4. If the Director of Economic and Community Development finds that there are no grounds for consideration of the subsequent application, they shall summarily and without hearing deny the request.

G. Concurrent Applications. Applications for multiple zoning actions related to a subject property may be processed concurrently. Applications for the Appearance Commission, pursuant to Chapter 28 of the Homewood Municipal Code, may be processed concurrently with an application for Zoning Action.

H. Records.

1. A record of all applications and determinations for zoning action shall be kept on file in the office of the Director of Economic and Community Development.
2. A record of all issued building permits and certificates of occupancy shall be kept on file in the office of the Building Inspector.

3. Pursuant to the Freedom of Information Act, 5 ILCS 140/1 et seq., record files shall be available on request to any person.

44-07-03. General Review and Approval Procedures

- A. **Administrative Authority.** The following Village staff shall have the authority to receive applications and make determinations for the following administrative procedures:
 1. **Building Inspector.**
 - a. Building Permit
 - b. Certificate of Occupancy
 2. **Director of Economic and Community Development.**
 - a. Zoning Compliance Permit
 - b. Limited Use Permit
 - c. Administrative Exception
 - d. Temporary Use Permit
 - e. Interpretations
 3. **Administrative Review Committee.**
 - a. Site Plan Review
- B. **Planning and Zoning Commission Authority.**
 1. All public hearings for zoning procedures shall be conducted at the Planning and Zoning Commission.
 2. The Planning and Zoning Commission shall make findings of fact and provide a recommendation to the Village Board of Trustees for all zoning actions in which the Village Board makes the final decision.
 3. The Planning and Zoning Commission shall have final decision-making authority on Variances specifically designated in Section 44-07-12.
 4. The Planning and Zoning Commission shall have final decision-making authority on Administrative Appeals pursuant to Section 44-07-13.
 5. The Planning and Zoning Commission shall have final decision-making authority on Site Plan Review deferred to the Commission by the Administrative Review Committee pursuant to Section 44-07-9.
 6. The Planning and Zoning Commission shall have final decision-making authority on Major Planned Development Amendments as specified in Section 44-06-08 and approved Special Use as specified in Section 44-07-11(H).
 7. If the applicant has two (2) consecutive unexcused absences for a public hearing, the requested action shall be dismissed without prejudice.
- C. **Village Board Authority.** The Village Board shall make the final decision for all applications for Map and Text Amendments, Special Use Permits, Planned Developments, Variances other than those expressly designated to the Planning and Zoning Commission in Section 44-07-12.

Table 44-07-03: Zoning Procedures					
Procedure	Building Inspector	Director of Economic and Community Development	Administrative Review Committee	Planning and Zoning Commission	Village Board
<i>Building Permit</i>	D				
<i>Certificate of Occupancy</i>	D				
<i>Zoning Compliance Permit</i>		D			
<i>Limited Use Permit</i>		D			
<i>Administrative Exception</i>		D			
<i>Temporary Use</i>		D	R		
<i>Interpretation</i>		D			
<i>Site Plan Review</i>			R/D	D	
<i>Planned Development</i>					
<i>Planned Development (1)</i>				R*	D
<i>Minor Planned Development Amendment (1)</i>		D			
<i>Major Planned Development Amendment (1)</i>				R*	D
<i>Amendments</i>					
<i>Zoning Map Amendment</i>				R*	D
<i>Zoning Text Amendment</i>				R*	D
<i>Special Use Permit</i>					
<i>Special Use Permit</i>				R*	D
<i>Minor Special Use Permit Amendment</i>		D			
<i>Major Special Use Permit Amendment</i>				R*	D
<i>Variance</i>				R*	D
<i>Administrative Appeal</i>				D	
Key					
R = Recommending Body					
D = Decision Making Body					
* = Public Hearing Required					
Notes					
(1) Process specified in Article 6 Planned Development Standards and Procedures.					

D. Public Hearing Notices.

1. **Notice Requirements by Procedure.** Table 44-07-03(D)(1) summarize the notice requirements per Board and Commission review and approval procedure.
 - a. In the case of a comprehensive zoning text or map amendment, notice shall be in accordance with the statutes of the state.

Table 44-07-03(D)(1): Notice Requirements by Procedure		
Procedure	Mailed Notice	Published Notice
<i>Planned Development (1)</i>	●	●
<i>Major Planned Unit Development Amendment (1)</i>	●	●
<i>Zoning Map Amendment</i>	●	●
<i>Zoning Text Amendment</i>	●	●
<i>Special Use Permit</i>	●	●
<i>Major Special Use Permit Amendment</i>	●	●
<i>Variance</i>	●	●
Key		
● = Required form of notice		
Notes		
(1) Process specified in Article 6 Planned Development Standards and Procedures.		

2. **Mailed Notices.** The Village shall send written notification via first class mail to all occupants within two-hundred fifty feet (250') of the subject property line, as determined by the Village's records.
3. **Published Notices.** The Village shall publish notice in a newspaper of general circulation within the Village. The notice shall include the date, time, place and purpose of such hearing, the name of the applicant and the address of the subject property. Such notice shall be published not less than fifteen (15) days nor more than thirty (30) days in advance of the scheduled hearing date.
4. **Cost of Notice.** All costs associated with mailed and published notice, as required by this Ordinance, shall be the responsibility of the applicant.

E. **Pre-Filing Staff Conference(s).** A prospective applicant, prior to submitting a formal application for zoning procedure to be decided by the Planning and Zoning Commission or Village Board, shall meet for a pre-filing conference(s) with the Director of Economic and Community Development. The purpose of the conference(s) is to help the applicant understand: Village plans and policies, including but not limited to the Comprehensive Plan and Downtown Master Plan; the Zoning Ordinance; application requirements as detailed in the Zoning Application Requirements document; and the standards by which the application will be evaluated.

F. **Recording of Documents.** The Director of Economic and Community Development shall file record documents with the Cook County Clerk - Recording Division as required by the Village in instances of subdivision, lot consolidation, amendments, Variances, ordinances, and documents otherwise required by state statutes. Recording shall be completed in a timely manner and at the expense of the applicant. Notice of all fees shall be furnished to the applicant and paid prior to the recording of documents.

G. Building Permit.

1. A Building Permit, as required by Chapter 10 of the Homewood Municipal Code, must be obtained before any work may commence to alter any building, structure, or land.
2. When approval by the Appearance Commission is required by Chapter 28 of the Homewood Municipal Code, the applicant shall receive approval from the Appearance Commission prior to the issuance of a building permit.

3. Prior to obtaining a building permit, a building or structure must comply with the terms of this chapter and have completed all approvals required by this Article.
4. The Building Inspector shall be responsible for determining compliance with this and all other applicable ordinances prior to the issuance of the building permit.

H. **Certificate of Occupancy.**

1. **Applicability.**

- a. No vacant land, new structure, or existing structure undergoing addition or alteration shall be occupied or used, in part or in full, before obtaining a Certificate of Occupancy.
- b. The change of use of a building, or part thereof, shall require of a certificate of occupancy.
- c. The certificate of occupancy shall state that the building complies with all the building and health laws and ordinances and with the provisions of this Ordinance, and with state and federal licensing requirements, as applicable.
- d. The Certificate of Occupancy shall not be issued until the premises has been inspected and determined the structure is in complete compliance with the plans and specifications upon which the Building Permit was based, and any other approvals required by this Ordinance.
- e. The Building Inspector shall be responsible for determining compliance with this and all other applicable ordinances before the issuance of the certificate of occupancy.

2. **Continued Occupancy of Existing Building.** Nothing in this Section shall prevent the continuance of the present occupancy or use of any existing building, except as may be necessary for safety of life and property and as required in Article 8: Nonconformities.

3. **Action by the Building Inspector.**

- a. Upon passing final inspections, the Building Inspector shall issue a certificate of occupancy. The certificate of occupancy shall be dated and signed by the Building Inspector and shall identify the approved use or occupancy of the building or structure and state that the use or occupancy complies with the terms of this Ordinance.
- b. If final inspections find the building or structure non-compliant with the codes, the Building Inspector shall provide written notice to the applicant with the reasons for failing inspections and denying the certificate of occupancy.

4. **Temporary and Conditional Certificate of Occupancy.**

- a. The Fire Chief may issue a temporary or conditional certificate of occupancy if all life safety codes are complied with to allow the premises to be occupied for the proposed use.
- b. Such certificate shall become final only upon full compliance with this Ordinance and this Code.

44-07-04. Zoning Compliance Permits

- A. **Applicability.** A Zoning Compliance Permit must be obtained before any person may construct, move, or structurally alter any building or structure used for nonresidential purposes, or establish any new nonresidential use on a lot or within a building or structure.
- B. **Action by the Director of Economic and Community Development.** Upon receipt of a complete application, the Director of Economic and Community Development shall review the materials to ensure the application conforms with the provisions of this Article and approve, approve with conditions, or deny the application for a Zoning Compliance Permit. The Director of Economic and Community Development issue the permit or notify the applicant in writing of reasons for denial.
- C. **Expiration.** The Zoning Compliance Permit shall automatically expire without further action by the Village if the applicant fails to obtain a Certificate of Occupancy within one (1) year of the approval of the permit. An extension of the time requirements may be requested in writing and granted by the Director of Economic and Community Development for good cause shown by the applicant, provided a written request is filed with the Village at least four weeks prior to the respective deadline.

44-07-05. Limited Use Permits

- A. **Purpose.** In order to provide flexibility and to help diversify uses within a district, specified uses are permitted in certain districts subject to the granting of a Limited Use Permit. Because of their unusual or special characteristics, Limited Uses require review and evaluation so that they may be located properly with respect to their effects on surrounding properties. The review process set forth in this Section is intended to assure compatibility and harmonious development between Limited Uses, surrounding properties, and the Village at large.
- B. **Procedures.**
1. **Pre-Application Conference.** The applicant for a Limited Use permit is advised to meet with the Director of Economic and Community Development prior to submitting an application to discuss the submittal requirements, review criteria, and review process.
 2. **Action by the Director of Economic and Community Development.**
 - a. Upon receipt of a completed application, the Director of Economic and Community Development will review the materials to ensure the application conforms to the criteria in Subsection (C) below. Based upon their review, the Director of Economic and Community Development shall approve, approve with conditions, advance the application to a Special Use, or deny the application.
 - b. If denied, the Director of Economic and Community Development shall report the deficiencies to the applicant. The applicant shall have six (6) weeks from the date of notification of the deficiencies to correct the deficiencies; otherwise, the Limited Use Permit application will be considered abandoned without further notice from the Village.
- C. **Limited Use Permit Review Criteria.** Limited Uses are permitted within the district where designated when they comply with specific conditions and limitations as set forth in this Ordinance. The scope and operations of any Limited Use may be limited or qualified by the conditions of the subject property. A listed Limited Use that cannot meet the specific conditions and limitations set forth in this Ordinance shall not be allowed under a Limited Use permit.
1. **General Criteria.** The Limited Use permit shall be approved upon a finding by the Director of Economic and Community Development that the following general criteria have been met, to the extent they may be applicable:
 - a. The proposed use will conform with or further the goals, objectives and strategies of the Village's Comprehensive Plan and other adopted plans;

- b. The site, building(s), and use meet all criteria specified for the use and all applicable regulations and development standards as specified in this Ordinance and for the district in which the use is located; however, nonconforming sites and/or buildings must be brought into conformance if required to do so pursuant to Article 8: Nonconformities, of this Ordinance;
 - c. The proposed use will not substantially alter the basic character of the district in which it is located, or jeopardize the development or redevelopment potential of property within the district;
 - d. The proposed use will not have a significant adverse impact on the adjacent uses or properties, or result in hazardous conditions for pedestrians or vehicles within or in close proximity to the site;
 - e. The proposed use will be adequately served with public utilities, services, and facilities and not impose an undue burden above and beyond those of the Permitted Uses of the district in which it is located; and
 - f. Potential negative impacts of the Limited Use on the surrounding properties have been or may be mitigated through specific setbacks, architecture, screen walls, landscaping, site arrangement or other methods required in the permit as conditions and/or limitations of permit approval. The applicant shall satisfactorily address each of the following impacts:
 - i. Traffic,
 - ii. Activity levels,
 - iii. Light,
 - iv. Noise,
 - v. Odor,
 - vi. Building type, style and scale,
 - vii. Hours of operation,
 - viii. Dust, and
 - ix. Stormwater management, drainage, and erosion control.
2. **Use-Specific Standards.** In addition to the general criteria for review of a Limited Use Permit listed above, certain uses, due to their unique characteristics, must also comply with the special provisions specific to those uses contained in Article 4. Use-Specific Standards of this Ordinance.

D. Permit Transferability.

- 1. A Limited Use Permit may be transferred to any other person to operate the same use on the same property and/or within the same building according to the same terms of the permit. A Limited Use Permit may not be transferred to any other property or other building.
 - 2. The owner or operator holding the Limited Use Permit may apply in writing to the Director of Economic and Community Development, using a form provided by the Village, requesting to transfer the Limited Use Permit. The Director of Economic and Community Development shall review the request and issue a determination in writing to grant the transfer or require a new application for Limited Use Permit for further review.
- E. Expiration.** A Limited Use Permit shall automatically expire without any further action by the Village if the use for which the permit was granted has not been established at the approved location within a period of one (1) year from the date the permit was approved, or the use for which the permit was issued has been discontinued for a period of one year or longer. An extension of the time requirements may be requested in writing and granted by the Director of Economic and Community

Development for good cause shown by the applicant, provided a written request is filed with the Village at least four weeks prior to the respective deadline.

44-07-06. Administrative Exceptions

A. **Purpose.** Administrative Exception is an administrative process through which certain minor Variances may be approved by the Director of Economic and Community Development. Administrative Exceptions are intended to allow a limited amount of flexibility in the siting and height of certain buildings and/or structures.

B. **Authority.** The Director of Economic and Community Development shall have the authority to grant or deny applications for Administrative Exceptions for such circumstances as this Ordinance allows, subject to the requirements of this Section. No site plan shall be approved or building permit issued for a proposal requiring an exception to a zoning standard listed below unless an Administrative Exception is approved.

C. **Applicability.**

1. An administrative exception to certain requirements of this Ordinance may be granted:
 - a. To permit a yard up to five (5%) less than the yard required by the applicable regulations.
 - b. To permit the use of a lot for a use otherwise prohibited solely because of the insufficient area of the lot. The maximum Variance that may be grant shall be five percent (5%).
 - c. To reduce the applicable off-street parking or loading requirements to the extent of not more than one parking space or loading space, or five percent of the spaces required by applicable regulations, whichever number is greater.
 - d. To allow any permitted nonresidential use in a residential district to exceed the floor area ratio imposed by the applicable regulations by no more than five percent of that area limit imposed by applicable regulations.
 - e. To permit the direct replacement of a stoop and stairs that encroaches into the required front or side yard with a structure of the same dimensions.
 - f. To permit an accessory structure to be located less than ten feet (10') but not less than five (5') from the principal structure, provided the accessory structure is constructed with no less than a one-hour fire resistance rating.
2. No Administrative Exception shall be considered where the setback is five feet (5') or less.
3. In the case of a requested addition to a structure, no exception shall be considered where the existing structure does not meet the minimum setback.
4. No exception shall be considered for a reduction of a setback for property in the M-1 or M-2 districts if the yard in which the setback reduction is requested is adjacent to any residential use.

D. **Procedure.**

1. **Pre-Application Conference.** The applicant for an Administrative Exception is encouraged to meet with the Director of Economic and Community Development prior to submitting an application to discuss the submittal requirements, review criteria, and review process.
2. **Neighbor Notice.** The Village shall provide written notice to all adjacent property owners detailing the exception being requested and including the contact information of the Director of Economic and Community Development to whom protest to the Administrative Exception should be sent. If protest is received, the Director of Economic and Community Development shall elevate the Administrative Exception to a Variance per Section 44-07-12.

3. **Action by the Director of Economic and Community Development.** Upon receipt of a completed application, the Director of Economic and Community Development will review the materials to ensure the application conforms to the criteria in Subsection (E) below. Based upon their review, the Director of Economic and Community Development shall approve, approve with conditions, advance the application to a Variance, or deny the application.
- E. **Administrative Exception Review Criteria.** The Administrative Exception shall be approved if the Director of Economic and Community Development finds that the proposed exception meets the following criteria:
1. Is consistent with the Comprehensive Plan and other adopted Village plans,
 2. Is consistent with the purpose of the underlying district,
 3. Will not result in incompatible development,
 4. Will not result in adverse impacts unless adequately mitigated, and
 5. Is of a technical nature and is required to:
 - a. Compensate for an unusual condition,
 - b. Eliminate a minor inadvertent failure to comply with this Ordinance, or
 - c. To protect a sensitive resource or natural feature.
- F. **Expiration.** The Administrative Exception shall automatically expire without further action by the Village if the applicant fails to obtain a building permit within one (1) year of the approval of the Administrative Exception. An extension of the time requirements may be requested in writing and granted by the Director of Economic and Community Development for good cause shown by the applicant, provided a written request is filed with the Village at least four weeks prior to the respective deadline.

44-07-07. Temporary Use Permits

- A. **Applicability.** A Temporary Use Permit shall be required prior to the commencement of a Temporary Use identified in Table 44-03-04.
- B. **Action by the Director of Economic and Community Development.** Upon receipt of a completed application, the Director of Economic and Community Development will review the materials to ensure the application conforms to the criteria in Subsection (C) below. Based upon their review, the Director of Economic and Community Development shall approve, approve with conditions, or deny the application.
- C. **Temporary Use Permit Review Criteria.** To approve the issuance of Temporary Use Permit, the Director of Economic and Community Development, in consultation with the Administrative Review Committee, shall make an affirmative finding that the following criteria are met:
1. **Land Use Compatibility.** The Temporary Use must be compatible with the purpose and intent of this Ordinance and the district in which it will be located. The Temporary Use shall not impair the normal, safe, and effective operation of a permanent use on the same site. The Temporary Use shall not endanger or be materially detrimental to the public health, safety, or welfare, or injurious to property or improvements in the immediate vicinity of the Temporary Use, given the nature of the activity, its location on the site, and its relationship to parking and access points.
 2. **Compliance with Other Regulations.** A building permit, life safety inspection, or temporary certificate of occupancy may be required before any structure used in conjunction with the Temporary Use is approved, constructed, or modified. All structures and the site as a whole shall meet all applicable building code, Ordinance, and fire code standards and shall be promptly removed upon the cessation of the use or event. Upon cessation of the use or event, the site shall be returned to its previous condition (including the removal of all trash, debris, signage, attention attracting devices, or other evidence of the special event or use).

3. **Hours of Operation and Duration.** The duration and hours of operation of the Temporary Use shall be consistent with the intent of the event or use, and compatible with the surrounding land uses. The duration and hours of operation shall be established by the Director of Economic and Community Development at the time of approval of the Temporary Use Permit.
4. **Traffic Circulation.** The Temporary Use, as determined by the Village Engineer, shall not cause undue traffic congestion or accident potential given anticipated attendance and the design of adjacent streets, intersections, and traffic controls.
5. **Off-Street Parking.** Adequate off-street parking shall be provided for the Temporary Use, as determined by the Director of Economic and Community Development, and it shall not create a parking shortage for any of the other existing uses on the site.
6. **Public Conveniences and Litter Control.** Adequate on-site restroom facilities and on-site solid waste containers may be required. The applicant shall provide a written guarantee that all litter generated by the event or use shall be removed at no expense to the Village.
7. **Appearance and Nuisances.** The Temporary Use shall be compatible in intensity, appearance, and operation with surrounding land uses in the area, and shall not impair the usefulness, enjoyment, or value of adjacent property due to the generation of excessive noise, dust, smoke, glare, spillover lighting, or other forms of environmental or visual pollution.
8. **Signs and Attention-Getting Devices.** The Director of Economic and Community Development shall review all signage in conjunction with the issuance of the permit, although a Sign Permit is not required. The Director of Economic and Community Development may approve the Temporary Use of attention-getting devices. The number and types of signs and attention-getting devices allowed shall be evaluated on the following criteria:
 - a. Type and size of the proposed event or use,
 - b. Safety considerations (sight distance setbacks, sidewalks in area, etc.),
 - c. Lighting considerations (disturbance of nearby residents or adverse effects to traffic on adjacent streets),
 - d. Aesthetic concerns (appearance, illumination, number, and size of signs and attention-getting devices proposed).
9. **Other Conditions.** The Director of Economic and Community Development may establish any additional conditions deemed necessary to ensure land use compatibility and to minimize potential adverse impacts on nearby uses, including, but not limited to, time and frequency of operation, temporary arrangements for parking and traffic circulation, requirements for screening/buffering, and guarantees for site restoration and cleanup following the Temporary Use. Conditions may include, but shall not be limited to:
 - a. Modifications or restrictions to the hours of operation, duration of the event, size of the activity or other operational characteristics.
 - b. If the permit applicant requests the Village to provide extraordinary services or equipment or if the Director of Economic and Community Development otherwise determines that extraordinary services (e.g., traffic control or security personnel) or equipment should be provided to protect the public health or safety, the applicant shall be required to pay to the Village a fee sufficient to reimburse the Village for the costs of these services if not provided by the applicant. This requirement shall not apply if the event or use has been anticipated in the budget process and sufficient funds have been included in the budget to cover the costs incurred.

44-07-08. Interpretations

- A. **Purpose.** The provisions of this Ordinance, though detailed and extensive, cannot as a practical matter, address every specific situation to which may arise. The Interpretation authority established herein is not intended to add or change the essential content of this Ordinance but to allow authoritative application of that content to specific cases.
- B. **Intent.** The Director of Economic and Community Development may issue Interpretations of the provisions of this Ordinance to clarify the standards or requirements as they relate to a particular type of development on a particular property. The Interpretation does not itself authorize the establishment of a use but provides guidance for any approvals or permits required by this Ordinance, and the Interpretation shall be advisory in nature and shall not be binding upon the Planning and Zoning Commission or the Village Board in their functions under this Ordinance. The Interpretation shall specify the facts, reasons, analysis, and standards upon which the Interpretation is based. The Interpretation shall respond to the specific facts, details, and description of the proposed development as provided by the requesting party.
- C. **Action by the Director of Economic and Community Development.** Upon receipt of a request for interpretation, the Director of Economic and Community Development will issue a written Interpretation to the requesting party, and place a record on file.

44-07-09. Site Plan Review

- A. **Purpose.** The purpose of Site Plan Review is to certify compliance with all applicable provisions of this Ordinance, the Homewood Municipal Code, and the goals, objectives and strategies of the Village's Comprehensive Plan and other adopted plans.
- B. **Applicability.**
1. Every building permit application for new construction, additions equal to or greater than twenty percent (20%) of the existing floor area of the building, and any modifications to an existing site development that alters parking or circulation shall be subject to Site Plan Review and approval.
 2. Site Plan Review shall not apply to:
 - a. Building permits for construction that are limited to interior remodeling, exterior modifications not impacting the site, or additions less than twenty percent (20%) of the existing floor area of the building; and
 - b. Building permits for detached single-family dwellings, duplexes, or their accessory structures.
 3. No building permit shall be issued unless and until site plan approval has been granted.
- C. **Action by the Administrative Review Committee.**
1. Upon receipt of a completed application, the Administrative Review Committee shall review the materials to ensure conformance with the Homewood Municipal Code, Zoning Ordinance, and adopted plans.
 2. If areas of non-compliance are found, the Committee will issue a comment letter to the applicant, to revise and resubmit the plans for further review.
 3. Upon the receipt of applicable revisions, the Administrative Review Committee shall approve, approve with conditions, refer the application to the Planning and Zoning Commission for review, or deny the application.
- D. **Action by the Planning and Zoning Commission.**
1. Should the Administrative Review Committee refer the application to the Planning and Zoning Commission for review, the Director of Economic and Community Development will schedule the application for consideration by the Planning and Zoning Commission in a public meeting and prepare a report to the Planning and Zoning Commission.

2. The Planning and Zoning Commission shall review the proposed site plan and any oral and written comments received at the public meeting and determine the level of compliance with the Zoning Ordinance. The Planning and Zoning Commission shall approve, approve with conditions, or deny the proposed site plan.
- E. **Expiration.** The site plan approval shall automatically expire without further action by the Village if the applicant fails to obtain a building permit within one (1) year of the approval of the site plan. An extension of the time requirements may be requested in writing and granted by the Director of Economic and Community Development for good cause shown by the applicant, provided a written request is filed with the Village at least four weeks prior to the respective deadline.

44-07-10. Zoning Text and Map Amendments

- A. **Purpose.** The regulations imposed and the districts created under the authority of this Ordinance may be amended, from time to time. The amendment process is intended to adjust this Ordinance in response to changed conditions or changes in Village policy. Amendments are not intended to relieve particular hardships or confer special privileges or rights upon any person or party.
- B. **Authority.**
1. Amendments to the regulations and districts of this Ordinance shall be in accordance with state statutes. No such amendment shall be made without a public hearing before the Planning and Zoning Commission. The Planning and Zoning Commission shall report their findings of fact and recommendations to the Village Board. The Village Board shall make final decisions on zoning text and map amendments.
 2. The Director of Economic and Community Development is authorized to make minor, non-substantive additions, corrections, or deletions to verbiage and punctuation as necessary to correct typographical and editing errors incurred during the comprehensive amendment of April 2002, and any subsequent amendment to this Ordinance.
- C. **Procedure.** Upon receipt of a completed application for a zoning text or map amendment, the Director of Economic and Community Development will schedule the application for consideration by the Planning and Zoning Commission and complete the public hearing notification.
1. **Action by the Planning and Zoning Commission.** The Planning and Zoning Commission shall review the proposed amendment, any oral and written comments received at the public hearing, and responses by the applicant to the standards and make findings of fact to specify the reasons for their recommendation. The Planning and Zoning Commission shall then forward to the Village Board its findings of fact and recommendation to approve, approve with conditions, or deny the proposed amendment.
 2. **Action by the Village Board of Trustees.** Following the public hearing, the Planning and Zoning Commission shall forward its findings of fact and its recommendation to the Village Board. Upon receiving the report from the Planning and Zoning Commission, the Village Board shall approve, approve with conditions, refer the matter back to the Planning and Zoning Commission for further consideration, or deny the proposed amendment. The Village Board shall make the final decision on all zoning text and map amendments.
- D. **Standards.** In making their recommendations on the map or text amendment, the Planning and Zoning Commission and Village Board shall review responses by the applicant to the standards set forth below. Not one of the standards is controlling.
1. **Zoning Map Amendments.**
 - a. Does the current zoning or the proposed zoning more closely conform to the stated goals in the comprehensive plan?
 - b. Have major land uses, conditions or circumstances changed since the original zoning was established?
 - c. Do sites exist for the proposed use in existing districts permitting such use?

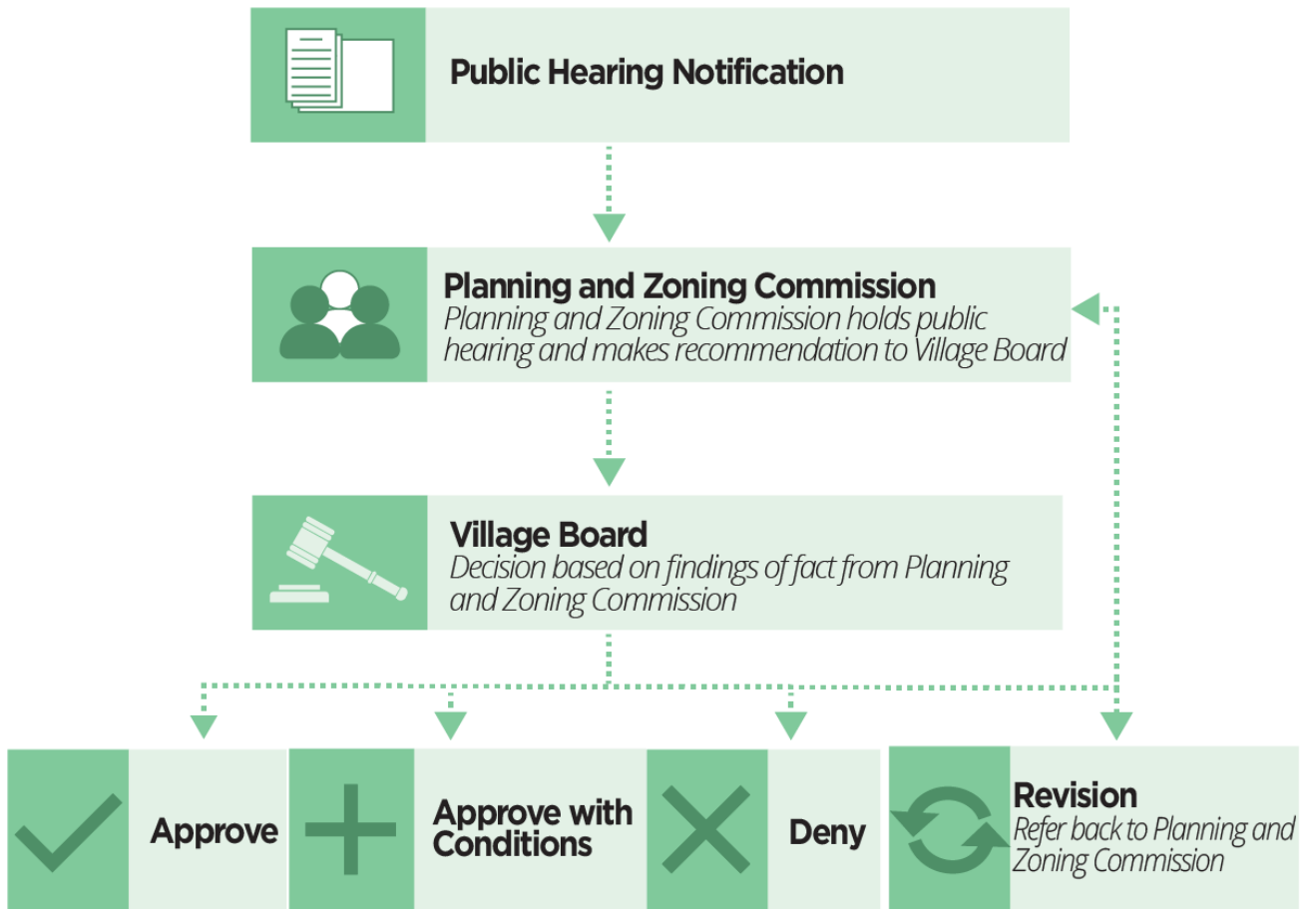
- d. Is the requested change compatible with the existing uses, development patterns and zoning of nearby properties?
- e. Does the present development of the area comply with existing ordinances?
- f. Does the existing zoning impose an unreasonable hardship or can a reasonable economic benefit be realized from uses permitted by the existing zoning?
- g. What is the extent of the diminishment of property values, if any, resulting from the current zoning?
- h. How long has the property been vacant as compared to development occurring in the vicinity?
- i. Is the property physically suitable for the zoned uses or for the proposed use?
- j. Does the proposed use satisfy a public need?
- k. Will the proposed change conflict with existing or planned public improvements or adversely impact schools, parks or other public facilities?
- l. In the vicinity, will the environment or traffic patterns be adversely affected?
- m. To what extent will the proposed change diminish property values of the surrounding properties?
- n. Will the proposed change deter the use of properties in the area or contribute to redevelopment?
- o. Will the proposed change be detrimental to the health, safety and welfare of the neighborhood or of the village as a whole?

2. **Text Amendments.**

- a. Is the proposed text amendment consistent with the stated goals in the comprehensive plan?
- b. Does the proposed text amendment address a particular issue or concern for the village?
- c. Will the proposed text amendment impose an unreasonable hardship on existing uses?
- d. Have major land uses, conditions or circumstances changed since the original zoning ordinance text was established?
- e. Is the requested change compatible with the existing uses and development patterns of the community?
- f. Will the proposed change be detrimental to the health, safety and welfare of the neighborhood or of the village as a whole?

- E. **Written Protest.** In the case of a written protest against any proposed amendment of the regulations or districts, signed and acknowledged either by the owners of twenty percent (20%) of the frontage proposed to be altered, or twenty percent (20%) percent of the frontage immediately adjacent to or across an alley therefrom, or by the owners of twenty percent (20%) percent of the frontage abutting or directly opposite the frontage proposed to be altered, the amendment shall not be passed except by a favorable vote of two-thirds of the members of the Village Board. In such cases, a copy of the written protest shall be served, by the protestor, to both the applicant for the proposed amendment and the applicant's attorney, if any, by certified mail at the address of such applicant and attorney shown in the application for the proposed amendment.

Figure 7.1. Zoning Text and Map Amendment Procedure



44-07-11. Special Use Permit

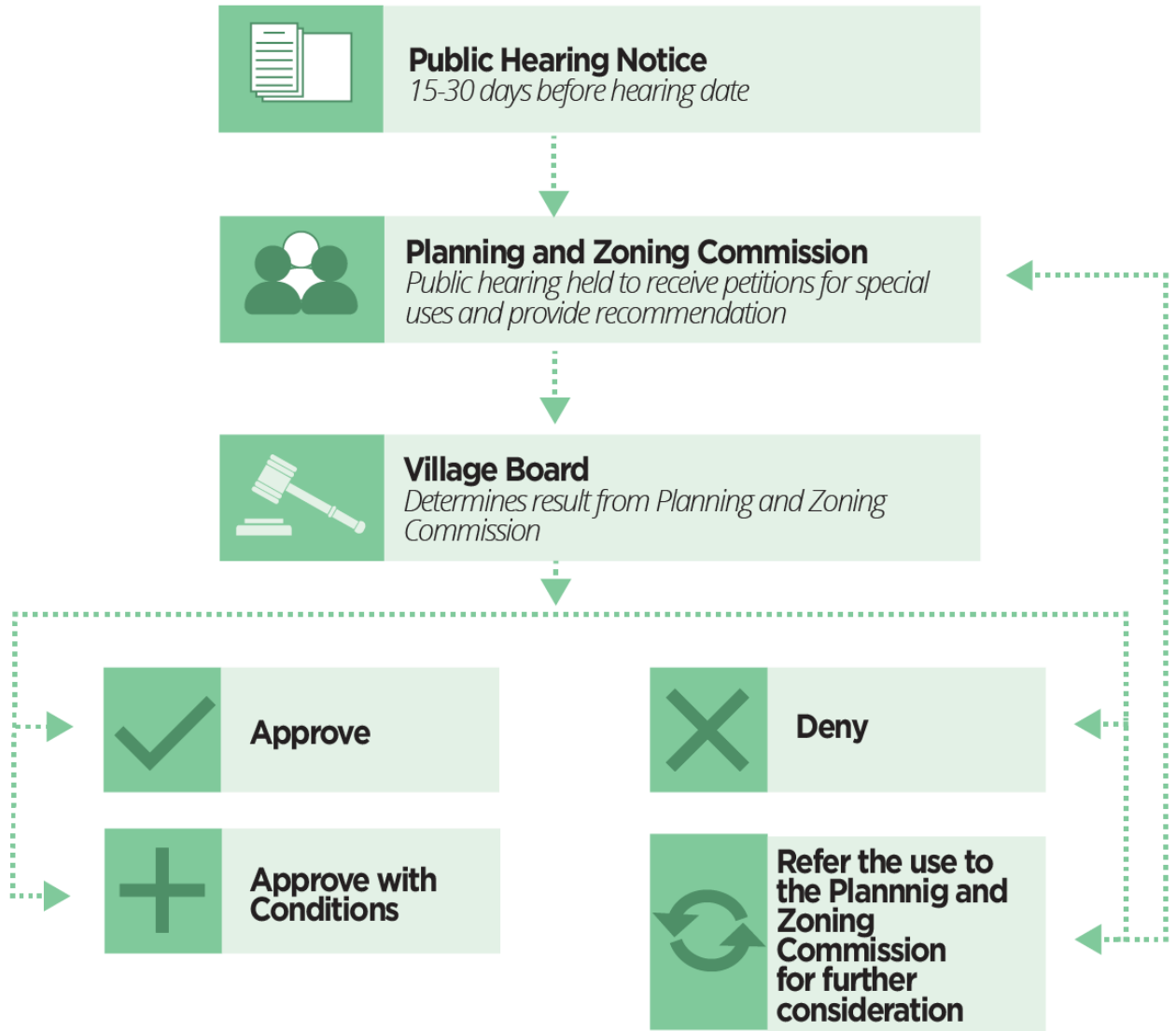
- A. **Purpose.** Special Uses encompass those uses which require a case-by-base consideration to assess the potential impact upon neighboring properties and the suitability of the proposed special use for the particular location, to serve the needs of the public. The special use process addresses these unique circumstances and regulates such uses to protect the public health, safety and welfare.
- B. **Procedure.** Upon receipt of a completed application for a special use permit, the Director of Economic and Community Development will schedule the application for consideration by the Planning and Zoning Commission and complete the public hearing notification.
1. **Action by the Planning and Zoning Commission.** The Planning and Zoning Commission shall review the application, any oral and written comments received at the public hearing, and responses by the applicant to the standards and make findings of fact to specify the reasons for their recommendation. The Planning and Zoning Commission shall then forward to the Village Board its findings of fact and recommendation to approve, approve with conditions, or deny the application.
 2. **Action by the Village Board.** Following the public hearing, the Planning and Zoning Commission shall forward its findings of fact and its recommendation to the Village Board. Upon receiving the report from the Planning and Zoning Commission, the Village Board shall approve the special use, approve the special use with conditions, refer the matter back to the Planning and Zoning Commission for further consideration, or deny the application. The Village Board shall make the final decision on all Special Uses.
- C. **Standards.** In considering an application for a special use permit the Planning and Zoning Commission and Village Board shall review the responses by the applicant to the standards set forth below. Not one of the standards is controlling.
1. Is the special use deemed necessary for the public convenience at that location?
 2. Will the special use be detrimental to the economic welfare of the community?
 3. Will the special use be consistent with the goals and policies of the comprehensive plan and other adopted plans of the Village?
 4. Is the special use at the subject property so designed, located, and proposed to be operated, that the public health, safety, and welfare will be protected?
 5. Is the special use a suitable use of the property and, without the special use, could the property will be substantially diminished in value?
 6. Will the special use cause substantial injury to the value of other property in the neighborhood in which it is located?
 7. Will the special use be consistent with the uses and community character of the neighborhood surrounding the subject property?
 8. Will the special use be injurious to the use or enjoyment of other property in the neighborhood for the purposes permitted in the zoning district?
 9. Will the special use impede the normal and orderly development and improvement of surrounding properties for uses permitted in the zoning district?
 10. Does the proposed special use at the subject property provides adequate measures of ingress and egress in a manner that minimizes traffic congestion in the public streets?
 11. Is the subject property adequately served by utilities, drainage, road access, public safety and other necessary facilities to support the special use?

12. Will the special use have a substantial adverse effect on one or more historical, archeological, cultural, natural or scenic resources located on the parcel or surrounding properties?
- D. **Conditions.** The Planning and Zoning Commission may recommend and the Village Board may impose conditions and restrictions upon the construction, location and operation of a special use. Such conditions must be deemed necessary to comply with the standards set forth in this Ordinance, to promote the general objectives of this Article, and to minimize or reduce the injury to the value of property in the neighborhood. Such conditions shall be expressly set forth in the ordinance granting the special use. Failure to maintain such conditions or restrictions as may have been imposed shall constitute grounds for revocation of such special use approval.
- E. **No Presumption of Approval.** The listing of a use as a special use within a zoning district does not constitute an assurance or presumption that such special use will be approved. Rather, each proposed special use shall be evaluated on an individual basis, in relation to the standards in this Section, the standards in Article 3 of this Ordinance and the standards for the district in which it is located. Such evaluation will determine whether approval of the special use is appropriate at the particular location and in the particular manner proposed.
- F. **Limitation on Special Uses.**
1. **Expiration.** The special use approval shall automatically expire without further action by the Village if the applicant fails to obtain a building permit within one year of the approval of the special use. In applications within an existing building or structure with no alterations, the special use shall expire one year from the approval if the applicant fails to obtain the required licenses or permits for operation. An extension of the time requirements may be requested in writing and granted by the Director of Economic and Community Development for good cause shown by the applicant, provided a written request is filed with the Village at least four weeks prior to the respective deadline.
 2. **Permit Transfer.** A special use permit is granted to a specific property and authorizes the conduct of the special use only on the property represented on the application and is not transferable to other properties.
- G. **Expiration.** The special use permit shall automatically expire without further action by the Village if the applicant fails to obtain a building permit within one year of the approval, or the use for which the permit was issued has been discontinued for a period of one year or longer. An extension of the time requirements may be requested in writing and granted by the Director of Economic and Community Development for good cause shown by the applicant, provided a written request is filed with the Village at least four weeks prior to the respective deadline.
- H. **Amendments to Approved Special Use Permits.**
1. **Determination of Level of Change.** Upon receiving a completed application for a Special Use Permit amendment the Director of Economic and Community Development shall determine whether the amendment is a major amendment, or a minor amendment based on the criteria detailed in Subsections (a) and (b) below.
 - a. **Major Amendment.** A major amendment is any proposed change to an adopted planned development that results in one (1) or more of the following changes:
 - i. Increase in the intensity of the site's use,
 - ii. Additional noise, glare, odor, or other impacts that are detectable from off-site
 - iii. Affects the subject property in a manner that inhibits its continued use or reuse, or
 - iv. Results in a change inconsistent with any standards or conditions imposed by the Village Board in approving the Specific Use Permit, as determined by the Director of Economic and Community Development.
 - b. **Minor Amendment.** A minor amendment is any proposed change to an approved Special Use Permit that is consistent with the standards and conditions upon which the Special Use Permit was approved, which does not alter the concept or intent of the Special Use Permit and is not considered a major amendment as detailed in Section 44-07-11(H)(1)(a).

c. **Approval Process.**

- i. A major amendment to an approved Special Use Permit shall follow the procedure for a Special Use Permit approval defined in Section 44-07-11.
- ii. A minor amendment to an approved Specific Use permit may be approved by the Director of Economic and Community Development.

Figure 7.2. Special Use Permit Procedure



44-07-12. Variances

- A. **Purpose.** The Variance process is designed to provide a narrowly circumscribed means by which relief may be granted from unforeseen applications of this Ordinance that create practical difficulties or particular hardships. A Variance may be granted for practical difficulties or particular hardships barring a strict application of the regulations of this Ordinance.
- B. **Authority of the Planning and Zoning Commission.** As authorized in Section 44-07-03, the Planning and Zoning Commission may make the final decision in Variance requests only in the following instances:
1. To permit a yard setback less than the yard setback required by the applicable regulations.
 2. To permit the use of a lot for a use otherwise prohibited solely because of the insufficient area of the lot. The maximum Variance that may be grant shall be ten (10) percent.
 3. To modify the applicable off-street parking or loading requirements to the extent of not more than one (1) parking space or loading space, or twenty (20) percent of the off-street parking spaces required by applicable regulations, whichever number is greater.
 4. To allow any permitted nonresidential use in a residential district to exceed the building coverage imposed by the applicable regulations by no more than ten (10) percent of that area limit imposed by applicable regulations.
 5. To allow the modification of height restrictions for fences as specified in Section 44-05-09.
- C. **Procedures.** Upon receipt of a completed application for a Variance, the Director of Economic and Community Development will schedule the application for consideration by the Planning and Zoning Commission and complete the public hearing notification.
1. **Action by the Planning and Zoning Commission.** The Planning and Zoning Commission shall review the application, any oral and written comments received at the public hearing, and responses by the applicant to the standards and make findings of fact to specify the reasons for their recommendation.
 - a. For applications pertaining to those areas of authority of the Planning and Zoning Commission granted in 44-07-03(B), the Planning and Zoning Commission shall make its findings of fact and approve, approve with conditions, refer to the Village Board for review, or deny the application.
 - b. For all other applications, the Planning and Zoning Commission shall forward to the Village Board its findings of fact and recommendation to approve, approve with conditions, or deny the application.
 2. **Action by the Village Board.** Following the public hearing, the Planning and Zoning Commission shall forward its findings of fact and its recommendation to the Village Board. Upon receiving the report from the Planning and Zoning Commission, the Village Board shall approve, approve with conditions, refer the matter back to the Planning and Zoning Commission for further consideration, or deny the application.
- D. **Standards.** In considering an application for a Variance, the decision-making authority shall review the responses by the applicant to the standards set forth below.
1. No Variance shall be granted unless findings of fact for each specific application demonstrate a true hardship and the least deviation from this Ordinance necessary, as provided in the applicant's response to each of the following standards:
 - a. Can the property in question yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located?
 - b. Is the plight of the owner due to unique circumstances?
 - c. If granted, will the Variance alter the essential character of the locality?

- 2. Supplemental to the above standards, the decision-making authority shall also consider and make findings of fact on the character of the alleged hardship and the potential impacts to neighboring properties of granting the Variance, as provided in the applicant's response to each of the following standards. Not one of the standards is controlling.
 - a. Do the particular physical surroundings, shape, or topographical conditions of the subject property pose a particular hardship upon the owner, as distinguished from a mere inconvenience, under the strict application of these regulations?
 - b. Would the conditions upon which the petition for Variance is based be generally applicable to other property within the same zoning classification?
 - c. Has the alleged practical difficulty or particular hardship been created by any person presently having an interest in the property?
 - d. If granted, will the Variance be detrimental to the public welfare or injurious to other neighboring property?
 - e. If granted, will the Variance: impair an adequate supply of light and air to adjacent property; or substantially increase the danger of fire or otherwise endanger the public safety; or substantially diminish or impair values of neighboring property?
- E. **Expiration.** The approved Variance shall automatically expire without further action by the Village if the applicant fails to obtain a building permit within one year of the approval. An extension of the time requirements may be requested in writing and granted by the Director of Economic and Community Development for good cause shown by the applicant, provided a written request is filed with the Village at least four weeks prior to the respective deadline.

Figure 7.3. Planning and Zoning Commission Variance Procedure

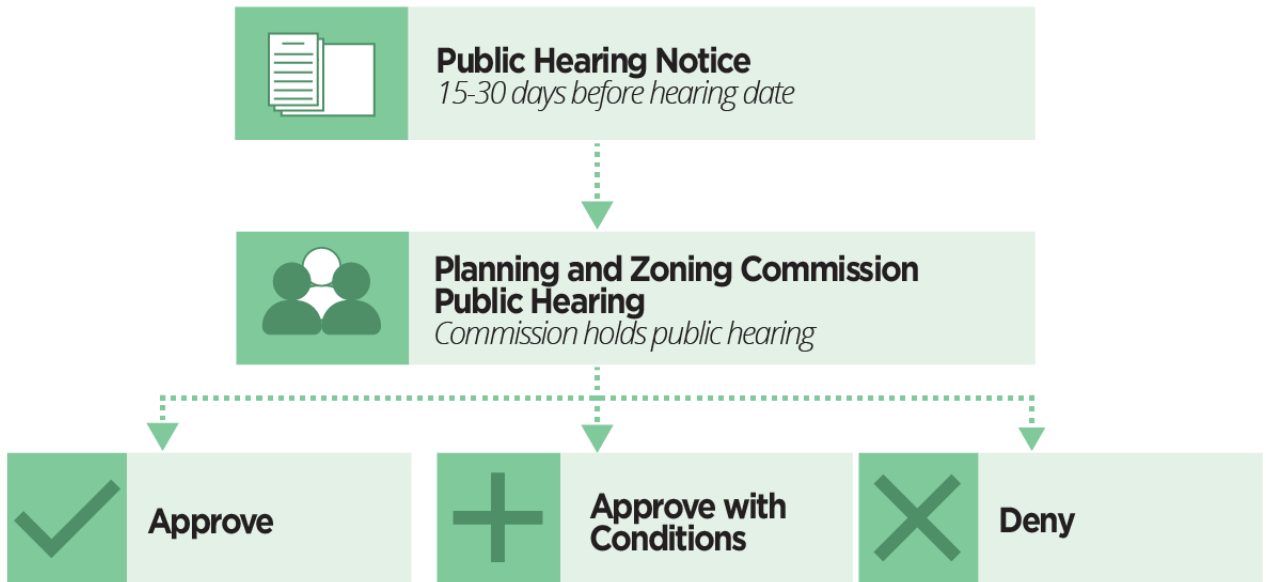
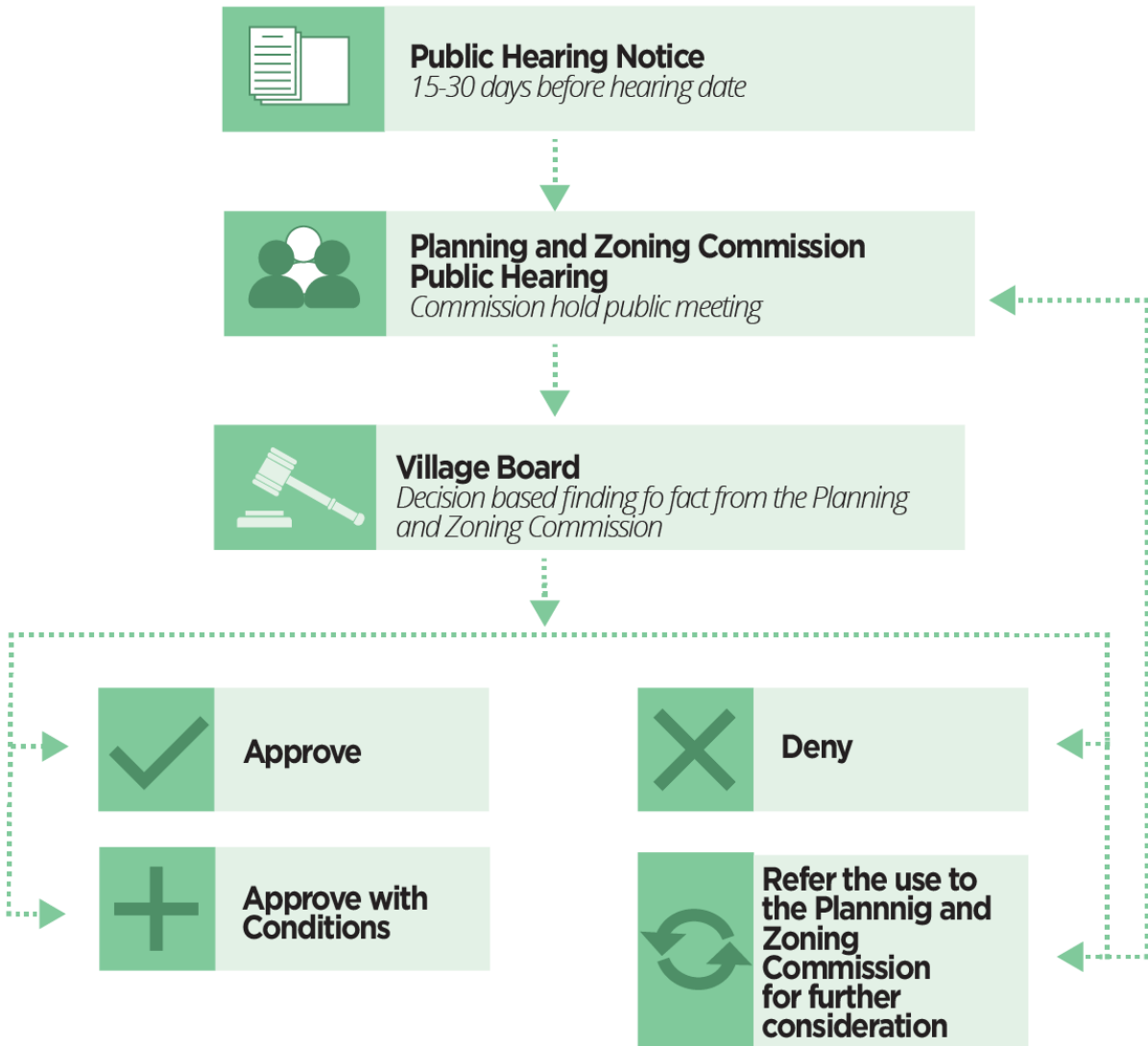


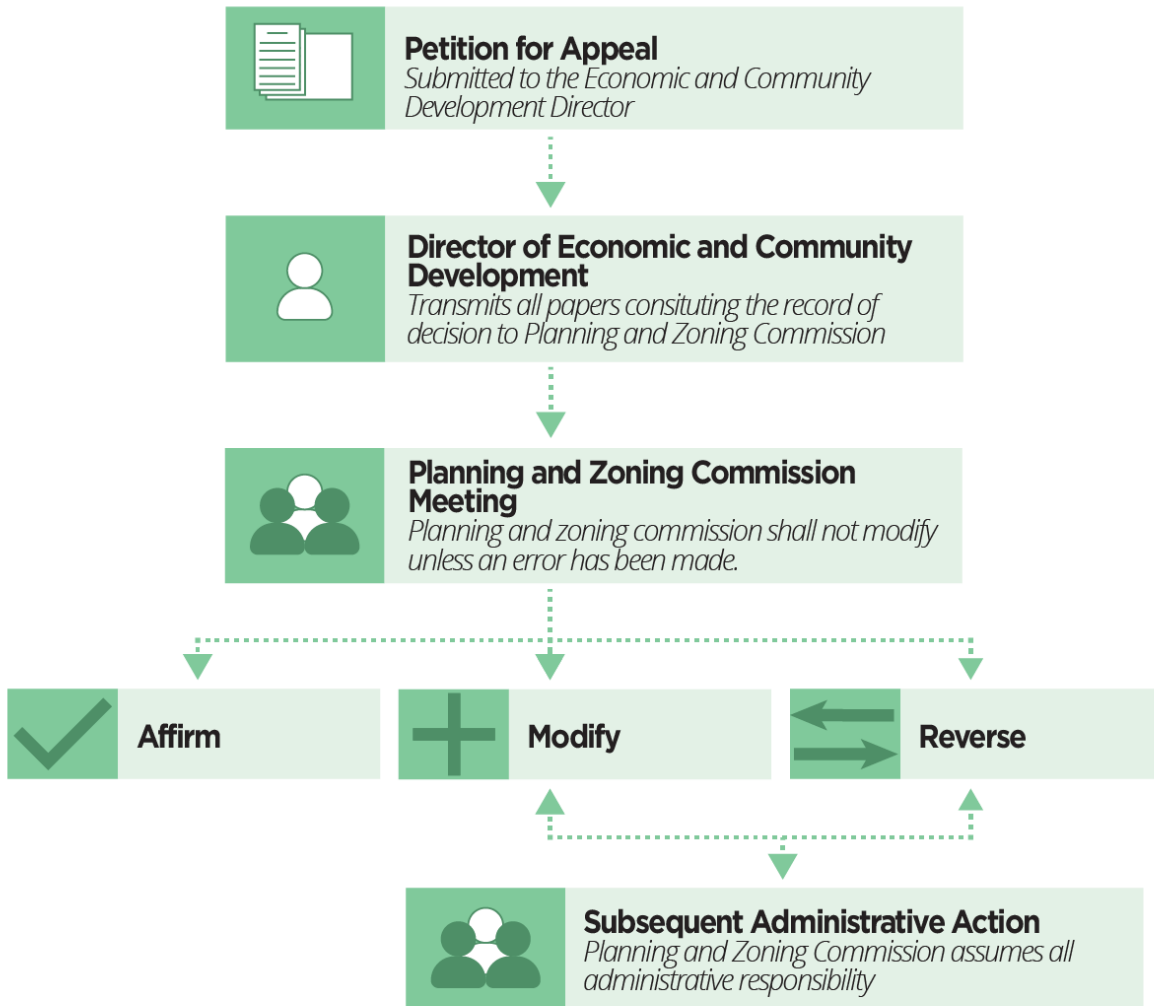
Figure 7.4. Village Board Variance Procedure



44-07-13. Administrative Appeals

- A. **Applicability.** An administrative appeal may be made to the Planning and Zoning Commission by any person, firm or corporation, or by any office, department, board, bureau, or commission, aggrieved by a decision of the Building Inspector, Director of Economic and Community Development, Administrative Review Committee, or other authorized officials. The appeal process provides checks and balances on administrative authority.
- B. **Procedure.**
1. A petition for an appeal before the Planning and Zoning Commission shall be filed in writing within thirty (30) days after the date of the contested decision. The filing of the appeal shall stay any proceedings and any development permitted by the contested action, until a final decision has been rendered by the Planning and Zoning Commission, unless the stay would cause imminent peril to life or property.
 2. Upon filing of an administrative appeal, the Director of Economic and Community Development shall transmit to the Planning and Zoning Commission all the papers constituting the record of the decision. The Director of Economic and Community Development shall place the appeal on the agenda of the Planning and Zoning Commission for consideration at the earliest available meeting. The Director of Economic and Community Development shall provide the person who filed the appeal with written notice of the date, time and place of the scheduled meeting.
 3. **Action by the Planning and Zoning Commission.**
 - a. By motion, the Planning and Zoning Commission shall reverse, affirm, or modify the contested decision. In reversing, modifying or affirming the contested decision, the Planning and Zoning Commission shall have all the related powers of the administrative officer whose decision is being appealed.
 - b. The contested decision shall not be modified unless the Planning and Zoning Commission finds that an error has been made in the application or Interpretation of the terms of this Ordinance, any other related codes, ordinances or policies adopted by the Village. The contested action shall not be reversed or modified except by the concurring vote of four members of the Planning and Zoning Commission.
 4. **Further Appeal.** In the event that the contested action is reversed or modified, all subsequent administrative actions concerning the subject matter shall be in accordance with the reversal or modification by the Planning and Zoning Commission. All decisions of the Planning and Zoning Commission made pursuant to this part shall be final administrative decisions. Any appeal from such decisions shall be made to the circuit court.

Figure 7.5. Administrative Appeal Procedure



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Article 8. Nonconformities

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44-08-01. Purpose and Intent

- A. **Purpose.** The purpose of this Article is to establish regulations for nonconforming uses, buildings, lots, and/or structures and specify those circumstances and conditions to which those nonconforming uses, buildings, lots, and/or structures must comply.
- B. **Intent.**
 - 1. The intent of this Article is to encourage the development and maintenance of appropriate groupings of compatible uses and thus to protect the public health, safety and welfare.
 - 2. The intent of the Village Board is to curtail substantial investment in nonconforming uses, buildings, lots, and/or structures and to bring about their eventual elimination in order to preserve the integrity of the zoning districts. While such nonconformities are allowed to continue, subject to the provisions of this Section and without a specific time limitation, the regulations restrict further action that would make the nonconforming use, building, lot, and/or structure more permanent as contrary to the desired eventual elimination of the nonconformity.

44-08-02. General Standards of Applicability

- A. **Authority to Continue.** Unless otherwise prohibited in this Ordinance, any nonconforming use, building, lot, and/or structure which existed lawfully at the time of the adoption of this Ordinance and which remains nonconforming, and any such use, building, lot, and/or structure which has become nonconforming upon the adoption of this Ordinance or of any subsequent amendments, may be continued subject to the provisions of this Article so long as it remains otherwise lawful.
- B. **Illegal Use.** Illegal uses existing on the effective date of this Ordinance is derived shall not be validated by virtue of its enactment.
- C. **Burden of Owner to Establish Legality.** The burden of establishing the legality of a nonconformity that is lawfully existing under the provisions of the Ordinance shall, in all cases, be upon the property owner of the nonconforming use, building, lot, and/or structure and not upon the Village.
- D. **Safety Regulations.** All safety regulations, including, but not limited to, building, fire, and health, shall apply to nonconforming buildings and structures.

44-08-03. Nonconforming Uses

This Section regulates land, buildings, or structures that, on the effective date of this Ordinance are used for purposes that are not permitted in the zoning district in which they are located.

- A. **Ordinary Repairs and Maintenance.** Normal maintenance and incidental repair or replacement, and installation or relocation of nonbearing walls, nonbearing partitions, fixtures, wiring or plumbing may be performed on any building or structure that is devoted in whole, or in part, to a nonconforming use.
- B. **Structural Alterations.** No structural alterations shall be performed on any building or structure used for a nonconforming use, except in the following situations:
 - 1. When the alteration is required by law or is necessary to restore the building or structure to a safe condition upon the order of any official charged with protecting the public safety.
- C. **Expansion of Use.** A nonconforming use of land, buildings, or structures shall not be expanded, extended, enlarged or increased in intensity. Such prohibited activity shall include, without limitation:
 - 1. Any extension of the hours of operation of such use beyond the normal hours of operation on the effective date of this Ordinance.
 - 2. Expansion of any building or structure devoted entirely to a nonconforming use.
 - 3. An expansion or extension of a use, or its accessory uses, to any structure, building, or land area, other than that occupied by such nonconforming use, on the effective date of the Ordinance, that caused such use to become nonconforming.
 - 4. An expansion or extension of such use, including its accessory uses, within a building and/or structure, to any portion of the floor area that was not occupied by such nonconforming use on the effective date of the Ordinance that caused such use to become nonconforming.
- D. **Relocation.** A nonconforming use of land, buildings, or structures shall not be relocated in whole, or in part, to any other location on the same lot or parcel, or to any other lot or parcel, unless the use shall, due to the relocation, conform to all regulations of the zoning district in to which it is relocated.
- E. **Change of Use.** A nonconforming use shall not be changed to any use other than a use allowed within the zoning district in which the use is located. When such a nonconforming use has been changed, in whole or in part, to an allowed use, the whole or part which has been made to conform may not thereafter be changed back to a use that is not allowed. A change of use shall be deemed to occur when an existing nonconforming use has been terminated and an allowed use has commenced. Any change in use in violation of this Ordinance shall be deemed an abandonment of the lawfully existing nonconforming use.

F. Discontinuation or Abandonment.

1. If a nonconforming use is discontinued, or becomes vacant, and remains unoccupied for a continuous period of one hundred eighty (180) days, regardless of the intent to resume or not to terminate the use, such use shall be deemed to be abandoned and shall not be reestablished or resumed.
2. Any subsequent use or occupancy of such land, building, or structure shall comply with all regulations of the zoning district in which such land, building, or structure is located.
3. The period of such discontinuance caused by government action, natural disaster, or other acts without any contributing fault by the user, shall not be included in calculating the length of discontinuance for this Section.

G. Damage or Destruction. The following standards shall apply to buildings and/or structures damaged or destroyed by any means not within the control of the property owner. In the event a building or structure is damaged or destroyed by means within the control of the owner, the building or structure shall not be altered in any fashion except to make it conforming to all requirements of this Ordinance.

1. **Replacement Value.** The replacement value of the building or structure will be based on either a sale within the prior year, an appraisal within the last two (2) years, or the amount for which the building or structure was insured prior to the date of the damage or destruction.
2. **Fifty Percent (50%) or More of Replacement Value.**
 - a. In the event that any building or structure that is devoted in whole, or in part, to a nonconforming use is damaged or destroyed, by any means not within the control of the property owner, to the extent of fifty percent (50%) or more of its replacement value, then the building or structure shall not be restored or rebuilt unless the building or structure, including foundation, and the use thereof shall thereafter conform to all regulations of the zoning district in which it is located.
3. **Less than Fifty Percent (50%) of Replacement Value.**
 - a. When such building or structure is damaged or destroyed, by any means not within the control of the property owner, to the extent of less than fifty percent (50%) of the replacement value at that time, it may be repaired and reconstructed and used for the same purposes as it was before the damage or destruction, provided that a Building Permit for the repair or reconstruction is obtained within one (1) year of the date of damage or destruction and construction is completed within one (1) year of the issuance of the building permit.
 - b. No restoration, rebuilding, repairs, or reconstruction shall be made that would create any new nonconformity, increase the degree of any previously existing nonconformity, or increase the bulk of the building or structure in any manner.
 - c. In the event that a Building Permit is not obtained within one (1) year or if repairs are not completed within one (1) year of the issuance of the building permit, then the building or structure shall not be restored unless the building or structure and the use conforms to all regulations of the zoning district in which it is located.

44-08-04. Nonconforming Buildings and Structures

This Section regulates buildings and structures that are existing on the effective date of this Ordinance that do not conform to the yard, height, lot coverage, floor area ratio or other provisions of this Ordinance.

A. Ordinary Repairs and Maintenance.

1. Normal maintenance and incidental repair or replacement, and installation or relocation of nonbearing walls, nonbearing partitions, fixtures, wiring or plumbing may be performed on any nonconforming building or structure.
2. No repairs or reconstruction shall be made that would create any new nonconformity, increase the degree of any previously existing nonconformity, or increase the bulk of the building in any manner.

B. Structural Alterations. No structural alterations shall be performed on any nonconforming building or structure, except in the following situations:

1. When the alteration is required by law or is necessary to restore the building or structure.
2. When the alteration will result in eliminating the nonconformity.
3. When the alteration will not create any new nonconformity, increase the degree of any existing nonconformity, or increase the bulk of the building or structure in any manner.

C. Additions and Enlargements.

1. A building or structure, which is nonconforming with respect to its bulk, may be added to or enlarged, provided that such addition or enlargement does not increase the degree of the existing nonconformity of the building or structure.
2. In determining the extent of the allowable addition or enlargement, the nonconformity of the building or structure shall be based only upon those portions of the building having both foundation and roof.
3. A nonconforming building or structure shall not be added to or enlarged if such addition or enlargement would increase the degree of the existing nonconformity of the building or structure, such as but limited to encroaching into a required setback(s) more than the existing encroachment.

D. Relocation. A nonconforming building or structure shall not be relocated in whole, or in part, to any other location on the same lot or parcel, or to any other lot or parcel, unless the building or structure would thereafter conform to all regulations of this Ordinance.

E. Damage or Destruction. The following standards shall apply to buildings and/or structures damaged or destroyed by any means not within the control of the property owner. In the event a building or structure is damaged or destroyed by means within the control of the owner, the building or structure shall not be altered in any fashion except to make it conforming to all requirements of this Ordinance.

1. **Replacement Value.** The replacement value of the building or structure will be based on either a sale within the previous year, an appraisal within the last two (2) years, or the amount for which structure or building was insured prior to the date of the damage or destruction.
2. **Fifty (50) Percent or More of Replacement Value.**
 - a. In the event that any nonconforming building or structure is damaged or destroyed, by any means not within the control of the property owner, to the extent of fifty (50) percent or more of its replacement value at that time, then the building or structure shall not be restored or rebuilt unless the building or structure, including foundation, thereafter conforms to all regulations of the zoning district in which it is located.

3. **Less than Fifty (50) Percent of Replacement Value.**

- a. In the event that any nonconforming building or structure is damaged or destroyed, by any means not within the control of the property owner, to the extent of less than fifty (50) of the replacement value at that time, it may be repaired and reconstructed, provided that no new nonconformities are created, and that existing degree of nonconformity is not increased.
- b. A Building Permit shall be obtained for such rebuilding, restoration, repair, or reconstruction within one (1) year of the date of damage or destruction, and the construction shall be completed within one (1) year of issuance of the building permit.
- c. In the event that the permit is not obtained within one (1) year or that repairs are not completed within one (1) year of the issuance of the building permit, then the structure or building shall not be restored unless the structure or building conforms to all regulations of the district in which it is located.

44-08-05. Nonconforming Lots of Record

This Section regulates lots of record, existing on the effective date of this Ordinance, which do not conform with the lot area or lot width requirements for the zoning district in which they are located. No nonconforming lot of record may be improved except in compliance with this Section.

- A. **Individual Lots of Record in the R-1 and R-2 Zoning Districts.** In the R-1 and R-2 zoning Districts, notwithstanding limitations imposed by other provisions of this Ordinance, a legally established use and its accessory building(s) and/or structure(s) may be erected on a single nonconforming lot of record, provided that the lot is in separate ownership and all other requirements of this Ordinance are met.
- B. **Lots of Record Held in Common Ownership.**
 1. If, on the effective date of this Ordinance, two or more lots of record with continuous frontage in single ownership do not meet the requirements for lot width or lot area as established by this Ordinance, the land so involved shall be considered to be a single undivided parcel for the purposes of this Ordinance.
 2. No portion of the parcel shall be used, transferred, or conveyed which does not meet the lot width and lot area requirements established by this Ordinance.
 3. No Building Permit shall be issued for the use of any lot or portion of a lot transferred or conveyed in violation of this Section.
 4. No lot shall be created by subdivision or any other means, which does not comply with all provisions of this Ordinance, unless the owner has been granted a Variance in accordance with Section 44-07-12. This provision shall not prevent the division of existing multifamily dwelling units into separate ownership, such as condominiums or fee simple townhomes.
- C. **Variance.** A Variance from this Section may be obtained to permit the separation of two (2) adjoining lots held in common ownership, provided that the Planning and Zoning Commission finds that the applicant complies with the standards for a Variance in Section 44-07-12. In addition, the applicant must comply with one (1) of the following standards:
 1. Both lots met the lot area and lot width requirements in effect at the time the applicant purchased the lots.
 2. More than fifty (50) percent of the lots within five hundred feet (500') of the subject lots have been developed as individual building sites and do not comply with either the lot width or lot area requirement for the zoning district in which they are located.
 3. The owners of the abutting lots refuse to sell or convey, at a fair market price, portions of their lots that could be added to the subject lots to render them conforming without rendering the abutting lots or structures located on such lots nonconforming.

44-08-06. Condemnation

- A. The Village, at any time, by ordinance duly enacted, and in accordance with the authority vested in it by 65 ILCS 5/11-13-17 and other state and federal laws may acquire by negotiated purchase, by condemnation, or by other means, any buildings or structures that do not conform to the Village standards.

- B. The Village may acquire, by negotiated purchase, by condemnation, or by any other means, any land which is necessary or appropriate for the rehabilitation or development of any area blighted by substandard buildings or structures.

Article 9. Definitions

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44-09-01. General Rules of Construction

The terms and words whenever used in this ordinance shall be construed as herein defined.

A. **Tense and Form.** Words used or defined on one tense or form shall include other tenses or derivative forms.

- B. **Number.** Words in the singular number shall include plural number, and words in the plural number shall include the singular number.
- C. **Gender.** Terms used in this Code, regardless of the gender specifically used, shall be deemed to include any other gender.
- D. **Person.** The word “person” includes individuals, firms, partnerships, joint ventures, trusts, trustees, estates, corporations, associations, and any other similar entities.
- E. **Shall and May.** The words “shall,” “must” and “will” are mandatory in nature and establish an obligation or duty to comply with the particular provision. The word “may” is permissive.
- F. **Time.** The time, within which any act required by this ordinance is to be performed, shall be computed by excluding the first day and including the last day. However, if the last day is a Saturday or Sunday or a holiday declared by the United States Congress or the Illinois General Assembly, it shall also be excluded. The word “day” shall mean a calendar day, unless otherwise indicated.
- G. **Undefined Terms.** Any words not defined in this Section shall be construed as defined in standard dictionary usage.
- H. **Illustrations and Tables.** In case of any difference of meaning or implication between the text of this ordinance and any caption, illustration, or-table, the text shall control. No caption, illustration or table shall be construed to limit the scope or intent of the text of this ordinance.

44-09-02. Rules For Generic Use Definitions

- A. **Purpose of Generic Use Definitions.** Certain terms in this Section are defined to include many uses to eliminate overly detailed listings of uses in the zoning districts established by this Ordinance.
- B. **Components of Generic Use Definitions.** Generic use definitions include a brief list of examples of uses intended to be included within the definition; an identification (where appropriate) of certain uses that are not meant to be included by the term.

44-09-03. “A” Definitions.

- A. **Abandonment** means to cease the use of a property, intentionally or otherwise.
- B. **Abut** means to share a common lot line or zoning district boundary, without being separated by a street or alley.
- C. **Accessible** means a site or facility that is easy to approach, enter, operate, participate in, and/or use safely and with dignity by a person with a disability.
- D. **Accessible Ramp** means any part of an accessible route conforming to the Illinois Accessibility Code.
- E. **Accessory Structure/Building:** A subordinate structure or building attached to or detached from but located on the same lot as a principal building or use. Accessory structures and buildings include garages, sheds, gazebos, cabanas, decks, greenhouses, arbors and trellises, swimming pools, and playhouses.
- F. **Accessory Retail/Restaurant** means the use of a portion of a building for retail purposes which are customarily incidental and subordinate to the principal use of the building.
- G. **Addition or Expansion** means any of the following: an increase in the occupiable and useable floor area of a building, or the reconstruction of a building or structure which is not accompanied by a change in the use of a lot.
- H. **Adjoining** means abutting or contiguous.
- I. **Adult** means a person who has reached eighteen (18) years of age.

- J. **Adult Bookstore, Adult Novelty Store, or Adult Video Store** means an establishment having a significant portion of its sales or stock in trade one or more of the following or derives a substantial portion of its interior business or advertising to the sale or rental for any form of consideration from one or more of the following:
1. Books, magazines, periodicals, printed matter, photographs, films, motion pictures, video cassettes, slides, or other visual representations which are distinguished or characterized by their emphasis on matter depicting, describing, or relating to specified anatomical activities or areas.
 2. Instruments, devices, or paraphernalia, which are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of the user or others.
 3. An establishment may have other principal business purposes that do not involve the offering for sale, rental, or viewing of materials depicting or describing specified sexual activities or anatomical areas and can still be categorized as an adult bookstore, adult novelty store, or adult video store. Such other business purposes will not serve to exempt such establishments from being categorized as an adult bookstore, adult novelty store, or adult video store so long as one of its principal business purposes is offering the sale or rental of some form of consideration the specified materials, which depict or describe specified anatomical activities or specified anatomical areas.
- K. **Adult Cabaret** means a public or private establishment which:
1. Features topless dancers, strippers, nude or seminude personnel, male or female impersonators, lingerie, or bathing suit fashion shows.
 2. Live entertainment characterized by the exposure of specified anatomical areas or films, motion pictures, video cassettes, slides or other photographic reproductions in which a substantial portion of the total presentation time is devoted to the showing of material that is characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical area.
 3. The explicit performance or simulation of special sexual activities.
 4. Personnel who dance with one or more patrons in a state of dress or undress in a manner intended for the sexual stimulation of a patron.
 5. Features entertainers who, by reason of their appearance or conduct, perform in a manner that is designed primarily to appeal to the sexual stimulation of a patron, including, but not limited to, lap dancing and private dancing for one or more patrons.
- L. **Adult Day Care** means a center that provides for the care of adults for a period of less than 24 hours, but not overnight, where services are designed to meet the needs of adults through individual plans of care. Each facility shall, at a minimum, meet the standards and guidelines for adult day care services as provided by the National Adult Day Services Association, a unit of the National Council on the Aging, Inc.
- M. **Adult Uses** means any one or more of the following: adult arcade, adult bookstores, adult motion picture theaters, adult mini-motion picture theater, adult entertainment, adult cabarets, adult novelty stores, adult motel, adult video store and other similar uses.
- N. **Alley** means a public right-of-way with a width not exceeding twenty-four feet (24'), which affords a secondary means of access to abutting property.
- O. **Artisan Manufacturing, Assembly, Fabrication** means a small-scale businesses that produce artisan goods or specialty foods, primarily for direct sales to consumers, such as artisan leather, glass, wood, paper, ceramic, textile and yarn products, specialty foods and baked goods. This land use includes the design, processing, fabrication, assembly, treatment and packaging of products; as well as the incidental storage, sales and distribution of such products.

- P. **Autobody Repair** means facilities that provide substantial motor vehicle body repair services to the shell of automobiles, major painting or undercoating services, engine rebuilding, reconditioning of motor vehicles, collision repair services, such as body, frame or fender straightening and repair, overall painting and undercoating.
- Q. **Awning** means a roof-like cover, temporary in nature, which projects from the wall of a building.

44-09-04. "B" Definitions

- A. **Balcony** means a platform, which projects from the exterior wall of a building above the ground floor, exposed to the open air and has direct access to the interior of the building, which is not supported by posts or columns extending to the ground.
- B. **Bar** means and includes business establishments engaged primarily in the retail sale or distribution of alcoholic beverages to public patrons for consumption on the establishment's premises, and that includes beer bars, parlors, lounges, cabarets and nightclubs. The term may also include accessory sale of prepared food.
- C. **Basement** means a portion of a building located partly underground but having greater than four feet (4') of its clear floor-to-ceiling height above the average grade of the adjoining ground.
- D. **Bay Window** means a window which projects outward from the building, beginning at least two feet (2') above ground that does not rest on the building foundation or on the ground.
- E. **Bed and Breakfast** means an owner-occupied single-family detached dwelling where short-term lodging and meals are provided for compensation.
- F. **Boarder** means a person who rents lodging within part of a dwelling occupied by the person to whom the payments are made, with a rental period of one month or longer.
- G. **Body Piercing** means the perforation of any human body part other than ear lobe for the purpose of inserting jewelry or other decoration of for some other nonmedical purpose.
- H. **Buildable Area** means the area of the lot enclosed within the front, side and rear yard required setbacks.
- I. **Building** means any structure with walls and roof and securely affixed to the land and having a permanent foundation, designed or intended for shelter or enclosure of persons, animals, chattels, or movable property.
- J. **Building Coverage** means the percentage of the lot occupied by principal and accessory buildings.
- K. **Building Height** means the vertical distance from grade to the highest point of the roof of the building or the highest point of the structure. Building height shall not include mechanical equipment and screening, elevator override or stair access, and any amenity space with a gross area of less than twenty-five percent (25%) of the total floor plate.
- L. **Building Material, Machinery, and Equipment Sales or Storage** means a facility primarily oriented to the receiving, holding, shipping, and/or sale of building material, machinery, and equipment for a single business or a single group of businesses. With the exception of loading and parking facilities, such land uses are contained entirely within an enclosed building. Examples of this land use include conventional warehouse facilities, long-term indoor storage facilities, and joint warehouse and storage facilities.
- M. **Bulk** means a composite characteristic of a given building and located upon a given lot involving the following:
1. Size and height of building.
 2. Location of exterior walls at all levels in relation to lot lines, streets or to other buildings.
 3. Lot area, lot area per dwelling unit, and lot width required.
 4. Impervious surface limits.

- N. **Business** means any occupation, employment or enterprise that occupies time, attention, labor, and/or material for compensation whether or not merchandise is sold or services are offered.

44-09-05. "C" Definitions

- A. **Cannabis Dispensing Organization** means a facility operated by an organization or business that is licensed by the department of financial and professional regulation to acquire cannabis from a state-licensed cultivation center, craft grower, processing organization, or another dispensary for the purpose of selling or dispensing cannabis, cannabis-infused products, cannabis seeds, paraphernalia, or related supplies to purchasers or to qualified registered medical cannabis patients and caregivers.
- B. **Cannabis Infuser Organization** means a facility operated by an organization or business licensed by the state department of agriculture to directly incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis-infused product, as allowed by the Cannabis Regulation and Tax Act (410 ILCS 705/1 et seq.) and regulations promulgated thereunder.
- C. **Car Wash** means the use of a site for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment.
- D. **Cargo Container Storage, Stacking** means a standardized, reusable vessel, that is or appears to be designed without an axle or wheels, which was:
1. Originally, specifically, or formerly designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities;
 2. Designed for or capable of being mounted or moved on a rail car;
 3. Designed for or capable of being mounted on a chassis for movement by a truck trailer or loaded on a ship; or
 4. Does not include portable storage containers.
- E. **Carry-Out Facility** means a business which sells food or beverages to the consumer in a ready-to-consume state and whose operation includes serving food or beverages in paper, plastic, or other disposable containers, and does not include associated seating for dining on the premises.
- F. **Check Cashing/Pay Day Loan Store.** An establishment that provides to the customer an amount of money that is equal to the face value of the check, warrant, draft, money order or other commercial paper securing the same purpose, or the amount specified in the written authorization for an electronic transfer of money, less any fee charged for the transaction, whereby the check casher refrains from depositing a personal check written by a customer until a specific date. Such establishments may also engage in money transfers, payday advances and issuance of money orders. This use shall not include a state or federally chartered bank, savings association, credit union, industrial loan association, or rental-purchase company and shall not include a retail seller engaged primarily in the business of selling consumer goods, including consumables, to retail buyers that cashes checks or issues money orders for a nominal flat fee as a service to its customers incidental to the main use of the establishment.
- G. **Child Care Center** means a DCFS-licensed agency that provides for the care of nine or more children during part of a twenty-four (24) hour day, but not overnight.
- H. **Civic Uses of Public Property** means a temporary use of public property for civic events including parades, community events open to the public.
- I. **Club or Lodge** means a nonprofit association of persons who are bona fide members paying dues that owns or leases a building, or portion thereof, the use of such are restricted to members and their guests.
- J. **Commercial Kitchen** means a kitchen that has durable equipment designed for the large-scale production of food to be sold or consumed off-site.

- K. **Community Garden** means a site where any kind of plant, including flowers, is grown, and several individuals or households cultivate the site. The site may be divided into individual allotments, or gardeners may work together to cultivate the entire property. The land may be publicly or privately owned. The plants are grown for personal use by the gardeners or for donation.
- L. **Conforming Structure** means a structure or building that complies with all the regulations of this chapter.
- M. **Contiguous** means adjoining or abutting.
- N. **Contractor's Trailers and Real Estate Sales Model Units** means and includes guard's trailers, construction equipment sheds, contractors' or real estate sales trailers, and similar uses incidental to a construction project and sales of homes within a newly constructed development.
- O. **Contractor Shop** means an enclosed space used for the provision of services, storage, operation and housing of equipment and fabrication of building-related products.
- P. **Coworking Space** means a space in which workers employed at different establishments engaged in professional services as defined in this Ordinance work together in a single shared space. Coworking spaces typically charge membership dues and contain office equipment for shared use including computers, internet, and printers.
- Q. **Craft Brewery** means a small-scale production facility where beer is manufactured in quantities not to exceed the limits of a Class 1 or Class 2 brewer, as defined by 235 ILCS 5/1-3.38 and 235 ILCS 5/1-3.42. A craft brewery may contain a tasting room where beer manufactured on-site is served.
- R. **Crematorium** means an establishment used for the incineration of human remains and ancillary sales related to the cremation process which includes the sale of cremation containers and vessels, or urns used for the storage of cremated remains.

44-09-06. "D" Definitions

- A. **Deck** means a structural platform without a roof directly adjacent and accessible to a principal building.
- B. **Drive-Through Facility** means and includes all retail and service facilities that accommodate the patrons' motor vehicles, from which the occupants of the motor vehicle may make purchases or transact business.
- C. **Driveway** means any impervious surface providing direct ingress to and egress from a parking space for a residential use.
- D. **Dry Cleaner, Processing On-Site** means an establishment or business maintained for the pickup, delivery, and processing of dry cleaning and/or laundry.
- E. **Dumpsters, Temporary** means a large-capacity waste receptacle one cubic yard or greater of solid metal or heavy-duty woven poly construction. The container is commonly used to handle waste disposal related to temporary activities, such as moving, remodeling, construction, and demolition projects. Temporary dumpsters do not include residential waste carts and dumpsters placed permanently on a property in a multifamily residential district for residential use and emptied on a regular weekly schedule.
- F. **Dwelling, Accessory**: A small, independent residential dwelling unit located on the same lot as a principal residential use. Accessory dwelling units may be located as a partitioned area within the principal dwelling, as a building attached to a principal dwelling unit, or as an accessory building detached from the principal building.
1. **Dwelling, Accessory, Detached** means an accessory dwelling unit standalone accessory building such as a detached garage not be attached to the principal building at any point.
 2. **Dwelling, Accessory, Attached/Internal** means an accessory dwelling unit that is an accessory portion of or structurally attached to the principal building.

- G. **Dwelling, Duplex** means a building containing up to two (2) attached, single-family, dwellings joined to one another by a party wall or walls, and which may be stacked vertically or horizontally.
- H. **Dwelling, Multiple-Family** means a dwelling containing three (3) or more dwelling units that share a common party wall and/or floors or ceilings.
- I. **Dwelling, Single-Family Detached** means a dwelling containing one (1) dwelling unit with open space on all sides and not attached to any other dwelling unit or building.
- J. **Dwelling, Townhouse** means a building having three (3) or more dwelling units that are arranged side-by-side, joined to one another at one (1) or more sides by a party wall and with each occupying an exclusive vertical space without another dwelling unit above or below. Each dwelling has a dedicated exterior entrance.
- K. **Dwelling Unit** A group of rooms constituting all or part of a dwelling, which are arranged, designed, used, or intended for use exclusively as living quarters for one household, and which includes cooking and sanitation facilities.

44-09-07. "E" Definitions

- A. **Easement** means the right to use a designated part of property owned by another party for a specified purpose.
- B. **Eave** means the projecting lower edges of a roof extending beyond the vertical wall of a building.
- C. **Electric Vehicle Charging Station** means the equipment for charging electric-powered vehicles and the space on a site designated for its use.
- D. **Electric Vehicle Ready** means the installation of electrical panel capacity and raceway with conduit to terminate in a junction box or two-hundred-forty (240) volt charging outlet ready for the installation of charging equipment.
- E. **Exhibit Hall** means a facility designed and used for conventions, conferences and seminars, along with accessory functions such as preparation and serving of food and beverages

44-09-08. "F" Definitions

- A. **Family** means one (1) or more persons, related by blood, marriage, legal guardianship, or adoption, living together as a single housekeeping unit in a dwelling unit or a group of not more than three (3) unrelated persons, living together as a single housekeeping unit in a dwelling unit. A family may include not more than two (2) caregivers, servants, boarders or guests.
- A. **Fence** means a constructed barrier partitioning, enclosing, or dividing a piece of land to prevent uncontrolled access for decorative purposes, or to screen from view from adjoining properties and streets the property or lot upon which the fence is erected.
- B. **Financial Institution** means and includes establishments whose principal use or purpose is the provision of financial services, including, but not limited to, bank facilities for tellers, automated teller machines, credit unions, savings and loan institutions, and currency exchange establishments. This use shall not include establishments whose primary purpose is to accept applications, originate, underwrite, process or service residential or commercial loans secured by mortgage on real property.
- C. **Firearm** is defined in section 1.1 of the Firearms Owners Identification Card Act, 430 ILCS 65/0.01 et seq.
- D. **Firearms Retailer** means a business that derives its principal income from the purchase, sale, or trade of firearms, with or without sale of ammunition or firearms accessories; and either physically delivers firearms to purchasers on the premises or conducts firearms sales from the premises for delivery to offsite purchasers; and is required to possess a firearms dealer license under federal law.

- E. **Floor Area, Gross** means the total enclosed floor area of the building(s) and structure(s) on a property including basements, lobbies, common area, storage areas, stairwells, restrooms, elevator shafts, hallways, equipment rooms, interior area devoted to parking, and other similar fully enclosed spaces of the building. Gross floor area does not include non-enclosed areas like plazas, loading docks, covered parking areas, balconies, and similar features. For motor vehicle sales, service, and rental uses, inventory storage shall not qualify as the basis to determine parking requirements.
- F. **Food Cart or Truck** means a motorized vehicle or trailer, equipped to cook, prepare, serve, and/or sell food.
- G. **Fuel Sales** means buildings and premises where gasoline, oil, grease, batteries, tires, and automobile accessories may be supplied and dispensed at retail, and where in addition indoor retail sales of convenience items are made. Commonly known as a gas station.

44-09-09. "G" Definitions

- A. **Garage** means an accessory building or an accessory portion of the principal building, including a carport, which is intended for and used for storing of the private passenger vehicles of the occupants.
- B. **Gazebo** means an accessory building consisting of a freestanding, covered open-air structure designed for recreational use and not human habitation.
- C. **Glare** means the effect produced by brightness sufficient to cause annoyance, discomfort, loss of visual performance or visibility.
- D. **Grade** means the average level of the finished surface of the ground adjacent to the exterior walls of the structure.
- E. **Greenhouse, Wholesale** means an establishment for the growing of horticultural and floricultural products on site, which are sold at wholesale.
- F. **Group Home** means a residential building housing unrelated persons, who require and receive assistance, care, or supervision by staff, and who reside together in a long-term, family-type environment as a single housekeeping unit. The term "group home" shall not include alcoholism or drug treatment centers or a facility for criminal offenders serving on work release, probationary programs or other alternatives to incarceration.
- G. **Guest** means a person who occupies, or has the right to occupy, a lodge, bed and breakfast, or dwelling accommodation for a period of thirty (30) days.

44-09-10. "H" Definitions

- A. **Hard surface** means an all-weather, durable, dustless ground surface composed of asphalt or concrete, excluding a surface composed of loose gravel or stone.
- B. **Home-Based Business** means any business or commercial activity that is conducted, or proposed to be conducted, from property that is zoned for residential use and is clearly incidental and secondary to the use of the dwelling unit for residential purposes. The list of occupations that are specifically excluded include:
 1. Bed and breakfasts,
 2. Nursing homes,
 3. Group homes.
 4. Autobody repair.
 5. Motor vehicle service.

6. Small engine and equipment repair.
 7. Animal training and boarding.
- C. **Home-Based Business, Class I** means a permit for certain home-based businesses of limited scale and impact including:
1. Art or craft studio.
 2. Dressmakers.
 3. Professional offices of a clergyman, lawyer, architect, engineer, or accountant.
 4. Teaching, such as music, art, language, or dancing, provided that it is limited to one (1) pupil at a time.
 5. Child day care homes licensed by the Illinois Department of Children and Family Services (DCFS).
- D. **Home-Based Business, Class II** means any allowed home-based business not meeting the criteria for a Class I home-based business.
- E. **Hospital** means and includes institutions providing physical or mental health services, in-patient or overnight accommodations, and medical or surgical care of the sick and injured. The term "hospital" shall not include medical offices as defined in this Ordinance.
- F. **Hotel** means a building containing lodging rooms for rent to transient guests and accessed from a common entrance lobby, and where lodging rooms do not have a doorway opening directly to the outdoors, except for emergencies.
- G. **Household Recreational Facilities** means recreation equipment or structure customarily and typically found on a residential lot that is incidental to, and associated with, a dwelling unit located on the same lot. This includes play equipment, trampolines and skateboard half pipes but does not include lawn furniture and decorations, barbecues, or satellite dishes.

44-09-11. "I" Definitions

- A. **Impervious Surface Coverage** means the portion of a lot that is not covered with soil or natural vegetation. Such surfaces include areas covered by buildings, porches, patios, terraces, swimming pools. Decks composed of boards with at least one-quarter (1/4) of an inch between each individual board shall be excepted. Surfaces constructed of asphalt, concrete, gravel composite, brick, stone, tile, or any other paving material used for parking, driveways and walkways are included.

44-09-12. "J" Definitions

RESERVE

44-09-13. "K" Definitions

- A. **Kennel** means any lot or premises or portion thereof on which more than four dogs, cats, and other household domestic animals, over four months of age, are kept or at which more than two such animals are boarded for compensation or kept for sale.

44-09-14. "L" Definitions

- A. **Landing** means the platform or floor at the top of a flight of stairs, between flights of stairs, or interrupting a flight of stairs.
- B. **Landscaping** means creating a finished grade, preserving existing vegetation, installing trees, shrubs, groundcover, grass or other plant material, and maintaining the area to present a well-kept appearance.

- C. **Laundry, Commercial** means a facility, which provides laundry and dry cleaning, services for commercial and industrial businesses but does not provide self-service or laundry services for individual needs.
- D. **Laundry, Self-Service** means a facility where patrons wash, dry or dry clean clothing or other fabrics in machines operated by the patron. The term "self-service laundry" may include establishments, which provide services to wash, dry or dry clean on an individual basis, but specifically excludes commercial laundry services.
- E. **Learning Centers** means a center that provides part-time, supplemental education or instruction in a specialized area. The term includes, but is not limited to, martial arts or dance studios, tutoring, computer instruction, or music lessons.
- F. **Light Manufacturing, Assembly, Fabrication** means industrial facilities at which all operations (with the exception of loading operations) are conducted entirely within an enclosed building; not potentially associated with nuisances such as odor, noise, heat, vibration, and radiation which are detectable at the property line; and do not pose a significant safety hazard (such as danger of explosion).
- G. **Lighting, Cut-Off** means a light source with elements such as shields, reflectors or refractor panels which direct the light so that no light is emitted at an angle greater than ninety (90) degrees. Such angle is formed by a line drawn from the direction of rays at the light sources and a line perpendicular to the ground.
- H. **Limousine** means any motor vehicle offered to the public by a business for the purpose of carrying or transporting passengers for a fixed fee or an hourly rate. Taxicabs and personal vehicles used to transport passengers and operated under ride hailing platforms including but not limited Lyft or Uber shall be excluded from the definition.
- I. **Loading Space** means an off-street space on the same lot as the building for the temporary parking or standing of a commercial vehicle while loading or unloading merchandise or materials.
- J. **Lodging Room** means a room rented as sleeping and living quarters, but without cooking facilities and with or without an individual bathroom. In a suite of rooms, each room shall be counted as one lodging room.
- K. **Lot** means an individual parcel or tract of land located within a single block, occupied, or intended for occupancy, by one (1) principal building or principal use, and having frontage upon a street. New lot lines may be established only in accordance with the subdivision regulations of the village.
- L. **Lot Area:** The total horizontal area included within the lot lines of a lot.
- M. **Lot, Corner:** A lot which at least two (2) adjacent sides abut for their full lengths on a street.
- N. **Lot Line** means a property boundary line of any lot held in single or separate ownership, except that where any portion of the lot extends into the abutting street or alley, the lot line shall be deemed the street or alley line.
- O. **Lot Line, Front** means any boundary of any lot, which is along an existing or dedicated street. Where the lot abuts more than one dedicated street, the shortest of the lot lines that abut a dedicated street shall be the front lot line.
- P. **Lot Line, Rear** means that boundary of a lot, which is most distant from and is parallel, or approximately parallel, to the front lot line. If the rear lot line is less than two feet (2') in length, or if the lot forms a point at the rear, the rear lot line shall be deemed to be a line ten feet (10') in length within the lot, parallel to and at the maximum distance from the front lot line. On corner lots, the rear lot line shall be the boundary line opposite one of the street lot lines and established as the rear lot line at the time of application for the Building Permit.
- Q. **Lot Line, Side** means any boundary of a lot that is not a front or rear lot line.
- R. **Lot of Record** means a lot that is part of a subdivision, which was recorded, or a lot for which the description was recorded either in the office of the county recorder of deeds or in the office of the county registrar of titles prior to the effective date of the ordinance from which this chapter is derived.
- S. **Lot, Through** means a non-corner lot that abuts two streets.

T. **Lot Width** means the distance between the two side lot lines, as measured at the required front yard setback line.

44-09-15. "M" Definitions

- A. **Manufactured Home** means a movable or portable dwelling unit, designed and constructed to be towed on its own chassis, comprised of frame and wheels, and designed to be connected to utilities for year-round occupancy and to provide for complete independent living facilities, including provisions for cooking, sleeping, and sanitation. The term includes units containing parts that may be folded, collapsed, or telescoped when being towed and then expanded to provide additional cubic capacity, and units composed of two or more separately towable components designed to be joined into one integral unit capable of being again separated into components, for repeated towing. All manufactured homes shall be in compliance with 210 ILCS 115/ Mobile Home Park Act and 430 ILCS 115/Illinois Manufactured Housing and Mobile Homes Act.
- B. **Manufactured Home Park, or Mobile Home Park** means a parcel, lot, or tract of land which has been planned and improved for the placement of manufactured homes for residential use, and which is in compliance with 210 ILCS 115/ Mobile Home Park Act and 430 ILCS 115/Illinois Manufactured Housing and Mobile Homes Act.
- C. **Maintenance/Repair** means an activity that restores or sustains the character or design of a building or structure to its previously existing, authorized, and undamaged condition. An activity that changes a building or structure beyond its pre-existing condition or extends the scope or size is not defined as maintenance or repair.
- D. **Massage Therapy** means an establishment that provides massage treatments to customers on-site.
- E. **Materials Salvage Yard/Recycling Operations** means a parcel of land where secondhand, discarded or scrap materials are bought, sold, exchanged, stored, processed, or handled. Materials include scrap iron, structural steel, rags, rubber tires, discarded goods, equipment, appliances, or machinery. The term "material salvage yard, recycling operations" also includes a site for collection, sorting, storing, and processing of paper products, glass, plastics, aluminum, or tin cans prior to shipment for remanufacture into new materials.
- F. **Medical Cannabis Cultivation Center** means a facility operated by an organization or business licensed by the state department of agriculture as a cannabis cultivation center pursuant to the Compassionate Use of Medical Cannabis Pilot Program Act, 410 ILCS 130/1 et seq., as may be amended from time to time.
- G. **Medical Office** means a building containing medical services or containing an association or group of physicians, dentists, clinical psychologists, or similar professional health care practitioners, including assistants. The office may include a pharmacy, dental and medical laboratories, and/or x-ray facilities, but shall not include inpatient or overnight care.
- H. **Mining and Aggregate Extraction** means uses that include mining, extraction, removal, blasting, stockpiling of sand, gravel, topsoil, limestone or other aggregates, including the use of equipment for any of the stated uses.
- I. **Motel** means a building containing lodging rooms rented temporarily to transient guests where access to each guest room is provided from the building's exterior.
- J. **Motor Vehicle Rental** means an establishment that rents new or used automobiles, trucks, vans, recreational vehicles, trailers, boats, or motorcycles or other similar motorized transportation vehicles. Support uses may also exist upon the same site, such as maintenance, repair, and service areas and indoor parts storage areas.'
- K. **Motor Vehicle Sales** means retail establishments that sell new or used automobiles, trucks, vans, recreational vehicles, trailers, boats, or motorcycles or other similar motorized transportation vehicles. A motor vehicle sales establishment may maintain an inventory of the vehicles for sale or lease on-site. Support uses may also exist upon the same site, such as maintenance, repair, and service areas and indoor parts storage areas.
- L. **Motor Vehicle Service** means premises for the supply and dispensing at retail of motor fuels, lubricants, batteries, tires, and motor vehicle accessories, and where in addition, the following services may be rendered and sales made:
1. Sales and servicing of spark plugs, batteries, and other motor vehicle related items;

2. Tire servicing and repair;
 3. Replacement of mufflers and tail pipes, water hoses, fan belts, brake fluid, light bulbs, fuses, floor mats, windshield wipers and wiperblades, grease retainers, wheel bearings, mirrors and the like;
 4. Greasing, lubrication and radiator flushing;
 5. Minor servicing and repair of carburetors, fuel pumps, oil pumps, water pumps and lines and minor motor adjustments not involving removal of the head or crank case or racing the motor;
 6. Emergency wiring repairs; and
 7. Adjusting and repairing brakes;
 8. Painting, welding, or other body work involving noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found in service stations shall not be permitted.
- M. **Multi-Tenant Shopping Center** means a group of three (3) or more commercial establishments including but not limited to restaurant, personal service, professional office, and retail uses planned, constructed, and co-located on a single site. Multi-tenant shopping centers contain individual tenant spaces for each commercial establishment that have a separate exterior entrance and are separated by a party wall. Off-street parking provided on-site is often shared between the uses located on the site.

44-09-16. "N" Definitions

- A. **Natural Area Preserve** means a parcel or area of generally undeveloped land conserved in its natural state for the purpose of protecting flora, fauna, or other natural features for perpetuity.
- B. **Nonconforming Building** means a building that was lawfully established prior to, and existing on, the effective date of the ordinance from which this chapter is derived and that does not conform to the requirements of this ordinance for the zoning district in which it is located.
- C. **Nonconforming Lot** means a lot of record that does not meet the lot area, lot width or lot depth requirements of this ordinance for the zoning district in which it is located.
- D. **Nonconforming Structure** means a structure that was lawfully established prior to, and existing on, the effective date of the ordinance and that does not conform to the requirements of the zoning district in which it is located.
- E. **Nonconforming Use** means a use which was lawfully established prior to, and being conducted on, the effective date of the ordinance and which does not conform to the requirements of the zoning district in which it is located.

44-09-17. "O" Definitions

- A. **Open Space Land** means publicly or privately held property not used for buildings or structures, which may be undeveloped or developed for active or passive recreation or resource conservation.
- B. **Outdoor Display/Sale of Merchandise.** The permanent display and/or sale of merchandise or equipment outside of an enclosed building by the occupant of the primary building of the lot.
- C. **Outdoor Fireplace** means a self-contained device made of noncombustible materials used for the burning of wood outdoors for recreational and/or heating purposes.
- D. **Outdoor Itinerant Merchants** means a person engaged, for no more than one-hundred (100) days, in the business of selling or exhibiting goods, wares, merchandise or services from a stationery location that is on or within a vacant lot or structure.

- E. **Outdoor Seating For Restaurants** means a dining area of designated size with seats or tables located outdoors of a contiguous restaurant. This seating may be in addition to the indoor seating area.
- F. **Outdoor Storage, Permanent** means land uses primarily oriented to the receiving, holding, and shipping of packaged materials as an accessory use for a single business or a single group of businesses. Such a land use, in which any activity beyond loading and parking is located outdoors, is considered an outdoor storage land use. Examples of this land use include contractors' storage yards, equipment yards, lumber yards, coal yards, landscaping materials yard, construction materials yards, and shipping materials yards. Such land uses do not include the storage of inoperative vehicles or equipment, or other materials typically associated with a junkyard or salvage yard.
- G. **Outline Lighting** means an arrangement of incandescent lamps or electric discharge tubing that outlines or calls attention to certain features of a building or sign including but not limited to its shape.
- H. **Owner** means the titleholder of record or, if the title is held in a trust, the beneficiary of the trust.

44-09-18. "P" Definitions

- A. **Parking Structure/Deck** means and includes public or private buildings or portion thereof composed of one (1) or more levels of floors used exclusively for the parking of motor vehicles, whether public or private. A parking structure may be totally below grade (as in an underground parking garage), or either partially or totally above grade with those levels being either open or enclosed.
- B. **Parking Lot** means public or private open areas other than a street or public right-of-way, used for the temporary storage (parking) of operable passenger automobiles and commercial vehicles, and available either for compensation, for free, or as an accommodation for clients, employees, visitors, guests, residents, or customers.
- C. **Parking Space** means an area, enclosed or unenclosed, which dedicated for the parking of an individual motor vehicle and is accessible to and from a street, alley, aisle, or driveway, or other public right-of-way by a route that does not traverse any other parking space.
- D. **Party Wall** means a wall, which is common to, but divides, buildings. Such a wall contains no openings, passage or access and extends from its footing below finished grade to the underside of the roof sheathing.
- E. **Patio** means an impervious surface at grade that is designed and intended for recreational use by people rather than as a parking space.
- F. **Pawn Shop** means an establishment primarily engaged in the business of lending money on the deposit or pledge of any article or jewelry or purchasing any article or jewelry with an expressed or implied agreement or understanding to sell it back at a subsequent time at a stipulated price, and which is licensed as a pawnbroker by the state.
- G. **Performance Standard** means a criterion to all matters of general welfare, including, but not limited to, control, noise, appearance, traffic, general housekeeping, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazards, or glare or heat generated by or inherent in uses of land or buildings.
- H. **Personal Service** means establishments which provide individual services on a frequent or recurrent basis to the consumer at the site of the business or which receives from/returns to the customer goods that have been treated or processed at another location. Personal services shall include, but shall not be limited to, chiropractic clinics, garment repair, tailor shops, and similar establishments.
- I. **Place of Assembly, Indoor Commercial**, means an enclosed building wherein individuals or groups of people gather for an attraction or service used for commercial purposes, such as but not limited to, recreation establishment, theaters, ice rinks, art galleries, live performance theaters, learning centers, clubs or lodges, exhibit halls and experiential retail where merchandise for sale is accessory to the principal use as a gathering place structured around an activity including but not limited to art, live music, or visual displays.

- J. **Place of Assembly Indoor Non-Commercial** means a building wherein individuals or groups of people gather for an attraction or service not used for commercial purposes such as but not limited to, community centers, learning centers, clubs or lodges, exhibit halls, civic organizations, lodges, libraries, museums, municipal buildings, auditoriums, or religious institutions.
- K. **Place of Assembly, Outdoor Commercial** means premises wherein individuals or groups of people gather outside a building for an attraction or service used for commercial purposes, such as but not limited to, outdoor recreation establishment, miniature golf courses, and ice rinks.
- L. **Place of Assembly, Outdoor Non-Commercial** means premises wherein individuals or groups of people gather outside a building for an attraction or service not used for commercial purposes such as but not limited to, community centers, fraternal or civic organizations.
- M. **Plat of Survey** means a scaled plan stamped by a licensed state surveyor, that delineates the form, size and location of a parcel of land, shows the shape, position and dimensions of all existing structures on the parcel, includes the names of adjoining streets and the location of the survey monuments or stakes, and contains the legal description of the parcel.
- N. **Play House** means a freestanding structure, exclusively for the use of children, with a maximum height of fourteen feet (14') and an area not to exceed one hundred forty-four (144) square feet.
- O. **Porch** means a structure that projects from the exterior wall of a building, has direct access to the street level of the building, and is covered by a roof or eaves.
- P. **Portable Temporary Storage Container** means a vessel, container, or unit owned, rented, or leased for the temporary storage of commercial, industrial, or residential household goods, that does not contain a foundation or wheels for movement. Examples of this use include POD-type boxes that can be transported on a flatbed or other truck; but do not include prefabricated sheds that are not designed for transport after erection, cargo containers or commercial trailers used by construction or other uses in the regular performance of their business.
- Q. **Principal Building** means a building in which the principal use of the lot is conducted.
- R. **Printing and Publishing** means any printing, copying, blueprinting, or graphic design business using offset presses/duplicator, or high-speed copier/duplicators. Offset presses/duplicators shall be limited to a maximum printed sheet size of twelve inches (12") by eighteen inches (18").
- S. **Professional Office** means business uses, with little direct contact with customers present at the office, which is engaged in the processing, manipulation or application of business information or professional expertise. An office use is not materially involved in fabricating, assembling or warehousing of physical products for the retail or wholesale market, nor is an office engaged in the repair of products or retail services. This use shall include, but not be limited to, professional offices for nonprofit organizations, accounting, insurance, investment services, computer services, architecture, engineering, legal services, real estate services, and doctors' and dentists' offices, but not medical offices as defined in this Ordinance.
- T. **Public Property** means property owned by the federal government, the state, the county, a township, the village, a school or park district, or any other separate taxing body.

44-09-19. "Q" Definitions

RESERVE

44-09-20. "R" Definitions

- A. **Recreational Vehicle** means and includes, but is not limited to, travel trailers, motor homes, camping trailers, hauling trailers, boats, all-terrain vehicles, jet skis, or other similar personal recreational vehicles. They may be towed by a car or a truck, carried by a pickup truck or self-propelled. The term shall not include manufactured homes.

- B. **Research and Development** means and includes facilities for basic and applied laboratory research or experimental study, testing or analysis in the natural sciences, including educational activities incidental or accessory to such research. The term "research and development" shall include, but not be limited to, biotechnology, pharmaceuticals, genetics, plastics, polymers, resins, coatings, fibers, fabrics, films, heat transfers, and radiation research, but not facilities for the manufacture or sale of products, except those incidental to research activities.
- C. **Residential Building** means a building arranged, designed, used or intended to be used for residential occupancy by one or more households. Residential buildings include, but are not limited to, the following types: single-family detached dwellings, duplex dwellings, townhouses, and multiple-family dwellings.
- D. **Restaurant** means an establishment at which food is sold for consumption on the premises to patrons seated within an enclosed building located on the premises.
- E. **Retail** means the sale of goods, products, or materials directly to a consumer. This shall include, but not be limited to, establishments that sell appliances, books, clothing, computers, electronics, eyeglasses, floral arrangements, furniture, groceries or specialty foods, hardware, jewelry, leather goods, medical supplies, office supplies, pets, toys, and music sale. The term shall not include restaurants or personal service establishments.

44-09-21. "S" Definitions

- A. **Salon and Spa Establishments** means any establishment where cosmetology services including hair care, nail care, and skin care are provided for compensation or access to saunas, steam baths, heated bathing rooms, and other amenities are provided for the purpose of bathing, cleaning, or relaxation.
- B. **Self-Storage** means enclosed storage facilities containing independent, fully enclosed bays that are leased to individuals exclusively for long-term storage of household goods or personal property.
- C. **Senior Housing, Dependent** means housing/accommodations, other than a single-family dwelling, and services designed and staffed to provide housing and services along the continuum of an elderly person's needs, such as assistance for bathing, dressing, medication, meal preparation, or other functions. In addition to housing, this type of facility may also provide convenience services, such as meals, housekeeping, transportation, and community facilities, such as central dining rooms and activity rooms.
- D. **Senior Housing, Independent** means a multifamily dwelling the occupancy of which is limited to persons who are fifty-five (55) years of age or older (or if two persons occupy a unit, at least one shall be fifty-five [55] years or older). The definition of the term "senior housing, independent" does not include group homes or senior housing, dependent as defined in this Ordinance.
- E. **Setback** means a line on a lot that is parallel to the lot line at a distance from such lot line equal to the yard setback dimension specified in the regulation for the zoning district in which such lot is located.
- F. **Shed** means an accessory structure used primarily for storage purposes.
- G. **Sign** means a name, identification, description, display or illustration which is affixed to, or painted on, or represented directly, or indirectly, upon a building, structure or parcel of land and which directs attention to an object, product, place, activity, person, institution, organization or business. This definition of the term "sign" does not include such items excluded from the definition in Chapter 30 of the Homewood Municipal Code.
- H. **Site Plan** means a plan, to scale, depicting the locations and dimensions of uses and structures proposed for a parcel of land, showing how the intended use relates to the surrounding area, streets, utilities, open space and major landscape features.
- I. **Solar Energy Collection System, Canopy** means a solar energy collection system consisting of elevated solar panels installed above parking lots, carports and other paved areas.

- J. **Solar Energy Collection System, Ground** means a solar energy collection system and associated mounting hardware that is affixed to or placed upon the ground including but not limited to fixed, passive, or active tracking racking systems and located on a site.
- K. **Solar Energy Collection System, Roof** means a solar energy collection system that is structurally mounted to the roof of a building or other permitted structure, including limited accessory equipment associated with system which may be ground mounted. It is installed parallel to the roof with a few inches gap.
- L. **Specified Anatomical Areas** means:
1. Less than completely and opaquely covered human genitals, pubic region, buttock, or female breasts below a point immediately above the top of the areola.
 2. Human genitals in a discernable turgid state, even if completely and opaquely covered.
- M. **Specified Sexual Activities** means:
1. Human genitals in a state of sexual stimulation or arousal.
 2. Actual, or simulated, acts of human masturbation, sexual intercourse, sodomy, bestiality, oral copulation or flagellation.
 3. Fondling or other erotic touching of human genitals, pubic region, buttock, or female breasts.
 4. Excretory functions as part of, or in connection with, any of the activities set forth in this definition.
- N. **Story** means the space in a building included between the surface of any floor and the surface of the floor next above or, if there is no floor above, the space between the floor and the ceiling or roof above it. A basement shall be counted as a story.
- O. **Street** means a right-of-way not less than twenty-four feet (24') wide, which affords the primary means of access to abutting property. Synonyms may include avenue, place, road, terrace, court, lane, or parkway.
- P. **Street, Arterial** means a street designated as a principal arterial in the comprehensive plan.
- Q. **Street, Collector** means a street designated as a minor arterial in the comprehensive plan.
- R. **Street Level** means the story of a building that has its floor at the closest level to the street, with direct pedestrian access to that story from the outside.
- S. **Street, Local** means a street, which is not an arterial or collector street.
- T. **Structure** means any improvement which requires at least semi-permanent location on the ground or attachment to a building having a permanent location on the ground. The term "structure" includes, but is not limited to, buildings, signs, and fences.
- U. **Structural Alterations** means any change, other than incidental repairs, in the supporting members of a building or structure such as bearing walls or partitions, columns, beams, or girders, or any substantial change in the roof or exterior walls which does not increase any exterior dimension.
- V. **Subdivision** means the division of any tract or parcel of land into two or more lots or other divisions of land for the purpose of transfer of ownership or for building development, whether immediate or future. The definition of the term "subdivision" includes resubdivision, and lot consolidation.

44-09-22. "T" Definitions

- A. **Tattoo Studio/Body Piercing Facility** means any place or premises, whether public or private, temporary or permanent in nature or location, where the practices of tattooing or body piercing, whether for profit or not for profit, are performed.

- B. **Temporary Use** means existing for a period of not more than six (6) months.
- C. **Tent** means a temporary structure or enclosure for the purpose of shelter or protection, the roof and sides of which are constructed of fabric or other pliable material.
- D. **Theater** means an indoor commercial place of assembly where motion pictures or live performances are offered for public viewing, for admission where money is received.
- E. **Toxic Substance** means a substance (liquid, solid, or gaseous) which, by reason of an inherent deleterious property, can be injurious to living organisms of plants, animals or human beings.
- F. **Trailer** means a wheeled vehicle that is designed or used to transport an apparatus, equipment, object, or series of objects and is drawn by another vehicle.
- G. **Transition Zone** means a strip of land with landscaping, fences or walls located between two uses, or between one use and a public right-of-way, that is intended to mitigate negative impacts, such as visual and noise, of the more intense use on the less intense use or on the public right-of-way.
- H. **Transportation Station/Terminal** means and includes facilities or locations where the principal use is the handling, receiving, and transfer of passenger train or bus traffic, and may include charter businesses, accessory loading and unloading, and storing or transfer of freight and other equipment used to accomplish the foregoing activities.

44-09-23. "U" Definitions

- A. **Underlying Zoning** means a standard zoning district classification, which may be combined with an overlay district for the purpose of development regulation specificity. The underlying district regulations shall apply unless expressly superseded by an overlay district provision.
- B. **Use** means the purpose or activity for which the land, structure or building is designed, arranged, intended, occupied or maintained.
- C. **Use, Accessory** means a subordinate use, which is clearly, and customarily incidental to the principal use of a building or premise, and which is located on the same lot as the principal building or use, except for such accessory parking facilities as are specifically authorized to be located elsewhere.
- D. **Use, Limited** means any use that is designed in this Ordinance as a Limited Use in the district in which it is located. Due to special characteristics limited uses require additional review and evaluation to be located property with respect to their effects on surrounding properties, but do not require the level of Village discretion needed for a Special Use.
- E. **Use, Permitted** means any use that is designated in this Ordinance as a Permitted Use in the district in which it is located.
- F. **Use, Principal** means the main use of a given property, structure or building as distinguished from a subordinate or accessory use.
- G. **Use, Special** means those uses, which are generally compatible with the other land uses permitted in a zoning district but which, because of their unique characteristics or potential impacts on the neighborhood and the village, require individual consideration of their location, design, configuration, or operation at the particular location proposed.
- H. **Utility Uses** means facilities and structures necessary for the delivery of services including water, sanitary sewer, electricity, natural gas, and telecommunications. Utility uses may include employment facilities associated with the delivery of such services.

44-09-24. "V" Definitions

- A. **Variance** means limited relief from the requirements of this chapter granted to a particular property with special circumstances where strict application of those requirements will create a practical difficulty or particular hardship prohibiting

the use of land in a manner otherwise allowed under this chapter. Such limited relief does not change the underlying zoning of the parcel.

- B. **Veterinary Clinic** means an establishment for the care, observation, and treatment of small animals, including domestic pets undergoing veterinary treatment.

44-09-25. "W" Definitions

- A. **Warehouse, Distribution** means buildings or a portion of a site used for the storage or distribution of goods and merchandise to retailers, nonresidential users, or to other wholesalers. The term shall not include transportation stations/terminals or light manufacturing assembly, and fabrication, as defined in this ordinance.

44-09-26. "X" Definitions

RESERVE

44-09-27. "Y" Definitions

- A. **Yard** means a required open, unoccupied space on a lot, unobstructed from the ground to the sky, except for those encroachments allowed under Section 44-03-03.
- B. **Yard, Established Front**, means on blocks located within R-1 or R-2, when the median depth of two (2) or more front yards within one-hundred fifty feet (150') of the lot line of the subject lot is greater than the required front yard for that district, the subject lot shall provide a required front yard not less than such median depth, but in no case shall the required front yard exceed sixty feet (60').
- C. **Yard, Front** means a yard extending from the front lot line to the front setback line. On corner lots and through lots, both street lot lines are considered front lot lines without regard to location of the main entrance of the principal building.
- D. **Yard, Rear** means a yard extending from the rear setback line to the rear lot line.
- E. **Yard, Side** means a yard extending along the side lot line to the side setback line and located between the front and rear yards.
- F. **Yard, Exterior Side** means a yard extending along the side lot line adjoining a public street and located between the front and rear yards.

44-09-28. "Z" Definitions

- A. **Zoning District** means one of the districts into which this chapter has divided the Village, as set forth on the zoning map.
- B. **Zoning Map** means the Zoning Map of the Village adopted by the Board of Trustees, as well as any amendments adopted thereto.
- C. **Zoning Map Amendment** means a procedure whereby the zoning district of a parcel or parcel(s) is changed on the Village of Homewood Zoning Map.
- D. **Zoning Text Amendment** means a procedure whereby the text of a Section or Article of the Zoning Ordinance is changed. Zoning text amendments can include text additions or deletions or both.



BOARD AGENDA MEMORANDUM

DATE OF MEETING: January 10, 2023

To: Village President and Board of Trustees

Through: Napoleon Haney, Village Manager

From: Angela Mesaros, Director of Economic and Community Development

Topic: Comprehensive Zoning Text and Map Amendments

PURPOSE

The current Homewood Zoning Ordinance and zoning map last underwent a comprehensive amendment in early 2002. In the 20 years since its adoption, approximately 40 amendments have been made. These amendments were in response to requests by specific property owners, and policy changes to expand to include new uses and limit others.

In July 2021, the Village Board adopted an updated Municipal Code. At that time, it was noted that the zoning ordinance would be fully reviewed separately. This is the culmination of that review. The Village engaged the consulting firm of Houseal Lavigne & Associates to perform a comprehensive update of the Village's zoning code.

The scope of work for the zoning code update includes the following:

- Modernize the zoning code to improve and simplify outdated processes and procedures associated with the code.
- Update to enhance the usability and understanding of the code with visual representations, charts, tables, matrices, sketches, etc.
- Update terminology and definitions that are obsolete or add new clarifying definitions.
- Identify and update any uses that are missing, unclear, or need to be improved.
- Add or remove permitted and special uses that are outdated.
- Amend permitted and special use lists.
- Review the current zoning districts' purposes and boundaries for legitimacy.
- Identify and remove inconsistencies with best practices and trends.
- Ensure compliance with federal, state, and local legislation.

At the outset of the process, the zoning consultant met with Village staff and elected/appointed officials to identify preliminary issues in the existing ordinance to be addressed. Eight primary topics for policy discussion and six additional directives were identified. Below is a list of the topics and a synopsis of how they have been addressed in the new ordinance (*in italics*):



1. Better regulate event spaces and multi-use facilities.
Proposed: Create a new use for commercial places of assembly in the use table (article 3) and definitions (Article 9)
2. Create a review process for subletting offices.
Proposed: Establish a zoning compliance certificate and certificate of occupancy for new uses (Article 7).
3. Limit personal services and professional and medical office uses in the downtown.
Proposed: Create new use types for personal services and offices with specific permitting by district and corresponding definitions (Article 3, Article 9).
4. Consider regulations for short-term rentals.
This topic has been removed from the proposed ordinance for continued further review. The Planning & Zoning Commission has requested Village Board and legal direction on this topic for future consideration.
5. Clarify home-based businesses and distinguish them from remote work/work-from-home.
Proposed: Update definitions and use-specific standards for home-based businesses (Article 4, Article 9).
6. Allow existing two- and three-flats to facilitate the sale and insurance of this building stock.
Proposed: Establish a new use category of “existing” housing to continue legally (Article 3).
7. Allow accessory dwelling units (ADU) with use-specific standards.
Proposed: Added to the use table with corresponding use-specific standards and definitions (Article 3, Article 4, Article 9).
8. Require sustainable design in developments and open space preservation.
Proposed: Create new impervious surface limitations in the business districts; allow community gardens, establish a review process for environmental impacts; implement new landscaping and tree preservation, electric vehicle charging stations, and solar panel regulations (Article 2, Article 5, Article 6, Article 7).
9. Additional Topics:
 - a. Compliance with the Religious Land Use and Institutionalized Persons Act of 2000 (*throughout*)
 - b. Allow six-foot fences on corner lots with use-specific standards including a setback and landscaping (*Article 5*)
 - c. Allow parking pads for residences with one-car garages and narrow lots (*Article 5*)
 - d. Create a use category for co-working spaces (*Article 3, Article 9*)
 - e. Integrate the Halsted Street Corridor Landscape Plan into the other commercial districts (*Article 5*)
 - f. Standardize intake and review processes for zoning applications (*Article 6, Article 7*)



The proposed ordinance has a new organizational structure, broken into nine articles:

- Article 1: General Provisions
- Article 2: Establishment of Districts
- Article 3: District Standards
- Article 4: Use-Specific Standards
- Article 5: Development Standards
- Article 6: Planned Development Standards and Procedures
- Article 7: Zoning Procedures
- Article 8: Nonconformities
- Article 9: Definitions

This new format functions both in printed hard copy and is integrated with the numbering structure/format of the online municipal code host platform (Municode). The restructuring achieves the objective of a more user-friendly and cohesive format.

The primary change to the zoning map is within the business districts. The existing B-1 Central Business District will be modified to concentrate in a smaller area within the few central blocks of downtown and has been renamed to “B-1 Downtown Core”. This area will primarily focus on retail and restaurant uses to activate the downtown and create a vibrant destination.

The remaining areas currently in the B-1 Central Business District will be renamed “B-2 Downtown Transition”. This is consistent with the boundaries of the Village’s 2005 Downtown Master Plan.

Several shopping center areas currently zoned as B-2 will be rezoned to B-3. These areas include Southgate (Dixie Highway south of 187th Street), Northgate (Dixie Highway at 175th Street), and properties along 183rd Street between the viaduct and the Governors Highway, including Walt’s and the Cherry Creek Plaza shopping center.

PROCESS

In May 2021, the Village engaged the planning firm, Houseal Lavigne Associates, to assist in the comprehensive update to the zoning ordinance and zoning map. In June 2021, the Village and consultant began the public review process. Over 15 months, community members, consultants, Village staff, and elected and appointed officials worked to identify key policy directions, analyze the existing regulations and the built environment, and develop a document of comprehensive text and map amendments.

The Village hosted four public meetings (July 22, 2021; September 23, 2021; January 27, 2022; June 23, 2022); a 2-part public workshop to review the draft zoning ordinance (September 22, 2022; October 5, 2022); and a public open house (October 27, 2022). All meetings were held in-person and virtually via Zoom. In addition to the meetings, community members were invited to contribute to an online survey and an interactive online map, and to submit comments via email or the



physical drop box outside of Village Hall at any time. A full report detailing the process and notice made to the public is attached.

These efforts culminated with a public hearing before the Planning and Zoning Commission, begun on November 10, 2022 and continued to December 8, 2022. All seven commission members were present and voted unanimously to recommend approval of both the proposed comprehensive update to the Village of Homewood zoning ordinance, and the update to the zoning map.

The recommendation was subject to several conditions of approval that included revisions to the allowable locations of *Salon and Spa Establishments*, references to, definition, and parking for *Manufactured Homes*, and inclusive gender terminology. The revisions have been incorporated into the final draft that is now before the Village Board for adoption.

OUTCOME

The Planning and Zoning Commission reviewed the application, heard public testimony, and considered the applicant's response to the standards. The following Findings of Fact may be entered into the record:

1. The applicant, the Village of Homewood, requests a comprehensive amendment to the zoning text and zoning map.
2. Municipal Code Section 44-80 of the current Zoning Ordinance authorizes that zoning text and map may be amended, from time to time, with a public hearing at the Planning and Zoning Commission and in accordance with state statutes.
3. The proposed amendments are in alignment with the Village's 1999 Comprehensive Plan.
4. The current zoning ordinance was comprehensively adopted in 2002. Changes in land use patterns, the economy, and market conditions necessitate revisions to the zoning ordinance, from time to time.
5. In light of the time since the Comprehensive Plan was updated, the Village undertook efforts to engage the community to participate in the update process. The Village held seven public meetings; advertised for the meetings; posted all materials on a dedicated page of the Village website; and spread the news of the update through local newsletters, publications, and community events.

FINANCIAL IMPACT

- **Funding Source:** N/A
- **Budgeted Amount:** N/A
- **Cost:** N/A

LEGAL REVIEW

Completed

VILLAGE OF HOMEWOOD

Item 10. B.



RECOMMENDED BOARD ACTION

Pass an ordinance adopting a comprehensive amendment to the Village of Homewood Zoning Ordinance; and, pass an ordinance adopting a comprehensive amendment to the Village of Homewood Zoning Map.

ATTACHMENT(S)

- Report detailing public process and notifications
- Ordinance adopting a comprehensive amendment to the Homewood Zoning Ordinance
- Ordinance adopting a comprehensive amendment to the Homewood Zoning Map

ORDINANCE NO. MC-1069

**AN ORDINANCE ADOPTING A COMPREHENSIVE AMENDMENT
TO THE HOMEWOOD ZONING MAP
AND REPEALING THE EXISTING ZONING MAP**

WHEREAS, Section 11-13-1 of the Illinois Municipal Code (65 ILCS 5/11-13-1) authorizes the corporate authorities enact zoning regulations, including dividing the entire municipality into districts of such number, shape, area, and of such different classes (according to use of land and buildings, height and bulk of buildings, intensity of the use of lot area, area of open spaces, or other classification) as may be deemed best suited to promote public health, safety, comfort, morals, and welfare, conserve the taxable value of land and buildings throughout the municipality, lessen congestion, and for other authorized purposes; and

WHEREAS, the last comprehensive amendment to the Homewood Zoning Ordinance and map occurred 20 years ago;

WHEREAS, the President and Board of Trustees of the Village of Homewood have determined that a comprehensive amendment of the Village's Zoning Ordinance is necessary and appropriate in order to promote the health, safety, and general welfare of the residents of the Village and to carry out the goals, objectives, and policies of the 1999 Comprehensive Plan and the 2005 Downtown Master Plan; and

WHEREAS, for the previous 15 months, community members, consultants, Village staff, and elected and appointed officials worked to identify key policy directions, analyze existing regulations and the built environment, and develop a document of comprehensive text and map amendments; and

WHEREAS, during this period, the Village hosted four public meetings, a two-part public workshop, and a public open house to review the draft zoning ordinance, as well as soliciting comments via an online survey and an interactive online zoning map; and

WHEREAS, the Village extensively publicized the above public meetings, workshops, open house, online survey and interactive zoning map, including multiple social media postings, inclusion in the Village's weekly e-mail newsletter, and stories in local news media; and

WHEREAS, after completion of the public meetings, workshops, and open house, the Village on October 26, 2022 published notice of a public hearing before the Planning and Zoning

Commission to consider such changes as required by Section 11-13-2 of the Illinois Municipal Code (65 ILCS 5/11-12-7); and

WHEREAS, the Planning and Zoning Commission conducted a public hearing on November 10, 2022 and December 8, 2022, before voting 7-0 to unanimously recommend approval of the text amendments and revised zoning map; and

WHEREAS, the President and Board of Trustees find it to be in the best interests of the citizens and businesses within the Village of Homewood to amend the Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Homewood, Cook County, Illinois, that:

SECTION ONE - FINDINGS OF FACT:

In connection with this ordinance and based upon the record of public hearing before the Planning and Zoning Commission, and based upon evidence presented at said public hearing, the President and Board of Trustees make the following findings of fact:

1. The applicant, the Village of Homewood, requests a comprehensive amendment to the zoning text and zoning map.
2. Section 44-80 of the current Zoning Ordinance authorizes that zoning text and map may be amended, from time to time, with a public hearing at the Planning and Zoning Commission and in accordance with state statutes.
3. The proposed amendments are in alignment with the Village's 1999 Comprehensive Plan.
4. The current zoning ordinance was comprehensively adopted in 2002. Changes in land use patterns, the economy, and market conditions necessitate revisions to the zoning ordinance, from time to time.
5. In light of the time since the Comprehensive Plan was updated, the Village undertook efforts to engage the community to participate in the update process. The Village held seven public meetings; advertised for the meetings; posted all materials on a dedicated page of the Village website; and spread news of the update through local newsletters, publications, and community events, all as documented in the attached memorandum entitled "Zoning Ordinance Summary of Public Process" (Exhibit A).

SECTION TWO - AMENDMENT TO ZONING MAP:

The existing Village of Homewood Zoning Map is deleted in its entirety and replaced by the new Zoning Map attached as Exhibit B. Ordinance M-1514 adopting the prior map, and all amendments to the map made prior to January 10, 2023, are hereby repealed.

SECTION THREE - ADDITIONAL MATERIALS TO BECOME PART OF ORDINANCE:

The following documents are hereby made a part of this ordinance:

1. Homewood Planning and Zoning Commission minutes of November 10, 2022, and December 8, 2022, as they relate to the subject map amendment.
2. Homewood Village Board minutes of January 10, 2023, as they relate to the subject map amendment.

SECTION FOUR - EFFECTIVE DATE:

This Ordinance shall be effective from and after its passage, approval, and publication in accordance with law.

PASSED and APPROVED this 10th day of January 2023.

Village President

Village Clerk

AYES: _____ NAYS: _____ ABSTENTIONS: _____ ABSENCES: _____

VILLAGE OF HOMEWOOD

**MEMORANDUM****DATE: December 8, 2022****To:** Village of Homewood Board of Trustees**Through:** Angela Mesaros, Director of Economic and Community Development**From:** Valerie Berstene, Village Planner**Topic:** Zoning Ordinance Summary of Public Process**PUBLIC PROCESS AND NOTIFICATIONS**

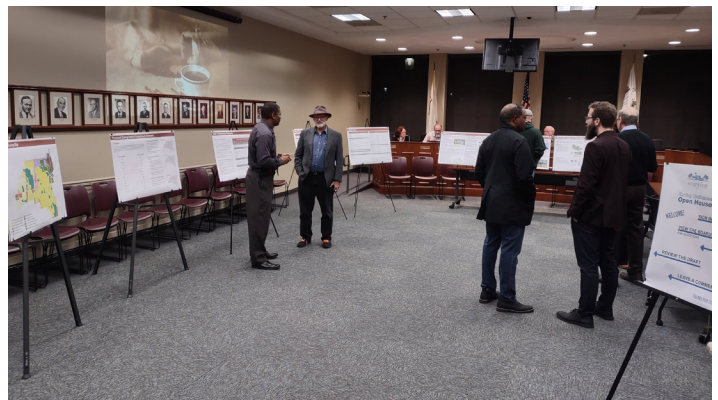
The purpose of this memo is to catalog the numerous opportunities given to the public to contribute and take part in the process of updating the zoning ordinance. In the July 16, 2021 memo from Houseal Lavigne Associates to the Village, Jackie Wells wrote:

“Illinois municipalities are required by state statute to use adopted plans as the basis for their zoning ordinance. However, the Village’s comprehensive plan was adopted in 1999 and its Downtown Master Plan in 2005, making additional engagement with the public and community leaders essential to determine if the policy direction set forth in the plans continues to be applicable and to establish new or updated policy items for the Village to address through the zoning ordinance update.”

Upon this recommendation, Village Staff and the consultant team established a project schedule with numerous opportunities to collect input from the public and elected/appointed officials, and publicized these events through popular channels of communications. This memo contains a timeline of community engagement events and publications informing the public of opportunities to engage in the process. Below is a brief introduction to each of the primary platforms.



Village Staff shared information, collected feedback at Fall Fest.



October 27, 2022 Open House inviting residents to preview the proposed changes and provide feedback.

Project Website - Village Staff launched a website specific to the zoning ordinance update project at the URL: <https://www.village.homewood.il.us/government-departments/community-development/planning-zoning/2021-2022-zoning-code-update-project>. The website was regularly maintained throughout the life of the project, posting memos, meeting summaries, and draft documents. The website also included means for collecting feedback from members of the public via email, physical dropbox at Village Hall, an online survey, and an interactive map.

Village of Homewood eNews (“eNews”) - A weekly digital newsletter informing residents of upcoming events and happenings around town, distributed to approximately 3,300 subscribers.

Homewood Village Key - A quarterly print publication edited by the Village to share information about Village events, governance, and operations. The Village Key is distributed to all residents and businesses in the Village.

Homewood-Flossmoor Chronicle (H-F Chronicle) - A local newspaper distributed in print monthly to approximately 10,000 subscribers, and published daily online to approximately 50,000 paid subscribers.

Public Meetings - All meetings related to the Zoning Ordinance update were held at the Planning and Zoning Commission. Meetings were conducted in several different formats, from open house, to workshop, to public hearing. All meetings were open to the public and provided the opportunity for members of the community and elected or appointed officials to ask questions, raise concerns, and share perspectives on the proposed changes.

Open Meetings Act - Illinois statute (5 ILCS 120/) establishes minimum requirements for informing the public of business conducted by a public body. The statute includes requirements for publishing notice of upcoming meetings, providing the public with access to the meeting, and providing access to formal minutes of public meetings. In compliance with the requirements, every public meeting was published on the Village’s online calendar and agenda posted on Village Hall doors. Each meeting’s agenda and packet were available on the Village website.

In advance of the public hearing, notice was published within the 15-30 day window in the Daily Southtown, and notice was mailed to 44 property owners identified for rezoning from R-2 or R-3 to the new B-2 district.

Public Document Archives - Starting in March 2022, the Village’s Community Development Staff migrated all web-hosted meeting materials to the Municode Meetings platform, used for other Village commissions and boards. The agenda and packet for the June 23, 2022 meeting, and subsequent Planning and Zoning Commission meetings, were posted for the public through this platform and remain available at <https://homewood-il.municodemeetings.com/bc-pz/page/planning-and-zoning-commission-2>.

Materials from meetings hosted prior to the March 2022 migration can still be found on the Village website, here: <https://www.village.homewood.il.us/government-departments/commissions-committees/planning-zoning-commission/-folder-175/-npage-2>.

TIMELINE

2021	MAY	11 Village Board awards Houseal Lavigne Associates contract to update Village zoning ordinance
	JUNE	15 Village Staff Launch Project Website
		17 Facebook post of process overview
		24 Facebook post for survey and map input
		29 Facebook post for July 22, 2021 public meeting
	JULY	07 eNews includes Zoning Ordinance updates
		21 H-F Chronicle article published
		22 Public Meeting: Initial Policy Direction Workshop
		24 H-F Chronicle article published
		29 H-F Chronicle article published
	SEPTEMBER	17 eNews includes Zoning Ordinance updates
		23 Public Meeting: Diagnostic Workshop

2022	JANUARY	14 eNews includes Zoning Ordinance updates
		27 Public Meeting: Draft Articles 1-5
	FEBRUARY	9 H-F Chronicle article published
	JUNE	16 eNews includes Zoning Ordinance updates
		22 H-F Chronicle article published
		23 Public Meeting: Draft Articles 6-8
	SEPTEMBER	16 eNews includes Zoning Ordinance updates
		21 Social media post (Facebook, Instagram)
		22 Public Meeting: Workshop (continued)
		24 Fall Fest On-Site Engagement
	OCTOBER	5 Public Meeting: Workshop, Continuation
		12 Village Hall digital message board for open house started, through October 27
		20 Open House Facebook post
		21 eNews includes Zoning Ordinance updates
		25 Open House Facebook post
		26 Public Hearing notice published in Daily Southtown
		27 Public Meeting: Open House
	NOVEMBER	7 Notice mailed to property owners to be rezoned
		11 Public Hearing (continued)
		15 Winter 2022 Village Key distributed
	DECEMBER	8 Public Hearing, Continuation

eNews Notifications

A screen capture of all eNews newsletters referenced below are included at the end of this document.

July 16, 2021 - Weekly newsletter exclusively highlighting the Zoning Ordinance update sent out, including:

- email address to submit comments any time;
- notice of the upcoming July 22, 2021 Public Meeting, January 27, 2022 Public Meeting, and future meetings exact dates TBD;
- links to documents for the 7/22/2021 meeting;
- link to participate in online survey; and
- link to participate in interactive map.

September 17, 2021 - Weekly newsletter sent out, including:

- notice of the upcoming September 23, 2021 public meeting;
- links to documents for the meeting;
- invitation to submit comments via email or physical dropbox;
- link to participate in online survey;
- link to participate in interactive map; and
- future meeting dates.

January 14, 2022 - Weekly newsletter exclusively highlighting the Zoning Ordinance update sent out, including:

- notice of the upcoming January 27, 2022 public meeting;
- links to documents for the meeting;
- instructions to join the meeting virtually;
- invitation to submit comments via email or physical dropbox;
- tentative upcoming meetings, specific date/time TBD;
- link to participate in online survey; and
- link to participate in interactive map.

June 16, 2022 - Weekly newsletter exclusively highlighting the Zoning Ordinance update sent out, including:

- notice of the upcoming June 23, 2022 public meeting;
- links to documents for the meeting;
- instructions for participating virtually;
- invitation to submit comments via email or physical dropbox;
- tentative upcoming meetings, specific date/time TBD;
- link to participate in online survey; and
- link to participate in interactive map.

September 16, 2022 - Weekly newsletter sent out, including:

- notice of the upcoming September 22, 2022 workshop-style public meeting;
- a link to draft materials on the project website; and
- a link to the online meeting agenda.

October 21, 2022 - Weekly newsletter sent out, including:

- notice of October 27, 2022 meeting;
- a paragraph describing the process and pending changes that might interest or impact residents; and
- email address to reach the Village Planner with questions.

Homewood Village Key

Mid-November, 2022 - In the Winter 2022 edition of the quarterly publication Staff provided a summary of pending changes to the zoning ordinance. The article highlighted accessory dwelling units, short term rentals, corner lot fences, parking pad, sustainability, landscape requirements, design standards, and improved procedures.

Social Media Posts

June 17, 2021 - The Village of Homewood Facebook account shared an overview of the objectives of the zoning ordinance update process and prepped residents to participate in the pending online survey and interactive mapping exercise.

June 24, 2021 - In a follow-up to the previous post, the Village of Homewood Facebook account shared the link to contribute to the online survey and interactive map.

June 29, 2021 - The Village of Homewood Facebook account shared information about the July 22, 2021 public meeting, shared ways for residents to provide feedback at any time in the process, and shared the dates for two future public meetings in January and November 2022.

September 21, 2022 - The Village of Homewood Facebook and Instagram accounts shared information about the upcoming September 22, 2022 public meeting, inviting members of the public to attend this review and discussion of the draft ordinance.

October 20, 2022 - The Village of Homewood Facebook account shared information about October 27, 2022 meeting, a paragraph describing the process and pending changes that might interest or impact residents, and an email address to reach the Village Planner with questions.

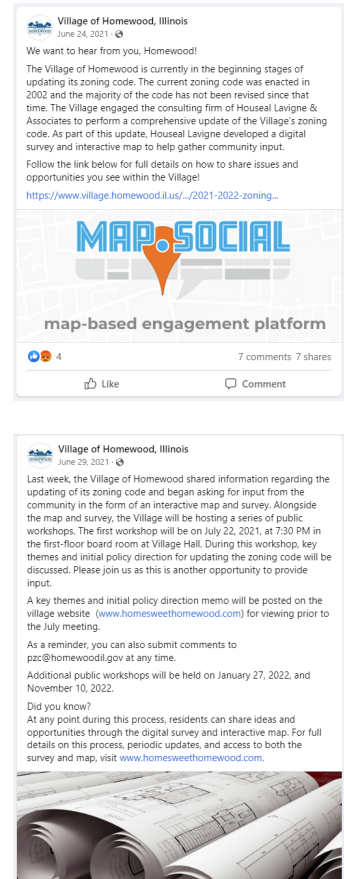
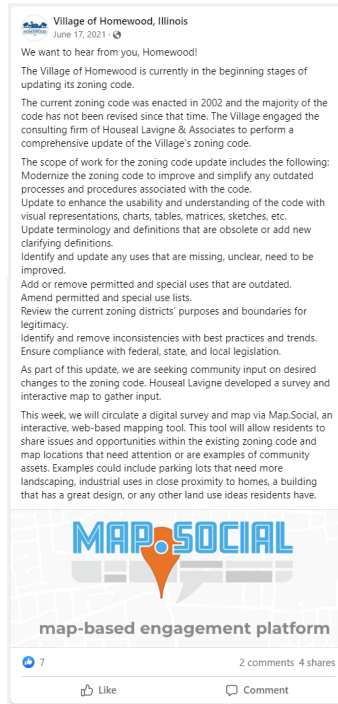
October 25, 2022 - The Village of Homewood Facebook account re-shared the same post as October 20, 2022 as a reminder to the public about the upcoming meeting.

Digital Message Board

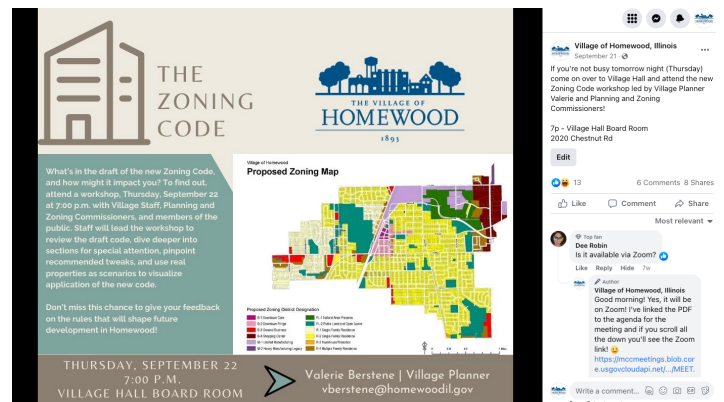
The culminating October 27, 2022 Open House was advertised on the Village digital message board at the corner of Chestnut Street and Dixie Highway. The message displayed the date, time, and subject of the meeting and was part of the rotating display for 15 days leading up to the meeting.



Digital message board display for October 27, 2022 open house.



Social media posts from June 2021, clockwise from top left: June 17, June 24, and June 29.



Social media post for September 22, 2022 workshop.



Social media post for October 27, 2022 open house.

Homewood-Floosmoor Chronicle News Coverage

July 21, 2021 - The H-F Chronicle reported on the zoning update initiative in an article titled “Homewood revisits zoning code, seeks residents’ input.” The article provided a brief overview of the project and a summary of the consultant’s July 16, 2021 memo to the Planning and Zoning Commission for the July 22, 2021 meeting. The article included links to the project schedule and July 16, 2021 memo, and provided information on: how to attend the upcoming meeting in-person or virtually; how to submit comments or questions; a link to the digital survey; a link to the interactive map; and following scheduled meetings for 2022.

July 22, 2021 - The H-F Chronicle highlighted the Zoning Ordinance workshop in its daily debrief titled “What You Need to Know Today.”

July 24, 2021 - The H-F Chronicle reported on the July 22, 2022 Planning and Zoning Commission meeting for the zoning ordinance update. The article summarized the presentation and attendance by the local environmental advocacy group South Suburbs for Greenspace. The article included methods for community members to get involved, through submitting comments and questions in the drop box or via email, and the next meeting scheduled for September 2022.

On the same day, the H-F Chronicle published a separate news story reporting on demonstrations by citizen activists with the group South Suburbs for Greenspace. The article states that “SSG members have talked to city planners and researched code in other towns. Several attended the workshop after the rally [July 22, 2021] and spoke during the public comment portion.”

July 29, 2021 - The H-F Chronicle reported on the advocacy work of a group named South Suburbs for Greenspace (SS4G) in light of the proposed zoning ordinance update. The article reports that the group “listed its interest in the Homewood zoning code update as a top priority. They applauded residents for their more than 150 responses to the village’s survey on the zoning code and thanked them for calling for a greener Homewood.” The article concluded by calling on the community to remain involved in the zoning update process, through filling out the online survey (link provided), attending Planning and Zoning Commission meetings, and emailing the commission and the Village’s consultant.

February 9, 2022 - The H-F Chronicle reported on the January 27, 2022 public meeting with a short summary of the materials presented and ensuing discussion. The article included a link to the online survey and mention of the next upcoming meeting for a date to-be-determined in June.

June 22, 2022 - The H-F Chronicle reported on the upcoming public meeting for the zoning ordinance update, providing readers with the information to attend the meeting in person or virtually. The news article also included a link to the online survey and interactive map where communities members could provide feedback.

September 11, 2022 - The H-F Chronicle summarized the on-going ordinance revision process, linking to the project website, and providing information about the upcoming September 22 meeting.

September 18, 2022 - The H-F Chronicle posted meeting information and a link to the project website in a bi-weekly round-up of news for the concluding week and the week ahead, titled “The Weeks.”

October 23, 2022 - The H-F Chronicle posted meeting information with a link to the agenda in a bi-weekly round-up of news for the concluding week and the week ahead, titled “The Weeks.”

November 6, 2022 - The H-F Chronicle posted meeting details with links to the agenda, packet, and Zoom virtual meeting information in the bi-weekly column “The Weeks.” The news blurb highlights: “The 15-month process of completely revising the village zoning code is nearing completion. The community was involved in the process through a survey, an interactive online map and seven public meetings devoted to providing updates and getting questions and suggestions.”

December 4, 2022 - The H-F Chronicle posted meeting details with links to the agenda and Zoom virtual meeting information in the bi-weekly column “The Weeks.”

December 6, 2022 - The H-F Chronicle shared information on that continuation of the public hearing on the comprehensive zoning amendments in its daily segment titles “What You Need to Know Today.”

Public Meetings

July 22, 2021 - The consultant team led a public meeting to kick-off the ordinance update process. In addition to in-person participation, members of the public were able to participate virtually through Zoom, or watch the meeting on-demand and provide feedback through the channels established on the project website. Eighteen members of the public attended the meeting. At the time of the meeting, there were 150 responses to the online survey.

September 23, 2021 - The consultant team led a public meeting to present their analytical findings and present planning best practices for consideration in amending policy and regulations. In addition to in-person participation, members of the public were able to participate virtually through Zoom, or watch the meeting on-demand and provide feedback through the channels established on the project website. Prior to the start of the meeting, in-person attendees were invited to contribute ideas to three specific prompts. Thirteen members of the public attended.

January 27, 2022 - Having completed the initial community engagement and diagnostic analysis, the consultant led a meeting to present drafts of the revised ordinance articles 1-5 and the proposed revised zoning map. In addition to in-person participation, members of the public were able to participate virtually through Zoom, or watch the meeting on-demand and provide feedback through the channels established on the project website. Eleven members of the public attended in-person. The consultant reported 205 responses to the questionnaire.

June 23, 2022 - Similar to the January 27, 2022 meeting, the consultant presented drafts of the revised ordinance articles 6-8. In addition to in-person participation, members of the public were able to participate virtually through Zoom, or watch the meeting on-demand and provide feedback through the channels established on the project website.

September 22, 2022 - Village Staff led a discussion consisting of a review of the initial objectives for the update; assignment to review the new materials provided by the consultant; and in-depth discussion around topics unresolved in previous meetings or identified by Staff for further input. All members of the commission and the public were invited to contribute input or bring topics for review. Attendees included all members of the Planning and Zoning Commission, two members of the Appearance Commission, one Village Trustee, and one member of the public attended the meeting.

October 5, 2022 - The September 22 meeting was continued to a special meeting on October 5, 2022 in order to cover all the identified topics in great detailed discussion.

October 13, 2022 - The final topic of the agenda from September 22 was discussed at the regular meeting of the Planning and Zoning Commission on October 13, after completing Regular Business for the meeting.

October 27, 2022 - The Open House was a culmination of the Zoning Ordinance update process. Orchestrated by the consultant, the Open House displayed major themes and proposed changes on boards and offered printed copies of the current and proposed text for community members and elected/appointed officials to move through at their own pace. Village Staff and the consultant were available to answer questions and collect input.

November 10, 2022 - To finalize the proposed revisions to the zoning text and map, a public hearing was held at the Planning and Zoning Commission to make a recommendation to the Village Board. The consultant team led the discussion, bringing topics from the Open House to fine-tune, and a list of open questions from Planning and Zoning Commission members to address. The Commission requested further revisions from the consultant and continued the public hearing to December 8, 2022.

December 8, 2022 - The public hearing for the comprehensive amendments continued from November 10, 2022. The Planning and Zoning Commission moved to unanimously recommend approval of both text and map amendments to the Village Board.

On-Site Engagement

September 24, 2022 - Fall Fest

Village Staff participated in the 2022 Fall Fest to share information, gather input, and answer questions related to the proposed Zoning Ordinance revisions. Residents were invited to put a dot sticker on a poster of the proposed zoning map and learn about proposed changes to the ordinance that might impact them. In particular, Staff highlighted regulations related to parking pads, short term rentals, accessory dwelling units, corner lot fences, and sustainability initiatives included in the draft ordinance.

eNews July 16, 2021

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VILLAGE OF HOMEWOOD 2021 ZONING CODE UPDATE OPPORTUNITIES FOR PUBLIC INPUT

The Village of Homewood is currently in the process of updating its zoning code. As part of this process, the Village is offering several opportunities to encourage residents to provide input.

- Email: pzc@homewoodil.gov

Submit comments and input at any time using the email above.

- **Public Meetings**
 - Thursday, July 22, 2021 @ 7:30 PM
 - [Key themes and policy direction memo](#)
 - [7/22/2021 Agenda](#)
 - Thursday, January 27, 2022 @ 7:00 PM
- **Planning & Zoning Commission Public Hearing**
 - November 2022 (specific date and time TBD)
- **Village Board Meeting**
 - November 2022 (specific date and time TBD)
- **DIGITAL SURVEY** As part of this update, Houseal Lavigne developed a digital survey to help gather community input. Please note, the survey can only be taken once and will be open until November 2022. [Click here](#) or the link above to access the survey.
- **INTERACTIVE MAP** This tool will allow residents to share issues and opportunities within the existing zoning code and map locations that need attention or are examples of community assets. Examples could include parking lots that need more landscaping, industrial uses in close proximity to homes, a building that has a great design, or any other land use ideas residents have. To help get started, please view this [quick tutorial](#). We encourage residents to log in and create an account to be able to save and make future edits to their map. [Click here](#) or the link above to access the map.

For more details on the process of updating the zoning code, please click here or visit www.homesweethomewood.com.

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eNews September 17, 2021

Planning & Zoning Commission Public Meeting 9/23/2021

The Village of Homewood will once again be hosting a public meeting at Village Hall to share progress on the current zoning code update on Thursday, September 23 at 7:00 pm.

A Diagnostic Report & Preliminary Recommendations Framework will be presented by the Village's consultant, Houseal Lavigne Associates. This report includes a proposed new structure along with preliminary recommendations for updates to the zoning ordinance. [Please click here](#) to view.

Additional public meetings will be held on January 27, 2022, and November 10, 2022.

Did you know?

As a friendly reminder, below is the list of opportunities the Village has put in place to encourage residents to provide input during this process.

EMAIL: PZC@HOMEWOODIL.GOV

- Submit comments and input at any time using the email above.

DROPBOX

- Place written comments in the dropbox outside village Hall.

PUBLIC MEETINGS

- **Thursday, September 23, 2021 @ 7:00 PM**
- Thursday, January 27, 2022 @ 7:00 PM

PLANNING & ZONING COMMISSION PUBLIC HEARING

- November 2022 (specific date and time TBD)

VILLAGE BOARD MEETING

- November 2022 (specific date and time TBD)

PAPER SURVEY

- Paper surveys are available at Village Hall, 2020 Chestnut Road.

[DIGITAL SURVEY](#)

- Click the link above to fill out a digital survey to provide valuable input.

[INTERACTIVE MAP](#)

- Click the link above to share issues and opportunities within the existing zoning code and map locations that need attention or are examples of community assets

VILLAGE OF HOMEWOOD 2022 ZONING CODE UPDATE OPPORTUNITIES FOR PUBLIC PARTICIPATION

The Village of Homewood will again be hosting a public meeting at Village Hall to share progress on the current zoning code update on Thursday, January 27 at 7:00 pm.

Proposed amendments to the zoning code and the zoning map will be presented by the Village's consultant, Houseal Lavigne Associates. A Memorandum summarizing the major changes proposed for each chapter, the proposed zoning map, and the DRAFT zoning ordinance, formatted in both redline and clean pdfs for each chapter are available on the website. [Please click here](#) to view.

The Planning & Zoning Commission Public Workshop will be held both in-person and by webinar. Attendees must wear a mask properly covering their nose and mouth.

- To View the Meeting via Computer or Smartphone- Please [CLICK HERE](#) to join the webinar

or

- Type in: [Zoom.us](#) into any internet browser.
 - Select: JOIN A MEETING from the menu at the top right of the page.
 - Meeting I.D.: 991 8481 1606
 - Meeting Password: 573 812
 - Enter an email address (required)

or

- To Listen to the Meeting via Phone
 - Dial: (312) 626-6799
 - Enter above "Meeting I.D. and Meeting Password" followed by "#" sign

Did you know?

In addition to public comments during the meeting, below is the list of opportunities the Village has put in place to encourage residents to provide input during this process.

- **Email:** pzc@homewoodil.gov
 - Submit comments and input at any time using the email above.
- **Dropbox**
 - Place written comments in the dropbox outside village Hall.
- **Planning & Zoning Commission Public Hearing**
 - November 2022 (specific date and time TBD)
- **Village Board Meeting**
 - November 2022 (specific date and time TBD)
- **[SURVEY](#)** As part of this update, Houseal Lavigne developed a digital survey to help gather community input. Please note, the survey can only be taken once and will be open until November 2022. [Click here](#) or the link above to access the survey. Paper surveys are available at Village Hall, 2020 Chestnut Road.
- **[INTERACTIVE MAP](#)** This tool will allow residents to share issues and opportunities within the existing zoning code and map locations that need attention or are examples of community assets. Examples could include parking lots that need more landscaping, industrial uses in close proximity to homes, a building that has a great design, or any other land use ideas residents have. To help get started, please view this [quick tutorial](#). We encourage residents to log in and create an account to be able to save and make future edits to their map. [Click here](#) or the link above to access the map.

eNews January 14, 2022

VILLAGE OF HOMEWOOD 2022 ZONING CODE UPDATE PUBLIC MEETING

The Village of Homewood will host a public meeting at Village Hall to share progress on the current zoning code update on Thursday, June 23, at 7:00 pm.

Proposed amendments to the zoning code chapters 6-8 will be presented by the Village's consultant, Houseal Lavigne Associates. More information is available on the website. [Please click here](#) to view.

The Planning & Zoning Commission Public Workshop will be held both in-person and by webinar.

- To View the Meeting via Computer or Smartphone- Please [CLICK HERE](#) to join the webinar

or

- Type in: [Zoom.us](#) into any internet browser.
 - Select: JOIN A MEETING from the menu at the top right of the page.
 - Meeting I.D.: 991 8481 1606
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 - Enter an email address (required)

or

- To Listen to the Meeting via Phone
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Did you know?

Additional opportunities are available to provide input during this process:

- **Email:** pzc@homewoodil.gov
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- **Dropbox**
 - Place written comments in the dropbox outside village Hall.
- **Planning & Zoning Commission Public Hearing**
 - November 2022 (specific date and time TBD)
- **Village Board Meeting**
 - November 2022 (specific date and time TBD)

Did you know?

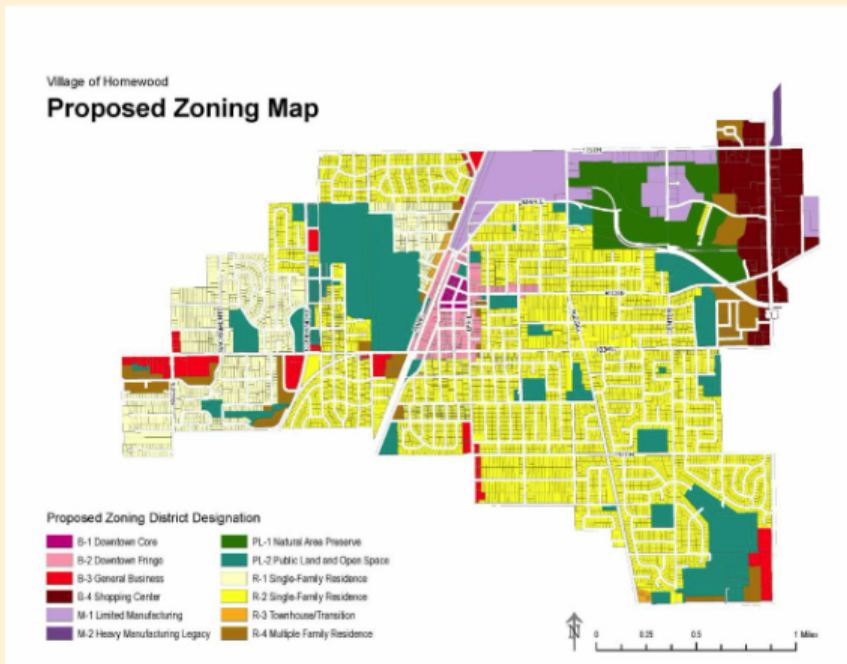
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- **Dropbox**
 - Place written comments in the dropbox outside village Hall.
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 - November 2022 (specific date and time TBD)
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- **INTERACTIVE MAP** This tool will allow residents to share issues and opportunities within the existing zoning code and map locations that need attention or are examples of community assets. Examples could include parking lots that need more landscaping, industrial uses in close proximity to homes, a building that has a great design, or any other land use ideas residents have. To help get started, please view this [quick tutorial](#). We encourage residents to log in and create an account to be able to save and make future edits to their map. [Click here](#) or the link above to access the map.

eNews June 16, 2022

eNews September 16, 2022

Participate in a Zoning Code Workshop!



What's in the draft of the new Zoning Code, and how might it impact you? To find out, attend a workshop, Thursday, September 22 at 7:00 p.m. with Village Staff, Planning and Zoning Commissioners, and members of the public. Staff will lead the workshop to review the draft code, dive deeper into sections for special attention, pinpoint recommended tweaks, and use real properties as scenarios to visualize application of the new code.

Don't miss this chance to give your feedback on the rules that will shape future development in Homewood!

When: Thursday, September 22
 Time: 7:00 p.m.
 Where: Village Hall Board Room

Check out the current draft materials online:
<https://www.village.homewood.il.us/business-development/planning-zoning/2021-2022-zoning-code-update-project>

Find the meeting agenda on the public meeting portal: <https://homewood-il.municodemeetings.com>

- + TRUSTEE LOGIN / STAFF LOGIN
- + BUILDING DIVISION
- + COMMISSIONS & COMMITTEES
- + COMMUNICATIONS & ENGAGEMENT
- COMMUNITY DEVELOPMENT
 - Current Projects
 - Planning & Zoning
 - 2021-2022 Zoning Ordinance Update
- + Economic Development
- EVENTS
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- + MAYOR & TRUSTEES
- + FINANCE DEPARTMENT
- + FIRE DEPARTMENT
- + POLICE DEPARTMENT
- + PUBLIC WORKS DEPARTMENT
- STAFF DIRECTORY

Government & Departments - Community Development - Planning & Zoning -

2021-2022 Zoning Ordinance Update

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The Village of Homewood is currently in the process of updating its zoning ordinance. The current zoning ordinance was enacted in 2002 and the majority of the code has not been revised since that time. Much has changed in the last 19 years in land use, economy, and the law. The Village engaged the consulting firm of Houseal Lavigne & Associates to perform a comprehensive update of the Village's zoning ordinance.

Provide input anytime:

- **Email:** pzcc@homewood.il.gov
- **Dropbox:** located just outside Village Hall at 2020 Chestnut Road, Homewood, IL 60430.

Participate in public meetings:

All meetings are held in the Board Room at Village Hall, 2020 Chestnut Road, Homewood, IL 60430.

UPCOMING

ADOPTION: Tuesday, January 10, 2023 @ 7:00 at Village Board of Trustees (tentative)

PAST

PUBLIC HEARING CONTINUED: Thursday December 8, 2022 @ 7:00 at Planning and Zoning Commission

- Meeting Packet
- Draft Zoning Ordinance (rev. 11/18/2022)
- Draft Zoning Map
- Zoom Recording

PUBLIC HEARING: Thursday, November 10, 2022 @ 7:00 at Planning and Zoning Commission

- Meeting Packet
- Draft Zoning Ordinance (rev. 11/09/2022)
- Draft Zoning Map

OPEN HOUSE: Thursday October 27, 2022 @ 7:00 - 8:30 pm

- Meeting Packet
- Draft Zoning Ordinance (rev. 10/27/2022)
- Draft Zoning Map
- Open House Boards

WORKSHOP: Thursday, September 22, 2022 @ 7:00 PM; continued October 5, 2022 @ 7:00 PM

- Meeting Packet for 09/22/2022
- Presentation
- Zoom Recording 09/22/2022
- Zoom Recording 10/05/2022

Working Draft of Ordinance:

- 1 - General Provisions
- 2 - Establishment of Districts
- 3 - District Standards
- 4 - Use-Specific Standards
- 5 - Development Standards
- 6 - Planned Development Standards and Procedures
- 7 - Zoning Procedures
- 8 - Nonconformities
- 9 - Definitions

• MEETING: June 23, 2022 @ 7:00 PM

- Draft Articles 6-9 Overview Memo
- 6 - Planned Development Standards and Procedures - DRAFT
- 6 - Planned Development Standards and Procedures - REDLINE
- 7 - Zoning Procedures - DRAFT
- 7 - Zoning Procedures - REDLINE
- 8 - Nonconformities - DRAFT
- 8 - Nonconformities - REDLINE

• MEETING: January 27, 2022 @ 7:00 PM

- 1/27/2022 Agenda
- Overview of Proposed Changes Memo
- Proposed Zoning Map
- Post Planning & Zoning Commission Meeting Chapter Summary
 - Draft and redlined version of each chapter to help you identify all proposed changes:
 - General Provisions - DRAFT
 - General Provisions - REDLINE
 - Establishing of Districts - DRAFT
 - Establishing of Districts - REDLINE
 - District Standards - DRAFT
 - District Standards - REDLINE
 - Use-Specific Standards - DRAFT
 - Use-Specific Standards - REDLINE
 - Development Standards - DRAFT
 - Development Standards - REDLINE

• MEETING: September 23, 2021 @ 7:00 PM

- Diagnostic Preliminary Recommendations Memo
- 9/23/2021 Agenda
- 9/23/2021 Zoom Recording
- Diagnostic Preliminary Recommendations Presentation
- Nonconformity Analysis Maps - Homewood
- Post Planning & Zoning Commission Meeting Diagnostic Memo

• MEETING: July 22, 2021 @ 7:30 PM

- 7/22/2021 Agenda
- 7/22/2021 Zoom Recording
- Key Themes and Initial Policy Direction Memo
- Key Themes and Initial Policy Direction Summary

• MEETING: July 22, 2021 @ 7:30 PM

- 7/22/2021 Agenda
- 7/22/2021 Zoom Recording
- Key Themes and Initial Policy Direction Memo
- Key Themes and Initial Policy Direction Summary

Take the survey:

As part of this update, Houseal Lavigne developed a digital survey to help gather community input. **We encourage residents to click the link below to share input.** Please note, the survey can only be taken once and will be open until November 2022.

- [DIGITAL SURVEY](#)

Contribute to the map:

This tool will allow residents to share issues and opportunities within the existing zoning code and map locations that need attention or are examples of community assets. **We encourage residents to click the link below to share input.** Examples could include parking lots that need more landscaping, industrial uses in close proximity to homes, a building that has a great design, or any other land use ideas residents have. To help get started, please view the [quick tutorial](#). We encourage residents to log in and create an account to be able to save and make future edits to their map.

- [INTERACTIVE MAP](#)

If the map is accessed as a "guest user", other users will have the option to edit and/or delete other "guest user" comments.

Please note, map social (the interactive map platform) collects user information to record, support, and facilitate user participation on the site, as well as prevent fraud and abuse. While the input users provide will be presented to the Village of Homewood, it may also be displayed on the site for viewing by the general public; map social will NOT disclose personal information to the Village of Homewood or to the public.

Zoning Ordinance Update Process Details

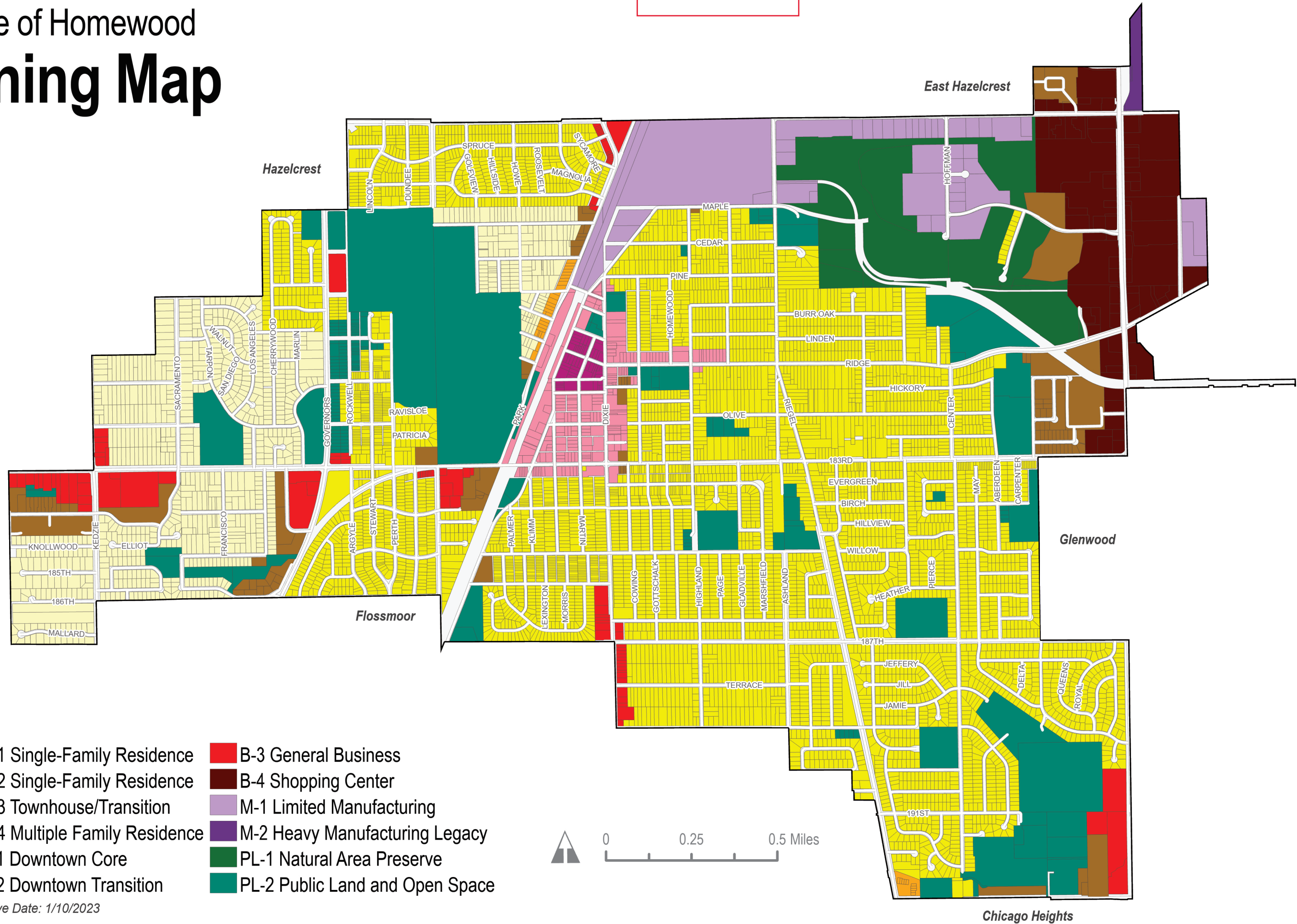
The current zoning ordinance was enacted in 2002 and the majority of the code has not been revised since that time. The Village engaged the consulting firm of Houseal Lavigne & Associates to perform a comprehensive update of the Village's zoning code.

The scope of work for the zoning code update includes the following:

- Modernize the zoning code to improve and simplify any outdated processes and procedures associated with the code
- Update to enhance the usability and understanding of the code with visual representations, charts, tables, matrices, swatches, etc.
- Update terminology and definitions that are obsolete or add new clarifying definitions.
- Identify and update any uses that are missing, unclear, need to be improved.
- Add or remove permitted and special uses that are outdated.
- Amend permitted and special use lists.
- Review the current zoning districts' purposes and boundaries for legitimacy.
- Identify and remove inconsistencies with best practices and trends.
- Ensure compliance with federal, state, and local legislation.

For a complete timeline of the project, please [click here](#).

Village of Homewood Zoning Map



Effective Date: 1/10/2023



BOARD AGENDA MEMORANDUM

DATE OF MEETING: January 10, 2023

To: Village President and Board of Trustees

Through: Napoleon Haney, Village Manager

From: Angela Mesaros, Director of Economic and Community Development

Topic: Municipal Code Amendments for Fences (Chapter 10)

PURPOSE

The comprehensive update to the Zoning Ordinance requires several corresponding amendments to the Municipal Code in order to be fully coordinated. In the existing Municipal Code, regulations for fences are located in *Article III – Residential* but contain regulations that also apply to non-residential properties. The proposed amendment will move the fence regulations to their own section where they can be applied to both residential and non-residential applications.

The newly adopted Zoning Ordinance includes a section regulating fence materials, location on a property, and maximum height. The proposed amendment to the Municipal Code will remove any conflicts, while retaining necessary requirements related to construction and maintenance. The amendment also introduces requirements for construction enclosures to secure construction sites, and silt and erosion control measures for the protection of the environment.

PROCESS

Village Staff collaborated between departments to coordinate the proposed amendments. Review by other appointed commissions was not required. A vote by the Village Board is required, and if passed, the appropriate section of the Municipal Code will be amended to reflect the changes.

OUTCOME

This amendment will ensure that the new Zoning Ordinance and Municipal Code are fully coordinated on their intersecting regulations for fences.

FINANCIAL IMPACT

- **Funding Source:** N/A
- **Budgeted Amount:** N/A
- **Cost:** N/A

LEGAL REVIEW

Completed

VILLAGE OF HOMEWOOD

Item 10. C.



RECOMMENDED BOARD ACTION

Pass an ordinance revising Chapter 10 of the Municipal Code related to fences.

ATTACHMENT(S)

Ordinance

ORDINANCE NO. MC-1070**AN ORDINANCE AMENDING CHAPTER 10 OF THE HOMEWOOD MUNICIPAL CODE CONCERNING FENCES**

WHEREAS, regulations concerning fences in the Homewood Municipal Code are currently located in Article III, which governs residential building codes; and

WHEREAS, since the Village's fence regulations apply to residential and non-residential property, the President and Board of Trustees have determined it appropriate to create a separate Article regulating fences.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Homewood, Cook County, Illinois, as follows:

SECTION ONE - AMENDMENT TO THE HOMEWOOD MUNICIPAL CODE:

Chapter 10 of the Homewood Municipal Code is amended as follows:

- A. Division 3 of Article III - Fences is deleted in its entirety. This Division shall be reserved for future use; and
- B. The attached Exhibit A is added to Chapter 10 as new Article XV - Fences.

SECTION TWO - EFFECTIVE DATE:

This ordinance shall be in full force and effect from and after its passage, approval, and publication in accordance with law.

PASSED and APPROVED this 10th day of January, 2023.

Village President

ATTEST:

Village Clerk

Ayes: _____ Nays: _____ Abstain: _____ Absent: _____

ARTICLE XV. FENCES

Sec. 10-655. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning:

Fence means any structure, partition or enclosure of wood, iron, metal, stone, brick, PVC or similar material, enclosing or dividing a piece of land. For the purposes of this division, the term "fence" shall not include naturally growing shrubs, bushes and other foliage.

Sec. 10-656. Permit required.

- (a) No new fence shall be erected or existing fence altered, by repairing or replacing any structural element or repairing or replacing more than three panels or 25 linear feet (7,620 mm) of fence when no structural elements are being repaired or replaced, without a building permit issued therefor by the building official after he has collected the permit fee required in this Code and determined that the fence plans are in compliance with all applicable laws of the village and this section.
- (b) Exception. The following temporary fences shall be allowed without a permit:
 - i. Garden Enclosures. A temporary enclosure of a garden during the growing season is permitted without a building permit. The height of the garden barrier shall be a maximum of 2.5 feet (762 mm) and shall not be constructed of plastic mesh or solid material. The garden enclosure shall be located on the interior of a rear yard as defined by the zoning ordinance at least five feet (1,524 mm) from the rear and side property lines unless the rear yard is enclosed by a permanent privacy fence a minimum of four feet (1,219 mm) in height.
 - ii. Construction Enclosures. A temporary enclosure around the perimeter of a lot under-going construction or demolition is allowed without a fence permit for the duration of the construction or demolition permit and activity. All construction fences must be closed with a padlock to prohibit unauthorized access.
 - iii. Silt and Erosion Control Measures. Temporary measures installed to prevent soil erosion during construction shall be allowed without a permit. Such temporary fences are allowed only for the duration of the construction activities and associated permits.

Sec. 10-657. Required fences.

Barriers are required for swimming pools. Refer to section 10-50, adopting the ICC International Building Code, 2018 edition, reference section 3109.3 and as amended in section 10-51, and section 10-526, adopting the ICC International Swimming Pool and Spa Code, 2018 edition, and as amended in section 10-527, for regulations pertaining to swimming pool barriers.

Sec. 10-658. Placement.

- (a) No private fence shall be allowed or constructed on a public street, highway or alley right-of-way.
- (b) A fence may, by permit, be placed on a public utility easement so long as the structure does not interfere in any way with existing underground, ground or over ground utilities. Further, the village or any utility company having authority to use such easements shall not be liable for repair or replacement of such fences if they are moved, damaged or destroyed by virtue of the lawful use of the easement. Fences in violation of this section may be summarily removed by the village.
- (c) All fences shall be placed four inches (102 mm) off of all property lines unless an attachment is made to an existing fence. When an attachment is being made to an existing fence owned by another, written consent

must be obtained from the owner of the existing fence and submitted as part of the supporting data for the permit application.

Sec. 10-659. Construction requirements.

- (a) No fence shall be constructed of material obviously intended to inflict great bodily harm should a person or animal attempt to climb or scale it. Such material includes, but is not limited to, electrically charged wires or other electrical conduit, broken glass, razor blades, razor wire and sharp or ragged metal spikes or spears. Barbed wire may be used only as authorized by Section 44-05-09 of the Zoning Ordinance.
- (b) All fences shall be constructed in conformity with the wind, stress, foundation, structural and other requirements of the building codes and laws of the village. At a minimum:
 - i. Post holes shall be a minimum six inches (152 mm) in diameter.
 - ii. Post holes for fences more than four feet (1,828 mm) in height must be a minimum 42 inches (1,067 mm) deep.
 - iii. Post holes for fences four feet (1,828 mm) or less in height must be a minimum 32 inches (813 mm) deep.
 - iv. Fences made of masonry or concrete block, shall be built upon a foundation with a minimum depth of 42 inches (1,067 mm).
- (c) Fences constructed with a minimum 50% solid materials shall be installed a minimum three inches above grade so as not to impede stormwater drainage. If located in a drainage swale or a drainage easement, the Village Engineer may require additional clearance from grade to allow for natural overland flow.
- (d) Fences shall be constructed so that structural elements or supports are located on the side of the fence facing toward the property on which the fence is constructed.

Sec. 10-660. Maintenance of fences.

All fences shall be maintained in good, structurally sound repair and in a neat, clean, presentable and attractive condition. Fences that are leaning at an angle of 15 degrees or greater are considered dangerous and shall be in violation of this ordinance. If any fence, on inspection by the building official, does not, in his determination, meet the requirements of this section, he shall order the owner or occupier of the premises to make the necessary repairs or improvements within 30 days. Should the owner or occupier of the premises fail to make repairs or improvements as directed, he shall be in violation of this Code and the building inspection shall cause a complaint to be issued and processed against the owner or occupier.

Sec. 10-661. Nonconforming fences.

Fences existing as of the adoption date of the ordinance from which this article is derived, which are not in violation of section 10-660, and are not located on public street, highway and alley rights-of-way but which violate other sections of this Code may continue to be maintained and to exist but may not be replaced, if destroyed or removed, to the extent that the violations would be continued.

Sec. 10-662. Noncompliant fences deemed nuisances.

Any fence which shall be erected, or shall be in the process of erection, or maintained contrary to the provisions of this article, is deemed a nuisance, and it shall be the duty of the building inspector and the police chief to abate the same.

Secs. 10-663—10-690. Reserved.



BOARD AGENDA MEMORANDUM

DATE OF MEETING: January 10, 2023

To: Village President and Board of Trustees

Through: Napoleon Haney, Village Manager

From: Angela Mesaros, Director of Economic and Community Development

Topic: Municipal Code Amendment for Live/Work Units (Section 10-51)

PURPOSE

The comprehensive update to the Zoning Ordinance requires several corresponding amendments to the Municipal Code to be fully coordinated. The Municipal Code adopts a building code and amends it to reflect specifics of the Village of Homewood and State of Illinois. The Building Code, as currently adopted, has been amended to remove the section on Live/Work Units. However, the economic and community development envisioned for the Village, and captured in the new Zoning Ordinance, includes the potential to retrofit or adaptively reuse former industrial buildings in the downtown as artisan fabrication maker spaces. These spaces would include a retail component and the potential for living associated with the retail/maker space units. This combination of retail/artisan fabrication and on-site dwelling reflects a traditional form of development that co-locates living and working quarters. Today, this is often referred to as artists' lofts.

The new Zoning Ordinance will allow live/work units in the B-2 Downtown Transition Zoning District, however, the cost to build out such a unit may be prohibitive without Section 419 of the International Building Code. Section 419 "Live/Work Units" allows greater flexibility within the building code to accommodate uses that are a combination of living space and retail/artisan manufacturing. Implementing this combination of uses without Section 419 would incur greater expenses and potentially prohibit this form of redevelopment.

The regulations of Section 419 of the 2018 International Building Code (IBC) are vetted by the International Code Council which develops all model codes in the best interest of public health, safety, and welfare. Suburban communities often remove this section of text from the standpoint of requiring a separation of uses, particularly residential from industry or commerce. However, the recent renewed interest in vibrant, diverse, and walkable communities has created the desire for a mix of co-located uses. Additionally, live/work units can provide an additional housing option for new or existing residents who may benefit from co-locating their living space with their small businesses.

Section 419 of the IBC includes restrictions on the size (max. 3,000 square feet) and certain other aspects of the live/work unit, such as a maximum of 50% dedicated to non-residential use. The zoning ordinance allows for live/work units that exceed those size limitations. Such units would still



be possible by following the full requirements of a mixed-use occupancy, such as separate mechanical systems, fire separation between uses, and separated means of egress.

In addition to reinstating Section 419, “Live/Work Units”, the proposed amendment would prohibit activities in the live/work units that may introduce higher levels of risk to public safety associated with certain artisan manufacturing processes. Those are identified in the proposed addition of Section 419.1.1.5. The additional revisions to the model code text change references from for accessibility and plumbing to the state-specific Illinois Accessibility Code and Illinois Plumbing Code.

PROCESS

Village Staff has collaborated between departments to coordinate the proposed amendments. Review by other appointed commissions was not required. A vote by the Village Board is required, and if passed, the appropriate section of the Municipal Code will be amended to reflect the changes.

OUTCOME

This amendment will facilitate the potential redevelopment of former industrial/warehouse buildings in the downtown (on Harwood Avenue along the railroad) into artisan manufacturing live/work units. Reinstating Section 419 of the IBC 2018 will allow greater flexibility for the redevelopment of this mixed-use type, which will lower the cost which might otherwise prohibit redevelopment. This amendment will uphold the goals and objectives of the 1999 Comprehensive Plan, the 2005 Downtown Master Plan, and Village policies of providing a variety of housing types and creating a diverse, vibrant, and walkable downtown while ensuring the public health, safety, and welfare.

FINANCIAL IMPACT

- **Funding Source:** N/A
- **Budgeted Amount:** N/A
- **Cost:** N/A

LEGAL REVIEW

Completed

RECOMMENDED BOARD ACTION

Pass an ordinance revising Section 10-51 of the Municipal Code to allow for Live/Work Units per the IBC 2018 Model Code, as further amended.

ATTACHMENT(S)

Ordinance

ORDINANCE NO. MC-1071

**AN ORDINANCE AMENDING CHAPTER 10, SECTION 10-51
OF THE HOMEWOOD MUNICIPAL CODE
CONCERNING LIVE/WORK UNITS**

WHEREAS, the Homewood Municipal Code currently prohibits colocation of living space and certain business activities, commonly referred to as "Live/work units"; and

WHEREAS, the Village of Homewood seeks to create a diverse, vibrant, and walkable downtown while ensuring public health, safety, and welfare; and

WHEREAS, removing the outright ban on live/work units will allow greater flexibility for the redevelopment of this mixed-use type, expand the variety of housing types available, and facilitate potential redevelopment of former industrial/warehouse buildings in the downtown area; and

WHEREAS, the revisions to the Municipal Code in this ordinance will further the goals and objectives of the Village's 1999 Comprehensive Plan and 2005 Downtown Master Plan.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Homewood, Cook County, Illinois, as follows:

SECTION ONE - AMENDMENT TO THE HOMEWOOD MUNICIPAL CODE:

Chapter 10, Section 10-51 of the Homewood Municipal Code is amended by deletion of the following language that is ~~struck through~~ and addition of the following language that is underlined:

~~Section 419, Live/work units, is amended to delete this section in its entirety and insert in lieu thereof the language "Live/work units are not allowed.~~

Section 419.1.1.5 Activities in the nonresidential area that involve equipment operating at sustained high temperatures, combustion or open

flames- such as glass-blowing, drying rooms or kilns, or welding- shall be prohibited in live/work units.

Section 419.7 Accessibility is amended to delete “Chapter 11” and insert in lieu thereof “Illinois Accessibility Code.”

Section 419.9 Plumbing Facilities is amended to remove “Chapter 29” and insert in lieu thereof “Illinois Plumbing Code” and to remove “Where the nonresidential area of the live/work unit is required to be accessible by Section 1107.6.2.1, the plumbing fixtures specified by Chapter 29 shall be accessible” and insert in lieu thereof “The nonresidential area of the live/work unit shall comply with the applicable requirements of the Illinois Accessibility Code, and the accessible fixtures required therein shall comply with the Illinois Plumbing Code.”

All other portions of Section 10-51 not amended by this ordinance shall remain in effect.

SECTION TWO - EFFECTIVE DATE:

This ordinance shall be in full force and effect from and after its passage, approval, and publication in accordance with law.

PASSED and APPROVED this 10th day of January, 2023.

Village President

ATTEST:

Village Clerk

Ayes: _____ Nays: _____ Abstain: _____ Absent: _____



BOARD AGENDA MEMORANDUM

DATE OF MEETING: January 10, 2023

To: Village President and Board of Trustees

Through: Napoleon Haney, Village Manager

From: Angela Mesaros, Director of Economic and Community Development

Topic: Municipal Code Amendments for Signs (Chapter 30)

PURPOSE

The comprehensive update to the Zoning Ordinance triggers several corresponding amendments to the Municipal Code in order to be fully coordinated. The current regulations of Chapter 30 of the Village of Homewood Municipal Code (“Sign Code”) place specific limitations on the gross sign area and height of signs in the downtown. Under the former Zoning Map, commercial properties in the downtown were zoned B-1 Central Business District. Under the newly adopted Zoning Map, the downtown area is redefined as two zoning districts: B-1 Downtown Core Zoning District and B-2 Downtown Transition Zoning District. This proposed amendment will reflect these changes to the zoning map and ensure coordination between the zoning ordinance and sign regulations in the Municipal Code.

At this time, the only proposed changes to the sign code are those that ensure coordination with the new Zoning Map. Staff anticipates fully revising the Sign Code in 2023.

PROCESS

Village Staff has collaborated between departments to coordinate the proposed amendments. Review by other appointed commissions was not required. A vote by the Village Board is required, and if passed, the appropriate section of the Municipal Code will be amended to reflect the change.

OUTCOME

This amendment will ensure that the existing limitations on overall gross sign area and ground sign height in the downtown will be continued.

FINANCIAL IMPACT

- **Funding Source:** N/A
- **Budgeted Amount:** N/A
- **Cost:** N/A

LEGAL REVIEW

Completed

VILLAGE OF HOMEWOOD

Item 10. E.



RECOMMENDED BOARD ACTION

Pass an ordinance revising Chapter 30 of the Municipal Code to coordinate the existing regulations limiting signs in the downtown with the new zoning map and district names.

ATTACHMENT(S)

Ordinance

ORDINANCE NO. MC-1072

**AN ORDINANCE AMENDING CHAPTER 30 OF THE HOMEWOOD
MUNICIPAL CODE CONCERNING SIGNS**

BE IT ORDAINED by the President and Board of Trustees of the Village of Homewood, Cook County, Illinois, as follows:

SECTION ONE - AMENDMENT TO THE HOMEWOOD MUNICIPAL CODE:

Chapter 30 of the Homewood Municipal Code is amended by replacing all references to "B-1 Central Business Zoning District" with "B-1 Downtown Core Zoning District and B-2 Downtown Transition Zoning District."

SECTION TWO - EFFECTIVE DATE:

This ordinance shall be in full force and effect from and after its passage, approval, and publication in accordance with law.

PASSED and APPROVED this 10th day of January, 2023.

Village President

ATTEST:

Village Clerk

Ayes: _____ Nays: _____ Abstain: _____ Absent: _____



BOARD AGENDA MEMORANDUM

DATE OF MEETING: January 10, 2023

To: Village President and Board of Trustees

Through: Napoleon Haney, Village Manager

From: Angela Mesaros, Director of Economic and Community Development

Topic: Municipal Code Amendments for Nuisances (Section 20-27)

PURPOSE

The comprehensive update to the Zoning Ordinance triggers several corresponding amendments to the Municipal Code in order to be fully coordinated. The former zoning ordinance included language that limited the hours of operation of scavengers and construction activity. This was erroneously located within land use regulation, when it is an operational activity on both public and private property. The regulation of these activities has been removed from the updated Zoning Ordinance and thus needs to be included in the Municipal Code. The restrictions are intended to prohibit noise nuisances and therefore are proposed to be included in the Municipal Code under the existing Section 20-27 prohibiting certain nuisances.

PROCESS

Village Staff has collaborated between departments to coordinate the proposed amendments. Review by other appointed commissions was not required. A vote by the Village Board is required, and if passed, the appropriate section of the Municipal Code will be amended to reflect the change.

OUTCOME

This amendment will establish a limitation on the hours of operation of activities that create disruptive noise nuisances, correctly locating the regulations in the Municipal Code.

FINANCIAL IMPACT

- **Funding Source:** N/A
- **Budgeted Amount:** N/A
- **Cost:** N/A

LEGAL REVIEW

Completed

RECOMMENDED BOARD ACTION

Pass an ordinance revising Section 20-27 of the Municipal Code to include scavenger hours of operations and construction hours of operations.

VILLAGE OF HOMEWOOD

Item 10. F.



ATTACHMENT(S)
Ordinance

ORDINANCE NO. MC-1073

AN ORDINANCE AMENDING SECTION 20-27 OF THE HOMEWOOD MUNICIPAL CODE CONCERNING CERTAIN ACTS OR CONDITIONS DEEMED PROHIBITED NUISANCES

WHEREAS, the former Homewood Zoning Ordinance contained restrictions on scavenger hours of operation and construction hours of operation; and

WHEREAS, Section 11-60-2 of the Illinois Municipal Code (65 ILCS 5/11-60-2) authorizes the corporate authorities of each municipality to define, prevent, and abate nuisances; and

WHEREAS, the President and Board of Trustees hereby declare that operation of scavenger service or construction activities outside of the hours listed in this ordinance constitute a nuisance; and

WHEREAS, the President and Board of Trustees have determined that these restrictions are better suited for inclusion in the Homewood Municipal Code instead of the Homewood Zoning Ordinance.

NOW THEREFORE BE IT ORDAINED by the President and Board of Trustees of the Village of Homewood, Cook County, Illinois, as follows:

SECTION ONE - AMENDMENT TO THE HOMEWOOD MUNICIPAL CODE:

Section 20-27 of the Homewood Municipal Code is amended as follows (additional language underlined):

(29) Scavenger hours of operation. Scavengers shall not pick up garbage, refuse, yard waste or other materials between 6:00 p.m and 6:30 a.m. The Village Manager may authorize scavenger service at other times on a case-by-case basis if in the public interest.

(30) Construction hours of operation. With the exception of the village, no person shall operate outdoors any construction equipment or mechanical apparatus operated by fuel or electrical power between 7:00 p.m. and 7:00 a.m., except for emergency work. At the Village Manager’s discretion, operating hours may be extended if required by unique circumstances or in the public interest. Any such exception shall be documented by a written permit displayed at the job site.

SECTION TWO – EFFECTIVE DATE:

This ordinance shall be in full force and effect from and after its passage, approval, and publication in accordance with law.

PASSED and APPROVED this 10th day of January, 2023.

Village President

ATTEST:

Village Clerk

Ayes: _____ Nays: _____ Abstain: _____ Absent: _____



BOARD AGENDA MEMORANDUM

DATE OF MEETING: January 10, 2023

To: Village President and Board of Trustees

Through: Napoleon Haney, Village Manager

From: Angela Mesaros, Director of Economic and Community Development

Topic: Fee Schedule Updates

PURPOSE

The scope of work for the zoning ordinance update called to “modernize the Zoning Code to improve and simplify any outdated processes and procedures associated with the code.” As a result of the updated processes, an update to the Homewood Fee Schedule is also needed. The proposed revisions to the fee schedule reflect revisions to the planning and zoning processes; streamlining of the fee schedule to be more user-friendly; right-sizing of fees to reflect Village resources expended to complete the processes; and adjustments to reflect contemporary costs, comparable with nearby communities.

Approval by the Village Board of Trustees is required to update the Fee Schedule for zoning processes.

PROCESS

Village Staff reviewed the existing zoning fees, and associated engineering and building fees, to coordinate with the updated Zoning Ordinance. In proposing new fees, Staff conducted benchmarking of comparable nearby communities; reviewed existing fees and coordinated between departments; and, considered Village resources expended in completing processes. It should be noted that this process did not include a comprehensive review of all building permit fees, but rather only those fees impacted by the new Zoning Ordinance, or in an area influenced by those associated changes. The Building Division may conduct a further comprehensive review of building permit fees and propose changes at a later date.

OUTCOME

The proposed ordinance revising the Fee Schedule will provide residents, business owners, and developers with clear costs associated with the processes required for zoning entitlements from the Village of Homewood. A summary of proposed changes to each area of the Fee Schedule is provided below. No changes other than those identified herein or in EXHIBIT A are proposed. Refer to the attached redlined fee schedule, attached as EXHIBIT A. The redlined fee schedule should be read as follows:

- Text in ~~red-strikethrough~~ is to be removed.
- Text in **black bold** is to be added.



Building Division Fees

Detached Accessory Dwelling Unit

To provide clear costs of constructing an accessory dwelling unit, language is added to the building permit fee schedule to group accessory dwelling unit fees with detached garage fees.

Residential Shed and Slab

The fee for residential shed and slab is corrected, per the Building Division from \$75 to \$100.

Engineering Review Fees

The fees for engineering review associated with a building permit were adjusted by the Village Engineer to be comparable with nearby communities and contemporary costs of doing business.

Subdivision Filing Fees

Subdivision filings are required per Chapter 30 of the Municipal Code, and grouped under the “Building” section of the existing Fee Schedule. The existing fee schedule includes separate subdivision filing fee and zoning review fee – to be collected at time of application for a subdivision or consolidation- and engineering review fee for subdivisions, to be collected with building permits. The proposed changes consolidate the subdivision filing and zoning review fees into one lump sum, simplifying the calculation of fees for an applicant.

Zoning Fees

Home-based Business Permits: Redefined as a Special Use or Limited Use; fees to be applied as such. This reflects a change in process, but no change to the fee.

Site Plan Review: Revised process; the proposed fees reflect the Staff resources dedicated to completing the process.

Planned Development: New process added for major or minor amendments; new associated fees are proposed.

Rezoning: Fee is simplified and revised to be comparable to other zoning actions with a similar process.

Use Permits: Additional use permits have been introduced in the new ordinance, including the Limited Use Permit, a Zoning Compliance Permit for all uses, and major or minor amendments to a special use; new associated fees are proposed.

Subdivisions: Fees are amended to include the existing “subdivision filing” fees with the zoning fees.

Lot Consolidation: New fee structure is proposed at a lower cost than subdivisions in order to encourage consolidation of lots for redevelopment or zoning best practices.



Text Amendments: Fee is simplified and revised to be comparable to other zoning actions with a similar process.

Variance: Administrative Variances and Minor Variances were eliminated under the new ordinance. A new process for Administrative Exception is introduced; a new associated fee is proposed.

Administrative Exception: New process introduced, similar to the previous Minor Variance. Proposed fee reflects the text change.

Appearance Commission: Currently, cases heard by the Appearance Commission are not charged a fee. New fees are proposed for Appearance Plan Review and Sign Code Variances to reflect Staff resources expended and discourage deviation from the Code, respectively.

Tree Preservation/ Requirements: The revised ordinance introduces new regulations for required landscaping in site development (Section 44-05-06) and preservation of existing trees or mitigation of tree removal (Section 44-05-07). Both of these new regulations allow for a cash-in-lieu of the requirements, when deemed appropriate. The new proposed fees establish the cash-in-lieu amount and are based on market rate prices of the required plants. The fine for removal of a tree designated for preservation is to be determined on a case-by-case basis by the Village Arborist using approved methods described in detail in the Zoning Ordinance.

FINANCIAL IMPACT

- **Funding Source:** N/A
- **Budgeted Amount:** N/A
- **Cost:** N/A

LEGAL REVIEW

Completed

RECOMMENDED BOARD ACTION

Pass an ordinance updating the “Building Division” and “Zoning” sections of the fee schedule, as proposed in EXHIBIT A.

ATTACHMENT(S)

Ordinance
EXHIBIT A

ORDINANCE NO. M - 2237

**AN ORDINANCE AMENDING THE BUILDING
DEPARTMENT AND ZONING SECTIONS OF THE VILLAGE
OF HOMEWOOD FEE SCHEDULE**

WHEREAS, the Board of Trustees of the Village of Homewood adopted a unified fee schedule by the passage of Ordinance M-2189; and

WHEREAS, it is necessary to amend the fee schedule to coordinate with recent updates to the Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Homewood, Cook County, Illinois, that:

SECTION ONE - FEE SCHEDULE REVISIONS:

The "Building Division" and "Zoning" sections of the Village of Homewood Fee Schedule is attached to this Ordinance as Exhibit A with additions in **black bold** and deletions in ~~red strikethrough~~.

All other sections of the Fee Schedule not amended by this Ordinance remain in force.

SECTION TWO - EFFECTIVE DATE:

This ordinance shall be in full force and effect after its passage, approval, and publication under law.

PASSED and APPROVED this 10th day of January 2023.

Village President

Village Clerk

YEAS: _____ NAYS: _____ ABSTENTIONS: _____ ABSENCES: _____

Building Department		
Description	Existing Fee	Proposed Change
Annual Contractor Registration Fee	\$100.00	
Certificate of Occupancy, No Construction		\$25.00
Permit Fee Schedule - Commercial		
New construction, per sq. ft.	\$1.00	
Additions, flat fee:	*\$100.00	
*Plus per sq. ft. increase	\$0.75	
Detached garage and accessory building:		
Shed only	\$100.00	
Shed and slab	\$200.00	
Detached garage, flat fee	*\$300.00	add: or Accessory Dwelling Unit
*Plus per sq. ft. over 500 sq. ft.	\$0.50	
Repairs, improvements and alterations:		
Estimated cost:		
\$0-\$10,000	\$100.00	
\$10,001-\$50,000	\$200.00	
\$50,001-\$100,000	\$300.00	
Over \$100,000	*\$300.00	
*Plus per \$1,000 (or fraction thereof) in excess of \$100,000	\$10.00	
Deck/Ramp/Porch		
0-500 s.f.	\$100.00	
Over 500 s.f.	*\$100.00	
*Plus per s.f. over 500 sq. ft.	\$0.25	
Repairs to stairs, handrails, guardrails, posts	\$75.00	
Roofing/Gutters/Soffit/Fascia/Windows/Siding	\$75.00	
Fence	\$150.00	
Swimming pool	\$500.00	
Underground tank (removal and installation)	\$200.00	
Satellite (6' or more in diameter)/Ham radio tower	\$100.00	
Security grilles	\$75.00	
Moving of buildings, flat fee:	*\$250.00	
*Plus each additional day	\$25.00	
Demolition:		
Commercial/Industrial/Multi-Family Structure	\$500.00	
Concrete, asphalt, paving brick (including retaining walls 4' in height)	\$150.00	
Reinspection:	\$100.00	
Sealcoating/stripping parking lot	\$25.00	

Building Department		
Description	Existing Fee	Proposed Change
Permit fee schedule - Residential		
New construction, per sq. ft.	\$0.75	
Additions, flat fee:	*\$100.00	
*Plus per sq. ft. increase	\$0.40	
Detached garage and accessory building:		
Shed only	\$50.00	
Shed and slab	\$75.00	\$100.00
Detached garage, flat fee	*\$125.00	add: or Accessory Dwelling Unit
*Plus per sq. ft. over 500 sq. ft.	\$0.25	
Repairs, improvements and alterations:		
Estimated cost:		
\$0-\$5,000	\$75.00	
\$5,001 -\$10,000	\$100.00	
\$10,001 and over	*\$150.00	
*Plus per \$1,000 (or fraction thereof) in excess of \$10,000	\$5.00	
Deck/Ramp/Porch		
0-500 s.f.	\$100.00	
Over 500 s.f.	*\$100.00	
*Plus per sq. ft. over 500 sq. ft.	\$0.25	
Repairs to stairs, handrails, guardrails, posts	\$50.00	
Roofing/ Gutters/Soffit/Fascia/ Windows/Siding	\$40.00	
Fence	\$50.00	
Swimming pool only	\$100.00	
Above Ground, with Electric	\$150.00	
In-Ground, with Electric	\$200.00	
Swimming Pool Re-inspection	\$30.00	
Underground tank (removal and installation)	\$200.00	
Satellite (6' or more in diameter)/Ham radio tower	\$100.00	
Moving of buildings, flat fee:	*\$250.00	
*Plus each additional day	\$25.00	
Demolition:		
Accessory structure	\$50.00	
Single-family home	\$250.00	
Concrete, asphalt and paving brick		
Driveways	\$75.00	
All others (including retaining walls 4' in height)	\$50.00	
Reinspection	\$100.00	

Building Department		
Description	Existing Fee	Proposed Change
Mechanical Permit		
Single-family residential:		
New systems only	\$75.00	
All others:		
Per unit	\$200.00	
Electrical permit		
New - Residential work on single-family units and any additions		
Per dwelling unit/flat fee	*\$300.00	
*Plus each fixture/receptacle	\$1.00	
New - Commercial/Industrial:		
0-3,000 s.f., flat fee	*\$150.00	
*Plus each fixture/receptacle	\$1.00	
3,001-6,000 s.f., flat fee	*\$250.00	
*Plus each fixture/receptacle	\$1.00	
6,001-10,000 s.f., flat fee	*\$350.00	
*Plus each fixture/receptacle	\$1.00	
10,001-25,000 s.f., flat fee	*\$450.00	
*Plus each fixture/receptacle	\$1.00	
25,001-50,000 s.f., flat fee	*\$550.00	
*Plus each fixture/receptacle	\$1.00	
50,000 s.f. and over, flat fee	\$550.00	
each additional 10,000 s.f.	\$15.00	
each fixture/receptacle	\$1.00	
Replacement service drop:		
Residential	\$75.00	
Commercial/Industrial	\$150.00	
Revision work:		
Residential, flat fee	*\$75.00	
*Plus each fixture/receptacle	\$1.00	
Commercial/industrial, flat fee	*\$150.00	
*Plus each fixture/receptacle	\$1.00	
Garages and accessory buildings:		
Single-family	\$50.00	
Multi-family/commercial/industrial	\$100.00	
Pools, electrical only		
Above-ground	\$50.00	
In-ground	\$100.00	
Reinspection:	\$100.00	

Building Department		
Description	Existing Fee	Proposed Change
Plumbing Permits		
New installation:		
Single-family residential units, flat fee	*\$300.00	
*Plus for each fixture	\$10.00	
All other, flat fee	*\$500.00	
*Plus for each fixture	\$10.00	
Revision work:		
Single-family residential, flat fee	*\$75.00	
*Plus for each fixture	\$10.00	
All others, flat fee	*\$150.00	
*Plus for each fixture	\$10.00	
In-ground pool:	\$100.00	
Reinspection fee:	\$100.00	
Condominium inspection or re-inspection	\$75.00 per unit	
Common element re-inspection	\$75.00	
Default Property Registration-initial	\$300.00 per property	
Default Property Registration-subsequent	\$300.00 per property	
Semi-annual Default Property registration	\$300.00 per property	
Liquefied Petroleum Gas Permit	\$15.00	
Sign Permits		
Unapproved Pennant, Banner, or Inflatable Sign	\$50.00	
Sign Permit Application Fee	\$50.00	
Sign Permit	\$0.50 per square foot of the gross surface area of each sign	
Reinspection of Sign	\$50.00	
Misc Fines		
Garbage and Debris Removal Lien	\$50.00 plus recording cost	
Lien preparation for vegetation cutting	\$50.00 plus recording cost	
Shopping cart retrieval	\$25.00 for each cart	

Building Department		
Description	Existing Fee	Proposed Change
Site Permits		
a. Case 1. Construction of a single-family or multifamily building on a lot not subject to a previous site permit or an approved lot and block grading plan (in-fill construction)	\$40.00	\$75.00
b. Case 2. Construction of a residential building on a lot in a subdivision having either a site permit or an approved lot and block grading plan on file with the village	\$30.00	\$50.00
c. Case 3. Construction or development of residential subdivisions; commercial, industrial, office or institutional developments; park or recreational developments:		
1. Under five acres.....	\$125.00	\$200.00
2. Five acres but less than ten acres.....	\$200.00	\$300.00
3. Ten acres but less than 50 acres.....	\$250.00	\$350.00
4. Fifty or more acres.....	\$300.00	\$400.00
d. Case 4. Substantial improvement or reconstruction of a building, or construction of any accessory building or addition to a building the cost of which does not exceed \$100,000.	\$25.00	\$40.00
e. Case 5. Substantial improvement or reconstruction of a building, or construction of any garage or addition to a building valued the cost of which is \$100,000.00 or more	\$40.00	\$60.00
f. Construction of a paved surface (including concrete, asphalt, and paving brick) that increases the amount of impervious surface on a commercial, multi-family, or industrial property	\$25.00	\$50.00
(3) For any other drainage site project.....	\$40.00	\$60.00
(4) For engineering evaluations performed by consultants when required by the village, the applicant shall promptly pay all costs associated therewith.		

Building Department		
Description	Existing Fee	Proposed Change
Subdivision Filing Fees		
Subdivider Filing		
less than, but not more than, 25 lots	\$90.00	\$150, combined with Zoning Fee
26 through 50-	\$90.00, plus \$2.00 for each lot in excess of 25.	\$200, combined with Zoning Fee
51 through 100-	\$140.00, plus \$1.75 for each lot in excess of 50.	\$300, combined with Zoning Fee
101 through 200-	\$227.50, plus \$1.50 for each lot in excess of 100.	\$400, combined with Zoning Fee
Over 200-	\$377.50, plus \$1.25 for each lot in excess of 200.	\$400, combined with Zoning Fee

Planning and Zoning		
Description	Existing Fee	Proposed Change
ADMINISTRATIVE APPEAL		
Administrative Appeal	\$150.00	
HOME-BASED BUSINESS PERMITS		
Class I Home-Based Business Permits	\$100.00	
Class II Home-Based Business Permits	\$150.00	
Annual Permit and Inspection Fee	\$60.00	
LETTER OF INTERPRETATION		
Letter of Interpretation	\$0.00	
SITE PLAN REVIEW		
Site Plan Review	\$50.00	
Administrative Review Committee*		\$150.00
<i>*Includes initial review and 1 review of revisions. Subsequent submittals pay anew.</i>		
Planning and Zoning Commission, if elevated by Committee		\$100.00
PUD		
Planned Unit Development, Less Than One (1) Acre	\$300.00	
Planned Unit Development, One (1) - Four (4) Acres	\$450.00	
Planned Unit Development, More Than Four (4) Acres	\$550.00	
Major Amendment		\$200.00
Minor Amendment		\$150.00
REZONING		
Rezoning, Less Than One (1) Acre	\$300.00	
Rezoning, One (1) - Four (4) Acres	\$450.00	\$250.00
Rezoning, More Than Four (4) Acres	\$550.00	
SPECIAL USE		USE PERMITS
Zoning Compliance Permit		\$50.00
Limited Use		\$100.00
Special Use	\$150.00	
Special Use Major Amendment		\$150.00
Special Use Minor Amendment		\$100.00
Temporary Use Permit		\$50.00
SUBDIVISION Subdivision, One (1) - Twenty-Five (25) Lots	\$150.00	\$300.00
Subdivision, Twenty-Six (26) - Fifty (50) Lots	\$200.00	\$400.00
Subdivision, Fifty-One (51) - One-Hundred (100) Lots	\$300.00	\$550.00
Subdivision, More than One-Hundred (100) Lots	\$400.00	\$800.00
LOT CONSOLIDATION		
1 - 5 Lots		\$150.00
6 - 10 Lots		\$300.00
Greater than 10 Lots		\$500.00
TEXT AMENDMENT		
Text Amendment	\$300.00	\$250.00

Planning and Zoning		
Description	Existing Fee	Proposed Change
VARIANCE		
Variance, Zoning Commercial	\$250.00	
Variance, Zoning Residential	\$150.00	
Variance, Administrative Commercial	\$250.00	
Variance, Administrative Residential	\$150.00	
Variance, Minor	\$100.00	
Administrative Exception		\$100.00
APPEARANCE COMMISSION		
Appearance Plan Review		\$150.00
Sign Code Variance		\$150.00
TREE PRESERVATION/ REQUIREMENTS		
Canopy Tree, 2.5" Caliper, Cash-in-lieu		\$400.00
Evergreen or ornamental tree, 2.5" Caliper, Cash-in-lieu		\$200.00
Fine for removal of tree designated for preservation		To be determined on a case-by-case basis by the Village Arborist using approved methods described in detail in the Zoning Ordinance Section 44-05-07



BOARD AGENDA MEMORANDUM

DATE OF MEETING: January 10, 2023

To: Village President and Board of Trustees

Through: Napoleon Haney, Village Manager

From: Dennis Bubenik, Director of Finance

Topic: Liquor license request

PURPOSE

Crab Bagz LLC has requested a Class 7B liquor license for their proposed location at 18681 Dixie Highway (northeast corner of Dixie Highway and 187th Street – Southgate area). A Class 7B liquor license allows for the sale of beer and wine with on-premises consumption only. No more than 25% of sales can be from liquor. The Liquor Commissioner supports issuing the requested license.

PROCESS

Crab Bagz has been building out the space at 18681 Dixie Highway, and is preparing to open in the near future. If the Board is in favor of this request, staff will be directed to begin the liquor license application process. After successfully completing all of the steps required for obtaining a Village of Homewood liquor license, an ordinance to increase the number of allowed Class 7B liquor licenses for Crab Bagz LLC will be presented at a Board meeting for approval.

OUTCOME

Approval of this request will enable Crab Bagz to offer more options to their dining patrons.

FINANCIAL IMPACT

- **Funding Source:** N/A
- **Budgeted Amount:** N/A
- **Cost:** N/A

LEGAL REVIEW

Not required



RECOMMENDED BOARD ACTION

After discussion, and if the Board is in favor of granting the request for a liquor license, staff should be directed to prepare an ordinance to increase the allowed number of Class 7B liquor licenses for the Crab Bagz location at 18681 Dixie Highway. The ordinance will be agendized at a future Board meeting, once the petitioner successfully completes the application requirements for a Village of Homewood liquor license.

ATTACHMENT(S)

- Letter
- Business plan



18681 Dixie Hwy., Homewood, IL 60430

crabbagz2015@gmail.com

Ph: 872-529-BAGZ (2249)

Fax: 708-277-2121

Mayor Richard Hofeld,

My name is Paris Walker, owner of the new up and coming, dine-in restaurant, Crab Bagz, located at 18681 Dixie Hwy, Homewood, IL. I'm writing this letter to ask your permission to hold a liquor license at Crab Bagz.

Our family friendly restaurant specializes in a southern, time honored traditional seafood boil. This messy, but deliciously flavored "dish" is served in Kenylon Plastic Oven bags, on top of butcher paper. Customers are given plastic bibs, plastic utensils, a roll of paper towels, served water and beverages while waiting to be served.

Having a Liquor License will help the company revenue by 25%, annually, add additional jobs within the Homewood Community and allow customers to order drinks from the menu, perfect for their liking.

As a homeowner in "Home Sweet Homewood," I understand the value of bringing exceptional businesses that provide safe and inviting environments to our community. Crab Bagz will do just that! For my small business, I have invested a lot and used various resources to help make my dream become a reality. My team is working extremely hard to build out a restaurant that is fully equipped to bring all we have to offer. In addition, the restaurant has 24 hour camera surveillance monitored by ADT linked to Homewood Police Department.

It is my hope that you see the benefit that selling liquor will bring Crab Bagz and grant a category 7B - 75/25 beer and wine only liquor license. Crab Bagz is not a bar or club and the business plan indicates restaurant parameters. I am excited to bring Crab Bagz restaurant's succulent seafood boil to my neighbors and look forward to being afforded this opportunity.

Paris Walker
Owner

Business Plan

Crab Bagz



Paris Walker
Owner
Crab Bagz
18681 Dixie Highway
Homewood, IL 60430
PH.: 708-813-0651
FAX: 708-277-2121
Email: crabbagz2015@gmail.com
Website: www.crabbagz.com

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Executive Summary

Crab Bagz was created in the kitchen, August 2015, by sisters, Paris Walker and Kimmyatta Thurmon. After months of testing different recipes, they narrowed down a mouthwatering masterpiece that was sure to take the world by storm. They decided to have a “Crab-A-Ganza” where they invited their close friends and family over for a taste test to get their reactions and vote on which sauce was boss! Everyone was amazed by the succulent taste of the now, well loved flavors. They decided to rent commercial kitchen space to prepare seafood boil. Due to great customer service, professional food preparation, expedient food delivery, and their unique appearance, Crab Bagz’s customer base grew at an exponential rate.

Crab Bagz continued to hit record numbers and outperform expectations. This has now led to the pursuit of a restaurant where customers could come to and enjoy great service in a family friendly environment that is welcoming and enjoyable. We have grown from sharing a commercial kitchen, to enthusiastically pursuing our very own first brick and mortar located in Homewood, IL. Our facility is a restaurant that has the ability to transcend seasons, allowing patrons to experience Crab Bagz all year round.

Crab Bagz will be open to the public for lunch and dinner, 5 days a week and eventually move to 7 days. We welcome all seafood lovers to come have a seat at our table and enjoy a messy, mouthwatering, well seasoned seafood boil.

Company Overview

Crab Bagz is a new up and coming restaurant in Homewood. Our customers raved about our sauces and seasonings. They can't wait to enjoy it again! From our core recipe, we developed flavors to appeal to those who have taste buds ranging from mild to ghost pepper hot.

We witnessed growth and a high customer return rate. 86% of our customers called to reorder within 14 days. In the ever so fast paced world of social media, we realized the importance of creating a Facebook and Instagram account where we could quickly get our name out to the public. A vast majority of our customers found out about us from internet sources and word of mouth.

At our new location, upon entering, customers will be greeted and invited to place their orders and then escorted to a table, where they will have their drink orders taken while they wait for their food to be served.

We were the first in our service area to introduce the concept of delivering seafood boil to the front doors of our customers. We will continue to have delivery as an option.



Location

Crab Bagz is located on the corner of 187th and Dixie Highway, in Homewood, IL. The Village of Homewood is a diverse neighborhood, with over 18,000 residents, where families are offered various opportunities to enjoy family friendly venues. The owner being a Homewood resident, she anxiously awaits the opportunity to do her part and add a cool restaurant, as an extension to this diversified market.

Menu Items

Current menu is subject to change, to add additional food options, upon opening of new location menu offers customers the option of:

-1LB Snow Crab Legs

-Half & Half

mix of ½ pound of snow crab legs and ½ pound of shrimp

-1LB Shrimp

Each bag comes with a potato, corn on the cob, broccoli and andouille sausage. Customers have the option to substitute any side for another.

*See Sample Menu Below



Crab BagZ



872-529-BAGZ (2249)

STEP 1: PICK YOUR BOIL

(COMES W/ CORN, POTATO, ANDOUILLE SAUSAGE)

1 lb. of Shrimp - \$20

1/2 lb. of Crab Legs & 1/2 lb. of Shrimp- \$25

1 lb. of Snow Crab Legs - \$30

STEP 2: CHOOSE YOUR FLAVOR

Original (Mild)

Chipotle (Hint of Spicy)

Fiery (Spicy)

Ghost (Hot)

STEP 3: DELIVERY TIME

Schedule delivery

APPETIZER

Shrimp & Cheesy Grits - \$7

WANT EXTRA?

1/2 lb. Snow Crab Legs - \$10

1/2 lb. Shrimp - \$7

Corn on the Cob \$2

Potato \$1

Andouille Sausage \$2

Butter Sauce - \$1

** Prices subject to change based on market rate*

Marketing

- Social Media Platforms
 - IG: Crag_Bagz*
 - FB: Crab Bagz*
- Mailed coupons to surrounding residents
 - Radio Ads
 - Local Newspaper Ads

Via Crab Bagz social media platform, customers have made comments such as:

“Crab bagz was on hit yesterday! I’m so proud of you.”

“Kanji, Khalia, and Nedra absolutely loved the crab bagz. They are eating like they’ve never eaten before. Thank u I will be placing an order for next week as well.”

“Food was delicious, we enjoyed every bit of it. I will be calling again.”

“Love the on time delivery!”

I'm a little late on posting but we sure did love our crabbagz!
It was the highlight to our evening! :) #crabbagz
#tasteyfingers #delicious



59 Likes 6 Comments

Operations

Paris Walker will manage the restaurant, with additional managers being brought on approximately 3 months after opening. Paris will take on the duty to continue developing the operation manual, hiring, training and managing staff. Marketing and Advertising will be executed by a marketing team. Financial Management and Expansion will be overseen and executed by Paris Walker.

The plan includes approximately a 75 seat capacity with additional space in the bar and lounge area. To host this capacity, we plan to hire 15 – 25 part-time and full-time employees.

Host: 2 – 3

Servers/Staff: 3 – 5

Bar Managers: 3

Bartenders: 3 – 5

Cooks/Prep/Dishwashers/Janitorial: 8 -12

Crab Bagz will be open and gradually increase hours of operation depending on demand. In the beginning months, days and hours of operation will be Tuesday-Saturday 11am-9pm.

Our goal is to eventually open 7 days a week, with operation hours from 11am – 9pm Sunday through Thursday, and 11am – 11pm Friday and Saturday. As an additional source of revenue, catering and delivery service will be added in the future.

Leadership



Meet Paris Walker

- Owner and Founder of Crab Bagz LLC.
- Homewood resident for 9 years
- Bachelor's Degree in Liberal Studies
- Masters Degree in Education
- Educator for 13 years: *Classroom teacher for 10 years, Administrator for 4 years*
- Owner of ZMZ Investments Inc.
 - Certified WMBE (Women Minority Business Enterprise) with the State of Illinois*



BOARD AGENDA MEMORANDUM

DATE OF MEETING: January 10, 2023

To: Village President and Board of Trustees

Through: Napoleon Haney, Village Manager

From: Dennis Bubenik, Director of Finance

Topic: Request for Liquor License

PURPOSE

DISN Inc. doing business as (d/b/a) United Liquor holds a Class 2 liquor license for the location of 17532 Dixie Highway (*on Dixie Highway across the street and slightly southwest of Balagio Restaurant*). A Class 2 liquor license allows for the retail sale of liquor for off-premises consumption.

The owner of United Liquors proposes to sell the business to Ronakkumar Patel. Mr. Patel currently holds a Class 2 liquor license for Family Wine and Liquors located at 18707 Dixie Highway (*on Dixie Highway in the Southgate area immediately north of Coldstone Creamery*). Per Homewood's Municipal Code, when a liquor establishment is sold or assumed by a new owner, the new owner must complete Homewood's liquor license application process; even if the new owner is a current liquor license holder.

Mr. Patel, the new potential owner, is requesting that an additional Class 2 liquor license is made available in order to operate the United Liquor location.

PROCESS

If the Board is in favor of this request, staff will be directed to begin the liquor license application process. After successfully completing all of the steps required for obtaining a Village of Homewood liquor license, an ordinance increasing the allowed number of Class 2 liquor licenses for the United Liquor location at 17532 Dixie Highway will be brought to a future Board meeting for approval.

OUTCOME

Approval of this request will help begin the transition to the new ownership of the United Liquors location in Homewood.



FINANCIAL IMPACT

- **Funding Source:** No Financial Impact
- **Budgeted Amount:** N/A
- **Cost:** N/A

LEGAL REVIEW

None

RECOMMENDED BOARD ACTION

After discussion, if the Board is in favor of granting the request for a liquor license, staff should be directed to prepare an ordinance to increase the allowed number of Class 2 liquor licenses for the United Liquor location at 17532 Dixie Highway. The ordinance will be agendized at a future Board meeting once the petitioner successfully completes the application requirements for a Village of Homewood liquor license.

ATTACHMENT(S)

- Letter of request
- Business Plan

Ronakkumar D Patel

8009 harvest dr

Homewood IL 60430

Liquor License Request

Requesting packaged liquor license request for UNITED LIQUOR located at 17532 dixie hwy, Homewood IL 60430.

Thanks,

Ronakkumar D Patel

Business Plan

UNITED LIQUORS
17532 DIXIE HWY, HOMEWOOD, IL 60430

Owner Name, Address & Phone and % Ownership:

Owner

Name: Ronakkumar D Patel
Address: 8009 Harvest Dr Frankfort IL 60423
Phone: 708-381-9720
Ownership 100%

First of all I would like to say Thank you !! to Mayor Rich Hofeld ,village trustees and staff members to giving me opportunity to represent my business plan .

This business plan discusses an acquiring existing liquor store business the name of the proposed company is "UNITED LIQUOR" and it is the concept of Ronakkumar D Patel.

Mr. Patel have been a past user of liquor sales and supply services and found this industry to be highly attractive and promising in terms of future growth and expansion. UNITED LIQUOR is very good neighborhood store need to add more grocery item. We will have couple isles of grocery item and walking cooler with daily household item such as milk, eggs and cheese.

The business targeted location is City of Homewood Illinois which has an underserved population of middle and high-income individuals that would find UNITED LIQUOR business to be both convenient and oportune.

Mr. Ronakkumar Patel is intent on working as business owner with specific industry experience and he will be President and as a working director in charge of marketing, strategy, and supplier relationships.

Mr. Patel currently own the Family wine & liquor on Dixie hwy. we are very successful with our current establishment and we like to offer similar products and atmosphere to our new location united liquor. Having found himself in need of competent liquor sales and supply services at times during his own personal life, MR. Patel developed the desire to open a liquor store that would allow the liquor store consumer to have his or her choice of a wide selection of beer and alcohol in a timely and convenient manner.

Mr. Patel's vision is centered on maintaining the convenience factor for UNITED LIQUOR store consumers.

To this end, UNITED LIQUOR STORE vision statement states:

“Convenience first, Service second, and Profitability third.”

MR. Patel mission statement is composed to ensure that UNITED LIQUOR employees all understand the business priorities:

“All liquor store consumers will be served as if UNITED LIQUOR were the last place a liquor store consumer will visit and no liquor store consumer will leave the premises feeling as if they have not been taken care of.”

Marketing Objectives

UNITED LIQUOR marketing objectives are fairly straightforward and simple. This allows ownership the opportunity to focus on operations and service while still achieving sales objectives and service metrics:

- Reach 100 new liquor store consumers a month for the first 12 months
- Develop a word-of-mouth reputation
- Achieve first year revenues of \$1,000,000.

Products/Services

UNITED LIQUORS initial products and services will be limited in scope in order to allow ownership and management to establish a local market and reputation by focusing on operations and sales. The initial products and services offered will be:

- Full line of Whisky, Rum, Vodka & Tequila Products
- All the Popular Domestic Beers and microbrew beers
- A Selection of Popular Foreign Beers
- Mixed Drink Products
- Wide range of wine selection
- Cigarettes & Premium Cigars
- Food, Snacks, daily household items such as milk, bread, cheese etc.

Company Structure & Ownership

UNITED LIQUOR will be owned entirely by Ronakkumar Patel. It will be fully incorporated within the state of Illinois and licensed to operate in city of Homewood Illinois. UNITED LIQUOR will be directed and managed by MR. Patel.

Core Management Personnel

President: Ronakkumar Patel will be the President of the corporation and will act as a working director of the corporation on a daily basis.

Manager: a manager will retained who has specific liquor sales industry experience to oversee daily operations after 2 year of owner operation.

Lead Cashier: an employee will be hired and selected to act as leas service representative and to assist the manager in daily operations.

Roles & Responsibilities

President: The President will act as a working director. This role will be fulfilled by MR. Patel and he will handle all strategic management for UNITED LIQUOR. This includes marketing plans and strategies, supplier relations, and product/service selection and introduction.

Key Success Factors

The key success factors for UNITED LIQUOR are an important part of the business plan and operations. Failure to meet key success factors usually implies that a business is being poorly managed or was poorly conceived.

The key success factors for UNITED LIQUOR are:

- Meet first year sales goals
- Meet first year liquor store customer satisfaction objectives
- Acquire standout manager and supervisor
- Implement structured liquor store customer service training
- Add wide variety of grocery items
- Reach grocery sale up to 15 % or higher

Thank you,

Ronakkumar D Patel